



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

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

OSWER 9230.0-97

Signed April 12, 2002

MEMORANDUM

SUBJECT: Transmittal of "Superfund Response Actions: Temporary Relocations Implementation Guidance"

FROM: Elaine F. Davies, Acting Director *s/Elaine F. Davies*
Office of Emergency and Remedial Response

TO: Superfund National Policy Managers
Region 1-10

PURPOSE

This memorandum transmits OSWER Directive 9230.0-97, "Superfund Response Actions: Temporary Relocations Implementation Guidance." The collective experience of the Agency is that guidance will lead to consistency in Superfund program oversight and management. It is important to follow this guidance and to document decisions and assistance associated with temporary relocations. This guidance provides Regions and potentially responsible parties (PRPs) with policy and procedures for temporarily relocating residents during response actions carried out under Sections 104 (a) and 106(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

DISCUSSION

The objective of this guidance is to ensure that: temporary relocations are carried out in a way that is sensitive to the needs of the people being relocated; EPA is fair and consistent in the way temporary relocations are carried out; all temporary relocation comply with relevant laws and guidance.

Because temporary relocation is so complex and are conducted during both removal and remedial actions, a diverse workgroup was formed to develop this guidance. Workgroup was made up of members from OERR and several removal and remedial programs as well representatives from the Offices Regional Counsel and the Office of General Counsel. The guidance developed by the workgroup expands upon guidance provided by the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 (URA), as amended, and the Uniform Relocation Assistance and Real Property Acquisition Relations for federal and federally assisted programs contained in 49 CFR Part 24 and capitalizes on lessons learned at many Superfund sites.

In developing the guidance, the workgroup tried to capture the complexity and time consuming nature of conducting temporary relocations. Additionally, the group recognized the importance of a team approach to relocation and the need to understand the process prior to committing the

government to a temporary relocation. Consistency is imperative. When followed, this guidance will ensure a consistent approach and that relocatees are treated fair and equatability.

CONCLUSION

Overall, the guidance provides regions the flexibility necessary for solving complex temporary relocation issues. It also provides a decision framework to ensure consistency in the fair and equitable treatment of residents affected by the temporary relocation.

Because the range and scope of response actions where temporary relocation may be contemplated, and because each resident's life has unique circumstances, this document is unlikely to answer all questions. Relocation experts in OERR and OGC are experienced in working with temporary relocations conducted throughout the ten regions and they have contacts at other federal agencies who can provide additional advice. The subject matter specialists for this document are Terri Johnson and JoAnn Griffith.

Copies of this document may also be obtained from the OERR Document Center (703) 603-9232. Copies of this document are also available on our web site at <http://www.epa.gov/superfund/pubs.htm>.

Attachment

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David Lloyd, Office of General Counsel, 2377A
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