

Superfund Studies – Recommendations Affecting States, Tribes, and Site Assessment

by

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NACEPT – Five Major Themes

- Increase transparency and rigor of EPA decision-making
- Spend resources wisely
- Expand coordination & collaboration efforts
- Expensive cleanups deserve special attention
- Measure and communicate progress and performance comprehensively

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Increased Transparency (Recommendation 1)

- EPA should apply a set of consistent factors from year to year to choose which NPL-eligible sites to propose for listing in each listing cycle.
 - Not included: “Anticipated cleanup costs and the amount of funds available in the Superfund Program budget should not be criteria used to include or exclude sites from the NPL”.

Increased Transparency (Recommendation 4)

- EPA should work with stakeholders to review the application of the HRS model to ensure:
 - 1) Accurate characterization of threats at sites located in sparsely populated areas and appropriate consideration of EJ concerns, traditional lifestyles, and other issues.
 - 2) Use of site-specific data EPA determines are available and reliable rather than defaulting presumptions in the HRS to estimate exposure.

Increased Transparency

(Recommendation 5)

- EPA should improve information and data on the Superfund Program and publish an annual report that presents key data on the Program, including progress and expenditures, anticipated costs, a summary of sites considered for listing, and the listing decisions and criteria applied.

Increased Transparency

(Recommendation 6)

- EPA should establish standard protocols to ensure regional offices publicly communicate available information on site conditions and current and potential future threats to humans and the environment:
 - A. When a site is dropped from the Superfund site assessment process
 - B. When an NPL-candidate site is proposed for NPL listing.

Coordination, Collaboration

(Recommendation 2)

- EPA regional offices should continue to improve collaboration with States, local governments, and Tribal nations as they consider which sites to recommend to Headquarters for listing.

Coordination, Collaboration

(Recommendation 3)

- EPA should reach out to potentially affected communities, local governments, and PRPs earlier in the Superfund site assessment process to share and solicit information about sites being considered for NPL listing.

Coordination, Collaboration

(Recommendation 7)

- EPA should:
 - A. Ensure that regional offices have knowledge and understanding of the capabilities and applicability of non-Superfund programs
 - B. Develop relationships with key managers in other programs, particularly federal programs, to facilitate coordination
 - C. Promote greater standardization of coordinating mechanisms, particularly for large, complex sites.

Coordination, Collaboration

(Recommendation 8)

- EPA should continue to invest in capacity building for State and Tribal cleanup programs.

Progress and Performance

(Recommendation 12)

- EPA should develop measures of performance that assess the effectiveness of Agency coordination with Tribal, State and local government, and community stakeholders.

120 – Day Study

- OSWER and the Regions should work together to maintain a sufficient rate of listing on the NPL to provide a clear incentive for PRPs to perform work under the Superfund program as well as other programs or authorities
- OSWER should encourage more Regions to adopt the best practice (or “one list”) approach to help ensure that the collective resources of EPA and the States are being utilized
- OSWER, OECA, and the Regions should re-examine existing policies relating to State-lead cleanup