

The U.S. Environmental Protection Agency

*Agenda for Action:
Strategic Directions for the
Future of Federal Facility Cleanup*

John E. Reeder

Federal Facilities Restoration and Reuse Office (FFRRO) Overview

The Federal Facility program is an important component of the broader Superfund program authorized under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Federal facilities are required to comply with CERCLA in the same manner as private entities.

- **Mission**

To lead the Federal government in building partnerships to achieve accelerated, effective, and protective cleanup and reuse of federal facilities.

- **Goals**

- Protecting human health and the environment at and near federal facilities
- Promoting reuse of federal properties in a manner that is protective of human health and the environment
- Enhancing the cleanup process
- Ensuring effective stakeholder involvement at federal facilities

Federal Facilities Program Progress

EPA's Federal Facility clean up program has a solid record of accomplishment. Since inception of the program, 172 sites have been listed on the National Priorities List (NPL). The shared responsibility for program implementation under CERCLA has worked effectively because of strong relationships.

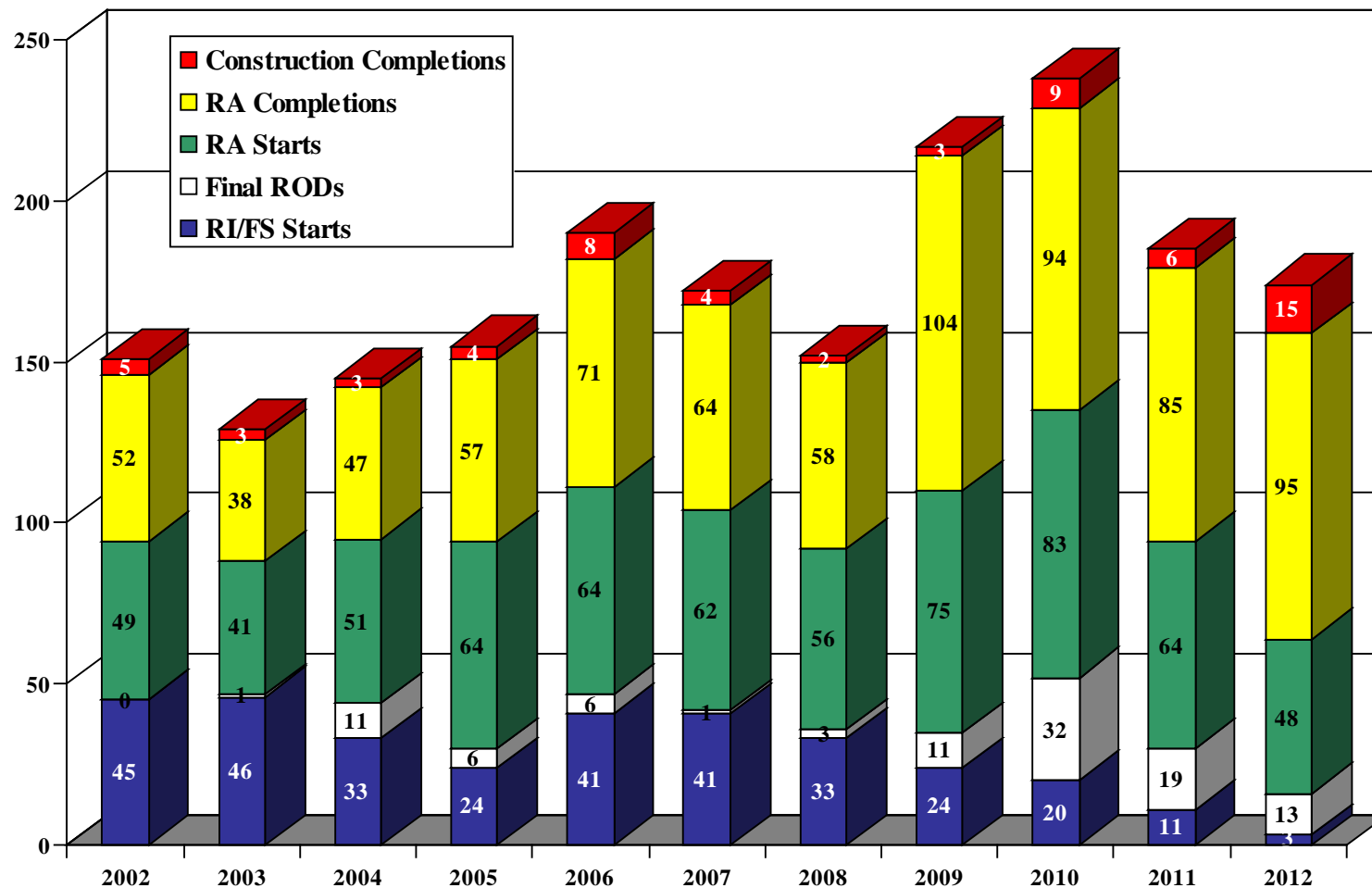
- **Clean up progress**

- 160 out of 172 NPL sites have Federal Facility Agreements (FFA) in place
- 61 sites have achieved Construction Complete (CC), 22 in last 5 years
- Federal Agencies are on pace to achieve 50% CC within the next 3-4 years
- Over 350,000 acres identified as RAU under CPRM

- **BRAC related progress**

- 72 NPL sites, under BRAC V are closing, realigning or gaining personnel
- FFRRO currently receives resources for BRAC I-IV non-NPL oversight
- EPA and DoD have agreed on a 3 year extension of the BRAC I-IV MOU

Federal Facility NPL Pipeline Accomplishments FY 2002 – FY 2012



Fiscal Year

Note: FY 2002 – 2008 include actual accomplishments, FY 2009 includes planned and actual accomplishments, FY 2010 – FY 2012 include planned accomplishments.

Program Challenges

- **Despite the regulations, guidance and formal policies that are in place, the “core” program faces many challenges, including:**
 - Challenges to EPA’s enforcement authority
 - Strained relationships with other agencies
 - Assuring technical support activities to meet changing needs
 - Lack of clarity about emerging contaminants
 - Ambiguity about EPA’s role in non-NPL work
- **The changing nature of federal facility work also presents challenges**
 - The “pipeline” of federal facilities NPL work and the nature of remaining cleanup has shifted over the last decade (with the exception of MMRP sites)
 - In 1998, there were 293 completed remedial actions at federal facility NPL sites. In 2008, there were 862 completed remedial actions.
 - There are 25% fewer ongoing RI/FSs in 2008 than there were in 1998

Meeting the Challenges: Develop a Unified EPA Federal Facilities Restoration and Reuse Strategy

In order to successfully develop a unified strategy, the Federal Facility program must focus on the following two areas:

- **Strengthening the core program, which includes:**
 - Technical and policy support to regions
 - Maintain high quality federal facility program data
 - Policy coordination with other Agencies
 - Improve hazardous waste docket
 - {-Enforcement priorities – TBD }
- **Preparing for future challenges, which includes:**
 - Communication and partnerships with tribes and states
 - Define roles and responsibilities for Federal mines, FUDS and munitions
 - Clarify munitions policy and develop tools, training and technical assistance
 - Green remediation and climate change
 - Explore targeted enforcement and legislative program proposals

Meeting the Challenge: Strengthening the Core Program

Challenge: Strengthen Technical and Policy Support to Regions and RPMs

- **The Goal**

- Timely resolution of issues through improved communication/coordination and technical support to enable the Regions to advance the program's mission.

- **The Plan**

- Enhance regional coordinator function

- Establish "Regional Action" service center

- Develop national federal facility NPM list-serve

- Regular RPM and program manager survey on tools, training, technical assistance and unique federal facilities issues

- Conduct self-audit of the 5-year review and IC-ROD review practices

Meeting the Challenge: Strengthening the Core Program

Challenge: Strengthen Federal Facility Program Data Management

- **The Goal**

- Ensure reliable and accurate information to support decision making and progress reporting.

- **The Plan**

- Audit CERCLIS data quarterly (getting to zero project)

- Re-start IDQTF and initiate dialogue with federal agencies

- Develop IDQTF three year action plan

- Use PART program evaluation to develop “best practice” paper

Meeting the Challenge: Strengthening the Core Program

Challenge: Strengthen Policy Coordination with other Federal Agencies

- **The Goal**

- Address unsettled policy matters, clarify roles and responsibilities and obtain greater cooperation and coordination.

- **The Plan**

- Initiate regular meetings with other federal agencies to discuss policies, priorities and areas of dispute

- Review BRAC progress reporting system

- Harmonize EPA and DoD GPRA and PART measures

- Develop annual roll up of “program priorities” in letter from EPA to DoD, DOE and other Agencies as appropriate

- Reach out to each federal agency on stronger ICs (i.e., implement IC checklist)

Meeting the Challenge: Strengthening the Core Program

Challenge: Improve Hazardous Waste Docket

- **The Goal**
 - Clarify docket policies and improve consistency of docket practices.
- **The Plan**
 - Review current docket practices
 - Finalize EPA policy for docketing MRSs and guidance to Regions
 - Issue policy memo and/or formal communication to agencies
 - Engage land management agencies on mine sites

Meeting the Challenge: Preparing for the Future

Challenge: Strengthen Communications and Partnerships with Tribes/States

- **The Goal**

- Ensure more effective and efficient cleanup of federal facilities through coordination of priorities.

- **The Plan**

- Assess FUDS capacity (ASTSWMO survey)

- Strengthen munitions technical capacity (e.g., MEC HA)

- Explore expanded support for assessment work (e.g., Region 3 grants to States)

- Review State policies and explore model regulations

- Strengthen support to State and Tribal organizations

Meeting the Challenge: Preparing for the Future

Challenge: Define Roles and Responsibilities for Federal Mines and FUDS

- **The Goal**
 - Clarify EPA's role in work at Federal mines and FUDS.
- **The Plan**
 - Initiate high level dialogue with USDA and DOI
 - Pursue joint projects with EPA's National Mining Team
 - Finalize Abandoned Mines "White Paper" and develop next steps
 - Review/update existing FUDS policy memorandums

Meeting the Challenge: Preparing for the Future

Challenge: Develop Munitions Policy and Technical Support Priorities

- **The Goal**
 - Develop policies and resources to better support Regions and other regulators.
- **The Plan**
 - Develop multi-year munitions policy/technical support strategy
 - Re-convene the Munitions Response Committee dialogue with States and DoD
 - How do you handle munitions for possible NPL listing?
 - Reconcile MMRP and CERCLA/GPRA milestones

Meeting the Challenge: Preparing for the Future

Challenge: Identify Enforcement and Program Legislative Proposals

- **The Goal**
 - Targeted statutory improvements.
- **The Plan**
 - Clarify enforcement authority
 - Explore State grants (i.e., Region 3 examples)
 - Explore partial CERCLA delegation (e.g., information gathering authority)
 - Identify EPA role, if any, in non-NPL federal facility sites