UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY 11 1995

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

MEMORANDUM

SUBJECT: Relocation of Residents Affected by Superfund Sites

FROM: Elliott P. Laws
Assistant Administrator

TO: Director, Waste Management Division
Regions I, IV, V, VII, and VIII
Director, Emergency and Remedial Response
Region II
Director, Hazardous Waste Management Division
Regions III, VI, and IX
Director, Hazardous Waste Division
Region X
Director, Environmental Services Division
Regions I, VI, and VII

PURPOSE

The purpose of this memorandum is to follow-up on discussions held at the April 26-27, 1995, Waste Management Division Directors meeting. During that meeting, it was discussed that Headquarters is beginning to develop a Superfund relocation policy and to seek Regional input and assistance in this effort.

BACKGROUND

Relocation issues are extremely complex and involve balancing technical requirements with competing socio-economic considerations. Given these difficulties, relocation decisions are often unattractive ones. Not surprisingly, Regions may have been reluctant to consider either permanent and temporary relocation as a component of a response action. At the same time, however, some communities have demanded relocation as a solution to their concerns. As a result, EPA has been criticized by some community groups for conducting what appears to be more costly response actions instead of relocating the residents, even though less costly relocation alternatives may have existed.

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OBJECTIVE

In the interest of furthering the program's efforts to be responsive to community interests and concerns, I am asking that you participate with Headquarters in developing a nationally consistent relocation policy. My objective in developing this policy is twofold; to address the health threats posed by Superfund sites in a manner reflective of community interests, and to make cost-effective and technically sound response decisions.

IMPLEMENTATION

I want Remedial Project Managers and On-Scene Coordinators to be advised that relocation is an acceptable response action in the Superfund program. Temporary relocation of residents affected by a Superfund site may be selected as a component of a removal or remedial response action in accordance with Section 101 of CERCLA. Furthermore, Sections 101 and 104(j) of CERCLA, permit the use of permanent relocations during remedial actions. To maximize program flexibility, we will explore as policy development whether, and under what circumstances, permanent relocations may be carried out during removal actions as well.

To further achieve my objective, I am seeking Regional assistance in developing this policy in several ways. First, I am interested in learning about your past experiences in conducting either temporary or permanent relocations. Any advice or "lessons learned" which may influence policy development would be a benefit to all of us in the program.

Secondly, I am offering you the opportunity to designate sites as "pilots" where the use of relocation may be thoroughly explored. For these relocation pilot projects, Headquarters will support the Region by:

- Providing updated relocation information as issues are resolved
- Serving as a central point of contact for networking with other Regions that are facing similar issues
- Providing points of contact for obtaining relocation expertise within EPA and from the U.S. Army Corps of Engineers

Finally, I request that each Region designate a single point of contact for relocation, so that the transfer of information can be accomplished in an efficient manner.

The points of contact for this effort are Jo Ann Griffith at (703) 603-8788 and Richard Troast at (703) 603-8805, for the remedial program and Terri Johnson at (703) 603-8718, for the removal program. Please contact the Headquarters points of contact directly to name the Regional point of contact, to share your relocation experiences, or to offer a site for consideration as a relocation pilot.

cc:
Lisa Friedman, OGC
Bruce Diamond, OSRE
Jim Woolford, FFERO
Tim Fields, OSWER