

Chapter 1

Site Evaluation Progress

By the end of FY97, approximately 40,100 potential hazardous waste sites had been identified and added to the Superfund inventory. Over 30,450 have been archived; the remainder await a final decision to determine if further federal involvement (NPL listing or archival) was necessary. To enhance site evaluation, EPA continued implementing the Superfund Accelerated Cleanup Model (SACM). Through SACM, EPA's Regions have been encouraged to reduce repetitive tasks and costs by combining activities where warranted by site conditions between the site assessment and long-term remediation program, and between the site assessment and removal program. EPA has also continued with ongoing efforts to address technical complexities and improve site evaluation guidance and to implement the Superfund administrative reforms such as the Brownfields Initiative.

1.1 Site Evaluation Process

The current site evaluation process begins when states, federally recognized Indian tribes, citizens, other federal agencies, or other sources notify the EPA Superfund program of a potential or confirmed hazardous waste site or incident. EPA confirms information and places a discovery date in the Agency's Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) database for those sites requiring further federal Superfund attention. In the case of federal facilities, sites are initially placed on the Federal Facility Hazardous Waste Docket and added to CERCLIS if site assessment work is required under CERCLA.

EPA manages activities, including necessary laboratory and technical support, by directing a

network of contractors, or by providing funding for these activities to states and tribes through site assessment cooperative agreements. At sites that pose an immediate threat to human health, welfare, or the environment, EPA conducts a removal action to address the threat. At other sites, a two-stage assessment is conducted; consisting of a preliminary assessment (PA) and a site inspection (SI). In some instances, EPA may need to continue with a more detailed investigation – an expanded site investigation (ESI) – that may involve additional sampling. Site screening and assessment decisions are made at Superfund sites upon completion of each site assessment action. These decisions may include:

- No further remedial action planned (NFRAP);
- Perform an early action to mitigate a threat;
- Designate the site a high or low priority for further evaluation;
- Defer the site to the state or another authority such as the Nuclear Regulatory Commission (NRC) or Resource Conservation and Recovery Act (RCRA) Subtitle C;
- Prepare the Hazard Ranking System (HRS) scoring package, or
- Aggregate the site into an existing National Priorities List (NPL) site.

Using the information from the PA, SI and ESI (if performed), EPA prepares an HRS package to evaluate the site's potential risk to human health and the environment. This system uses information from all the assessments conducted at the site to assign a

numeric score from 0 to 100. The HRS is the primary screening tool for determining whether a site is eligible for inclusion on the NPL, EPA's list of sites that are priorities for further investigation and if necessary, response action under CERCLA, 42 USC 9601, *et seq.*

1.2 Fiscal Year 1997 Progress

During FY97, EPA continued its progress in identifying and assessing potential hazardous waste sites while streamlining the process through administrative reform efforts.

1.2.1 CERCLIS Site Additions: Discoveries and Removals

EPA added more than 500 sites to CERCLIS during FY97, bringing the total number of sites under Superfund to approximately 40,100. Although the number of new sites brought to the Agency's attention has declined recently, EPA must address a backlog of sites still needing assessment to identify priority NPL candidates or to archive sites from CERCLIS. By the end of FY 97, over 30,450 sites had been archived (removed) from CERCLIS, leaving approximately 10,700 sites still in the CERCLIS inventory. EPA will continue to integrate remedial and removal assessment activities, where possible, to reduce costs and durations in an effort to utilize resources most efficiently and effectively.

1.2.2 Pre-CERCLIS Screening

In 1997, EPA initiated pre-CERCLIS screening guidance to minimize the number of sites unnecessarily entered into CERCLIS. The guidance requests that the Regions determine if federal action is necessary at the site before placing a site into CERCLIS. Several regions are developing pre-CERCLIS screening programs, based on HQ guidance. The Agency may revise the pre-CERCLIS screening policy or develop additional criteria based on the results of the regional programs.

1.2.3 Preliminary Assessments

When notified of a potential hazardous waste site, EPA or the appropriate state or tribe will

conduct a preliminary assessment to determine the threat posed by the site. A PA is the first phase of the site assessment that determines whether a site should be recommended for further action under Superfund. Federal, state, and local government files, geological and hydrological data, and data concerning site practices are reviewed to complete the PA report. An on- or off-site reconnaissance also may be conducted, although it is not required. EPA or the state will also review other existing site-specific information such as past state permitting activities, local population statistics, or information concerning the site's potential effect upon the environment. PA activities enable the Agency or state to determine whether further/no further study of the site or removal assessment/action is necessary. For federal sites, EPA reviews PA reports developed by relevant federal agencies and determines whether further/no further study is required under Superfund.

EPA, states, and tribes completed more than 420 PAs in FY97. Since the inception of Superfund, EPA states, and tribes have completed PAs at nearly 39,000 sites. The Agency has determined no further federal Superfund action is necessary at 46 percent of these sites – the remainder have proceeded to the SI stage for more extensive evaluation.

1.2.4 Site Inspections, Expanded Site Inspections, HRS Packages

If the PA indicates that a potential threat to human health or the environment, EPA or the states will perform an site inspection to determine options for cleanup and whether the site should be proposed for listing on the NPL. The objective of a SI is to gather information to support a site decision regarding the need for further federal Superfund action. The SI is not a study of the full extent of contamination at a site or a risk assessment, but is the first investigation to collect and analyze waste and environmental samples to support a site evaluation according to the HRS. An SI investigates PA hypotheses to target contamination and to determine the types of hazardous substances present. The scope of the site investigation is defined as the number of critical hypotheses and questions remaining after the PA and the number of pathways contributing to further action recommendations. In some instances such as installation of groundwater monitoring wells,

EPA may need to continue with a more expanded site investigation (ESI). The objective of the ESI is to collect additional data as necessary to prepare an HRS scoring package. The complexity of the site and the need for special procedures will determine the scope of the ESI.

For sites judged to be prospective candidates for the NPL, the collected data will be used to calculate a score using the Hazard Ranking System. The HRS serves as a screening device to evaluate and measure the relative threat a site poses to human health, welfare, or the environment and to assist in determining whether the site is eligible for placement on the NPL. The HRS evaluates four pathways through which contaminants from a site may threaten human health or the environment: groundwater, surface water, soil, and air.

The Agency completed over 330 SIs, 80 ESIs, and 46 HRS packages during FY 1997 and nearly 20,000 SIs, 700 ESIs, and 2,050 HRS package completions since the inception of the Superfund program. About 50 percent of those SIs resulted in no further action decisions under Superfund, the remainder have undergone additional assessment, or are awaiting further EPA action such as proposal to the NPL.

1.2.5 Site Inspection Prioritization

When the revised HRS was promulgated in March 1991 in response to a mandate in SARA, EPA could no longer use the original HRS for making NPL determinations. At that time, several thousand sites were eligible for NPL listing based on SIs conducted under the original HRS. EPA developed the SI prioritization (SIP) process to update preliminary HRS scores at those sites based on the revised HRS model.

SIPs were limited to 6,600 sites where an SI was conducted prior to August 1, 1992, but were also used to assist in identifying candidates for early actions under SACM. EPA completed approximately 200 SIPs in FY97. Most SIPs completed have resulted in NFRAP decisions.

1.2.6 Integrated Site Assessments

Prior to the implementation of SACM, hazardous waste sites could receive numerous similar, but sequential, assessments before any kind of cleanup began. Many if not most of these assessments started from scratch and did not take into consideration the information and data generated by the studies that preceded them. Resources were expended on the process of executing separate contracts, mobilizing sampling teams, designing sampling strategies, modifying health and safety plans, etc. for different but closely related assessment activities. The potential for repetitive work was largely a result of separate Superfund programs (e.g., removal and site assessment) addressing the same site.

The overall goal of SACM is to make Superfund cleanups more timely and efficient. One component of this model, the integrated site assessment, is designed to streamline the evaluation of selected sites by merging assessments of their conditions and risks. For example, under the integrated approach, any of the site assessment steps may be combined with the removal program's assessment; and the expanded site inspection may be combined with the site inspection, remedial investigation, or both. This allows for accelerated cleanups and increased efficiency in the Superfund process within the framework of CERCLA and the National Contingency Plan (NCP), while ensuring that cleanups continue to be protective.

1.3 Archiving Sites

In response to growing concerns about the unintended stigma associated with sites listed in CERCLIS, EPA introduced the CERCLIS archiving effort in early 1995 as part of the Agency's second round of administrative reforms on the Brownfields Economic Redevelopment Initiative. This Brownfields Initiative encourages cities, states, and private investors to clean up and redevelop contaminated or formally contaminated sites. Sites chosen for archive include sites where, following initial investigation, no contamination was found, where contamination was removed quickly without needing to be placed on the NPL, where the contamination was not serious

enough to warrant further federal Superfund attention, or where responsibility lies with the state or other authority such as Resource Conservation and Recovery Act (RCRA) for further assessment/cleanup work.

By the end of FY97, EPA archived approximately 30,450 of the 40,100 sites entered into CERCLIS. EPA provided updated guidance identifying types of sites eligible for archiving from CERCLIS in November 1996. In April 1997, EPA developed a quick reference fact sheet, "Archival of CERCLIS Sites," and posted it on EPA's Brownfields Internet homepage. An inventory of CERCLIS and archived sites by state is also available on the Internet.

1.3.1 Relationship Between NFRAP and Archiving

At any point in the evaluation process, EPA may determine that the Superfund evaluation of the site is complete and that no further steps to list the site on the NPL will be taken. Federal Superfund site assessment activities are suspended when the appropriate Regional official signs a letter, form, or memo approving the site assessment report and makes a determination that no further remedial action is planned or required. This decision does not necessarily mean that there is no hazard associated with the site; it merely means that, based on available information, the site does not meet the criteria for placement on the NPL. Sites not considered appropriate for the NPL might be addressed under the Resource Conservation and Recovery Act (RCRA), state cleanup programs, or other authorities such as the Nuclear Regulatory Commission (NRC).

NFRAP decisions are separate from CERCLIS archiving. NFRAP decisions are made from a site assessment perspective only; they simply denote that further Superfund remedial assessment work is not required based on currently available information. In addition, a NFRAP decision does not take into account any other Superfund programmatic activity that may be going on at the site such as a removal action or cost recovery efforts. In contrast, the archival of CERCLIS sites is made only when no further Superfund interest exists at a site. This means that sites are not archived if there are planned

or ongoing removal or enforcement activities, or if other Superfund interest still exists.

1.4 National Priorities List

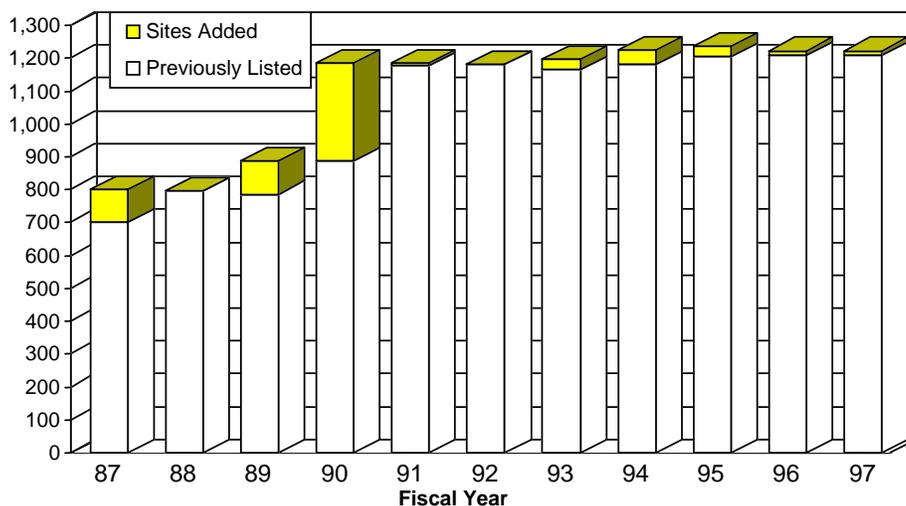
The NPL is the list of sites for long-term remedial evaluation and response. EPA evaluates the potential hazard of sites using the HRS. If a site has an HRS score of 28.50 or higher, the Agency may consider proposing the site to the NPL. If EPA determines the NPL is the appropriate mechanism for addressing site contamination, a proposed NPL rulemaking is published in the *Federal Register* which then initiates a public comment period. Following review of comments, EPA may finalize the site on the NPL via a final NPL rulemaking (also published in the *Federal Register*) or may remove the site from NPL consideration. A site remains on the NPL until no further CERCLA response action, including long-term maintenance and monitoring activities, is appropriate. When this condition is met, EPA deletes the site from the NPL.

In an effort to maintain coordination with the states in the NPL listing decision process, EPA issued a memorandum in November 1996 that outlines a process to continue to include state or tribal input in NPL listing decisions. This memorandum directs the Regional Administrator to solicit governor or tribal concurrence for placing a site on the NPL. A follow-up memorandum was issued in July 1997 to describe the process that will be employed in cases where an EPA Regional Office recommends proposing or placing a site on the NPL, but the state or tribe opposes listing the site.

1.4.1 National Priorities List Update

At the end of FY97, there were 1,405 sites in CERCLIS that have been proposed to, listed on, or deleted from the NPL: 1,196 currently listed sites, 53 proposed sites, and 156 deleted sites where all CERCLA cleanup goals have been achieved. Exhibit 1.4-1 illustrates the historical number of final sites on the NPL for each fiscal year since SARA was enacted in 1986. Sites deleted from the NPL reflect an activity required to be reported. At the end of FY97, the sites proposed to, listed on, or deleted from the NPL consisted of the following:

**Exhibit 1.4-1
Final NPL Sites for Fiscal Year 1987 Through Fiscal Year 1997**



Sites Added	99	0	101	300	7	0	33	43	30	18	18
Total ^{1,2}	802	798	888	1,187	1,185	1,183	1,197	1,226	1,232	1,211	1,249

¹ This graph illustrates *final* NPL sites only and reflects the fact that EPA deleted 13 sites from FY80 to FY86, 4 sites in FY88, 11 sites in FY89, 1 site in FY90, 9 sites in FY91, 2 sites in FY92, 11 sites in FY93, 13 sites in FY94, 25 sites in FY95, 34 sites in FY96, and 31 sites in FY97. At these deleted sites, all CERCLA cleanup objectives were achieved. In FY93, one additional site was deleted because it was deferred to another authority for cleanup. Also, eight sites were either voluntarily removed from the NPL or removed from the NPL by court order (seven sites in FY93 and one in FY94). The total of *final*, proposed, and deleted NPL sites as of September 30, 1997 was 1,405.

² The total number of sites listed final on the NPL from 1983 to 1986 was 703.

Source: *Federal Register* notices through September 30, 1997.

- 1,238 non-federal sites: 1,048 currently listed sites, 47 proposed sites, and 143 deleted sites;
- 165 federal sites: 151 currently listed sites, 6 proposed sites, and 8 deleted sites.

Updates to the NPL during FY97 included proposal of 20 sites (19 non-federal and 1 federal facility site), final listing of 18 sites (16 non-federal and 2 federal facility sites) and deletion of 31 sites (29 non-federal sites and 2 federal facility sites). These proposals to and listings on the NPL were included in three proposed rules (NPL Proposals 21, 22, and 23) and three final rules. The proposed rules were published in the *Federal Register* on December 23, 1996 (5 non-federal sites), April 1, 1997 (5 non-federal and 1 federal facility site) and September 25, 1997 (9 non-federal sites). The final rules were published in the *Federal Register* on December 23, 1996 (7 non-federal sites), April 1, 1997 (3 non-federal and 2 federal facility sites) and September 25, 1997 (6 non-federal sites). Twenty-three sites were

proposed for deletion during the fiscal year, including 19 of the 32 sites that were deleted.

1.4.2 Relationship Between CERCLIS and NPL Update

CERCLIS is used to track the discovery of potential hazardous waste sites, including those that are subsequently listed on the NPL, and to track actions at these sites. Of the 40,100 sites brought to the attention of Superfund by the end of FY97, 1,405 were either proposed to, listed on, or deleted from the NPL. Although the sites on the NPL are a relatively small subset of the inventory in CERCLIS (approximately 3.4 percent), they generally are the most complex and environmentally significant sites. Under CERCLA, EPA can only use the Trust Fund for long-term remedial actions at NPL sites. Fund money, however, can be used to conduct a removal action at a site, whether or not it is on the NPL. Chapter 4 of this report highlights progress in remediating NPL sites, and Chapter 3 of this report discusses removal actions at NPL and non-NPL sites.

1.4.3 Partial Deletions

It has always been EPA's policy to delete Superfund sites from the NPL when it determines that no further cleanup response is warranted under CERCLA. Deleting sites from the NPL can only be done with state concurrence. Previously, only entire sites could be deleted from the NPL. However, deletion of entire sites does not accurately reflect successful cleanup at individual portions of the sites. Accordingly, EPA published the Partial Deletions Policy on November 1, 1995 and it applies only to NPL sites.

EPA adopted the Partial Deletions Policy, as part of the Agency's Economic Redevelopment Initiative, in recognition of the fact that the development potential of property listed on the NPL could be negatively affected. EPA believes that partial deletions will facilitate the transfer, development, or redevelopment of property determined to be no longer contaminated allowing potential investors and developers to undertake economic activity at a cleaned up portion of real property that is part of a site listed on the NPL. Four sites in FY 1997 were either partially deleted or a notice of intent to partially delete was issued. A total of nine sites have been either partially deleted or a notice of intent to partially delete was issued since implementation of this administrative reform.

1.5 Site Evaluation Support Activities

EPA is managing a program designed to promote redevelopment of abandoned and contaminated properties, as well as addressing lead and radiation contamination because these contaminants present special hazards and problems. During FY97, EPA continued its progress under these programs. Under the Brownfields Initiative, EPA continued to work with all stakeholders to prevent, assess, safely clean up, and sustainably reuse brownfields. Under the lead program, EPA continued to work on risk assessment procedures and tools as well as provide advice on national lead issues. Under the radiation program, EPA continued to address technical complexities associated with site assessment, risk assessment, and cleanup technology evaluation for sites contaminated with radionuclides. The Agency also worked to enhance site evaluation guidance.

1.5.1 Brownfields Initiative

EPA is promoting redevelopment of abandoned and potentially contaminated properties across the country that were once used for industrial and commercial purposes ("brownfields"). While the full extent of the brownfields problem is unknown, the General Accounting Office (GAO\RCED-95-172, June 1995) estimates that approximately 450,000 brownfields sites exist in this country, affecting virtually every community in the nation. EPA believes that environmental cleanup is a building block, not a stumbling block, to economic redevelopment, and that cleaning up contaminated property must go hand-in-hand with bringing life and economic vitality back to communities.

The "Brownfields Economic Redevelopment Initiative" is a comprehensive approach to empowering states, tribes, local governments, communities and other stakeholders interested in the economic redevelopment to work together in a timely manner to prevent, assess, safely clean up and sustainably reuse brownfields. EPA originally addressed implementation of this Initiative through the Brownfields Action Agenda. This first Action Agenda included strategies that focused on four main categories – (1) implementing Brownfields Pilot programs in cities, counties, towns and Tribes across the country; (2) clarifying liability and other issues of concern for lending institutions, municipalities, prospective purchasers, developers, property owners and others; (3) establishing partnerships with other EPA programs, federal agencies, states, tribes, municipalities, and stakeholders; and, (4) promoting community involvement by supporting job development and training activities linked to brownfield assessment, cleanup and redevelopment. As the Brownfields Initiative has matured, the need for continuation and expansion of the national brownfields response has led to introduction of the new Brownfields National Partnership Action Agenda further linking environmental protection with economic redevelopment and community revitalization. The Brownfields National Partnership Action Agenda is a two-year plan featuring commitments from more than 25 organizations including more than 15 federal agencies.

By the end of FY 1997, EPA announced the selection of 121 Brownfields Pilots to be funded through cooperative agreements at up to \$200,000 each for a two-year period. The cooperative agreements for all pilots are subject to negotiation. EPA intends the pilots to perform the following: provide redevelopment models, direct efforts toward the removal of regulatory barriers; and facilitate coordinated public and private efforts at the federal, state, and local levels. EPA awarded 23 grants to eligible assessment pilot recipients for the capitalization of revolving loan funds for the cleanup of brownfields sites.

The Agency is beginning to see results from its efforts such as the Brownfields pilot in Buffalo, NY. After removing a former Republic Steel site from CERCLIS, ATDM Corporation, partnering with Village Farms of Buffalo, agreed to clean up a portion of the site in 1997 for dedicated use as a 25-acre hydroponic tomato farm. This new business will employ approximately 300 workers in the immediate area.

EPA has signed Memoranda of Understanding (MOU) with other federal partners to coordinate issues related to brownfields redevelopment and leverage additional opportunities. EPA has signed MOUs with the Department of Housing and Urban Development (HUD), the Departments of Labor, and the Department of the Interior.

A variety of guidances and other initiatives were announced by the Agency affecting the liability aspects of the Brownfields Action Agenda. In that regard, the Agency conducted a survey of major insurance underwriters, insurance providers, and banks to determine the types of environmental insurance products available. The survey also gathered information on the need to develop further incentives for the use of these types of risk transfer mechanisms. Educating stakeholders about the availability and use of environmental insurance products further encourages redevelopment and reuse of brownfields.

On August 5, 1997, President Clinton signed the Taxpayer Relief Act (HR 2014/PL 105-34), which included a new tax incentive to spur the cleanup and redevelopment of brownfields in distressed urban

and rural areas. The Brownfields Tax Incentive builds on the momentum of the Clinton Administration's Brownfields National Partnership Action Agenda, announced in May 1997. The National Partnership outlines a comprehensive approach to the assessment, cleanup, and sustainable reuse of brownfields, including specific commitments from 15 federal agencies. The Brownfields Tax Incentive will help bring thousands of abandoned and under-used industrial sites back into productive use, providing the foundation for neighborhood revitalization, job creation, and the restoration of hope in our nation's cities and distressed rural areas.

Each EPA Region has a Brownfields coordinator position to oversee Brownfields pilots and initiate other Brownfields activities. EPA continues to be advised and informed on environmental justice issues relating to brownfields through the National Environmental Justice Advisory Council (NEJAC). The NEJAC issued a final report, "Environmental Justice, Urban Revitalization, and Brownfields: The Search for Authentic Signs of Hope." The report analyzed the findings from the public dialogues held in June and July of 1995 on revitalization and brownfields, and made recommendations. Community-based recommendations from the report are helping to shape the future course of the Brownfields Initiative from pilot application to determinations of future site redevelopment.

EPA is also working with the American Society for Testing Materials (ASTM) to develop a standard guide titled "The Process of Sustainable Brownfields Redevelopment." The purpose of the efforts is to identify the interrelationships between the financial, regulatory, and community involvement aspects of brownfields revitalization. EPA is working with ASTM to involve environmental justice and community representatives in workshops to develop the standard.

EPA is promoting and fostering job development and training through partnerships with brownfields pilot communities and community colleges. EPA is working with the Hazardous Materials Training and Research Institute (HMTRI) (funding is provided through general appropriations) to expand environmental training and curriculum development

to assist community colleges from Brownfields pilot communities in developing environmental job training programs. A workshop was held in San Francisco, California in June 1997. To date, HMTRI has worked with more than sixty community colleges. Through a cooperative agreement with Rio Hondo Community College, EPA has established an environmental education and training center to provide comprehensive technical-level training. EPA and the National Institute of Environmental Health Services (NIEHS) are working to coordinate minority worker training grant recipients with brownfields pilot city activities.

1.5.2 Lead Program Progress

Lead is one of the most frequently found toxic substances at Superfund sites. Exposure to lead at Superfund sites occurs by multiple media and EPA risk assessments consider all sources of exposure to more fully assess lead risks. In order to promote more consistent evaluations and continually improve upon our assessment and management practices, the use of Agency experts to provide advice on national lead issues has been part of the Agency's Administrative Reforms. During 1997, efforts continued to increase the involvement of site managers and senior managers in their interactions with the Lead Technical Review Workgroup.

Lead Technical Review Workgroup

The Lead Technical Review Workgroup provides advice and recommendations on lead risk assessment issues. This advice has included the development of guidance documents and review of individual risk assessments. While discussions with individual site managers have taken place on a regular basis, interactions with multiple site managers to identify information needs and prioritize activities was facilitated as a result of the formation of the Lead Sites Workgroup (LSW), a group of site managers that address lead issues from across different EPA regions and Headquarters. Coordination and information sharing were also improved in 1997 through the exchange of information with senior regional and headquarters managers.

1.5.3 Radiation Program Progress

During fiscal year 1997, EPA made progress in addressing technical complexities associated with site assessment, risk assessment, and cleanup technology evaluation for sites contaminated with radionuclides. The following activity groups included Risk Assessment, Technology Assessment, Site Evaluation and Assistance, and Emergency Response.

Risk Assessment

Work continued on two other documents supporting fate and transport modeling: (1) a technical support document on the selection of distribution coefficient (K_d) values and their use in remediation and contaminant transport modeling, and (2) a guidance document to evaluating unsaturated zone infiltration methodologies to assist remediation and contaminant transport modeling.

Technology Assessment

EPA in conjunction with the Departments of Defense (DoD), DOE, NRC, the U. S. Geological Survey, the Food and Drug Administration, and the National Institute of Standards and Technology initiated development of the the Multi-Agency Radiation Laboratory Protocols Manual (MARLAP). MARLAP will provide guidance for laboratories and project planners to assure the generation of consistent and comparable data among laboratories and to assure that laboratory data is of sufficient quality to support the site-specific environmental decisions.

Work continued on a remedial technology selection decision support guidance for Regional On-Scene Coordinators (OSCs) and Remedial Project Managers (RPMs) responsible for radioactively contaminated sites. A guidance document to assist RPMs in performing or reviewing treatability studies for radiologically contaminated sites was also being rewritten.

Site Evaluation and Assistance

The Office of Radiation and Indoor Air (ORIA) continued to provide technical assistance to the Superfund program during FY97 through

headquarters staff and staff from both ORIA laboratories. This assistance is given directly to RPMs/OSCs in addressing NPL sites contaminated with radioactive materials.

Emergency Response

EPA and the State of Texas agreed to hold a Texas/EPA radiological exercise in Austin, Texas in September 1998. The exercise will examine the ability of EPA emergency response personnel to respond to a state request for assistance under both the National Contingency Plan and the Federal Radiological Emergency Response Plan.

EPA continued working on the Radiological Emergency Response Plan which will delineate when a response is conducted under the National Contingency Plan and the Federal Radiological Emergency Response Plan. The EPA plan will also designate which office has the lead for a particular response activity.

1.5.4 Site Evaluation Regulation and Guidance

EPA published the following site evaluation guidances, regulations, and revisions pertaining to site evaluation during FY97:

“Coordinating with the States on National Priorities List Decisions,” November 7, 1996.

“Coordinating with the States on National Priorities List Decisions,” November 14, 1996. (Supersedes November 7, 1996). Outlines a process to continue to include state input in NPL listing decisions.

“Coordinating with States on National Priorities List Decisions – Issues Resolution Process,” July 25, 1997. A follow-up memorandum that describes the process that will be employed in cases where a Regional Office of the EPA recommends proposing or placing a site on the NPL, but the state or tribes opposes listing the site.

“Using Qualified Data to Document an Observed Release and Observed Contamination,” November 1996, OSWER 9285.7-14FS (Supersedes EPA July 1994).

“Cumulative Risk Assessment Guidance – Phase I Planning and Scoping,” July 1997, The practice of risk assessment within the EPA is evolving away from a focus on a single pollutant in one environmental medium toward integrated assessments involving suites of pollutants in several media.

“Policy on the Issuance of Comfort/Status Letters,” November 1996. EPA often receives requests from parties for some level of ‘comfort’ that if they purchase, develop, or operate on brownfield property, EPA will not pursue them for the costs to clean up any contamination resulting from the previous use. The majority of the concerns raised by these parties can be addressed through the dissemination of information known by EPA about a specific property and an explanation of what the information means to EPA.

“Notice of Availability of Final Draft Guidance for Developing Superfund Memorandum of Agreement Language Concerning State Voluntary Cleanup Program,” Federal Register (Volume 62, Number 174) September 9, 1997. EPA has been working closely with states to develop partnerships to encourage cleanups of non-NPL hazardous substance-contaminated sites, such as brownfields.

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