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Superfund Program Management Manual

Fiscal Year 1992

FINAL

Volume I

- Executive Summary
- Program Goals and Expectations
- National Information Needs
- SCAP Procedures
- SCAP/STARS Targets and Measures
- Program Planning and Reporting Requirements
- Financial Management
- Program Assessment
- Workload Models

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FY 92 SUPERFUND PROGRAM MANAGEMENT MANUAL

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MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS

QUARTER 4 (FY 91)	JULY
Fourth quarter Advice of Allowance (AOA) approved by the Assistant Administrator Solid Waste and Emergency Response (AA SWER) and Office of the Comptroller (OC)	3
Accomplishments data pulled from the Comprehensive Response Compensation and Liability Information System (CERCLIS)* and provided for: 1) Entry into Office of Pollution Prevention (OPP) Strategic Targeted Activities for Results System (STARS); 2) Special program reports; and 3) AA report.	8
Data pulled from CERCLIS for review of Remedial Design (RD) and Remedial Action (RA) projects	8
Data pulled from CERCLIS to support negotiation of: 1) Final Superfund Comprehensive Accomplishments Plan (SCAP)/STARS FY 92 targets; 2) First quarter FY 92 removals; and 3) Final FY 92 operating plan.	8
OPP STARS data verified (third quarter accomplishments)	8-12
OPP STARS system closes (third quarter accomplishments)	12
FY 92 RA priority setting panel meeting	23
	AUGUST
Accomplishments data pulled from CERCLIS and provided for Special program reports.	7
Data pulled from CERCLIS for review of RD and RA projects	7
Negotiations on final FY 92 SCAP/STARS targets and budget	12-23
Memorandum to Regions on final FY 92 budgets, targets and measures	30

*CERCLIS includes data in CERCLIS and CERHELP

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS (continued)

	SEPTEMBER
CERCLIS revised to reflect final FY 92 budgets, targets and measures	6
Data pulled from CERCLIS for review of RD and RA projects	9
Data pulled from CERCLIS for first quarter AOA	9
Accomplishments data pulled from CERCLIS and provided for Special program reports.	9
Final FY 92 Full Time Equivalent (FTE) distribution	16
FY 92 first quarter AOA request submitted to the AA SWER and placed in CERHELP	20
Regional conference call on final RA appropriation	26**
Regions input AOA to Integrated Financial Management System (IFMS)	30

** Dependent on approval of final appropriations

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS

QUARTER 1 (FY 92)	OCTOBER
First quarter AOA approved by the AA SWER and OC	3**
Data pulled from CERCLIS for review of RD and RA schedules	7
Accomplishments data pulled from CERCLIS and provided for: 1) AA report; 2) Special program reports; and 3) End-of-year assessment for FY 91. 4) Entry into OPP system for FY 91 STARS end-of-year accomplishments.	7
	NOVEMBER
FY 92 final targets, including open season changes, set in CERHELP	7
Data pull from CERCLIS for review of RD and RA schedules	7
Accomplishments data pulled from CERCLIS and provided for special program reports.	7
OPP STARS verified (fourth quarter FY 91)	18-22
OPP STARS system closes (fourth quarter FY 91)	22
Complete evaluation of ongoing RI/FS projects and RI/FS start candidates	27
	DECEMBER
Draft FY 93 Operating Guidance and STARS measures sent to Regions for review	2
Pull of CERCLIS data for: 1) Second quarter AOA; and 2) FY 93 Congressional Budget.	6
Data pull from CERCLIS for review of RD and RA schedules	6
Accomplishments data pulled from CERCLIS and provided for special program reports.	6
Second quarter AOA request submitted to AA SWER and placed in CERHELP	13
Regions input AOA to IFMS	30

**Dependent on approval of final appropriations

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS (continued)

QUARTER 2 (FY 92)	JANUARY
Second quarter AOA approved by the AA SWER and OC	6
Pull data from CERCLIS for review of RD and RA schedules	8
HQ pulls SCAP data from CERCLIS and baseline FY 93 targets and measures are developed using SCAP Methodologies	8
Accomplishments data pulled from CERCLIS and provided for: 1) Entry into OPP STARS system for first quarter review; 2) Special program reports; and 3) AA report.	8
Preliminary run of workload model based on methodologies	10
OPP STARS data verified	13-17
OPP STARS system closes	17
Call memorandum containing schedules for semi-annual negotiations and baseline targets and measures sent to Regions	17
Regional comments on FY 93 Operating Plan due	17
Program Management meeting (SCAP/Workload Model)	21-23
Mega-site Management Plans for FY 93 submitted to the Hazardous Site Control Division	31
	FEBRUARY
Accomplishments data pulled from CERCLIS and provided for Special program reports.	7
Data pulled from CERCLIS to support negotiation of: 1) FY 92 RA schedules. 2) Preliminary SCAP/STARS FY 93 targets; 3) Preliminary FY 93 annual Regional budget; and 4) Budget projections for FY 94 projects.	7
Begin HQ/Regional negotiation of: 1) FY 92 third and fourth quarter targets and budget; 2) FY 93 SCAP/STARS targets and annual Regional budget; and 3) FY 94 outyear budget.	20

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS (continued)

	MARCH
Final FY 93 Operating Guidance issued	2
Complete preliminary HQ/Regional negotiations of FY 93 targets	2
Accomplishments data pulled from CERCLIS and provided for Special program reports.	6
Draft FY 93 Superfund Program Management Manual distributed for review	9
Data pulled from CERCLIS for review of RD and RA schedules	20
Data pulled from CERCLIS for mid-year assessment	20
Pull CERCLIS data for third quarter AOA	20
CERCLIS revised to reflect negotiated FY 93 preliminary targets and measures	20
Run workload model for preliminary FY 93 Full Time Equivalent (FTE) distribution	23
Third quarter AOA request submitted to the AA SWER and placed in CERHELP	27
Memorandum to Regions on preliminary targets and FTEs	31
Regions input AOA to IFMS	31
QUARTER 3	**APRIL**
Issue Addendum for FY 93 Operating Plan	1
Third quarter AOA approved by the AA SWER and OC	3
Regional comments on FY 93 Superfund Program Management Manual due	6
Data pulled from CERCLIS for review of RD and RA schedules	7
Accomplishments data pulled from CERCLIS and provide for: 1) Entry into OPP system for second quarter review; 2) AA report; and 3) Special program reports.	7
Current FY STARS revisions to HQ	15
OPP STARS data verified (second quarter accomplishments)	13-17
OPP STARS system closes (second quarter accomplishments)	17
Program Management meeting (Budget/Pricing Factor)	22-23
Regions submit data sheets on RD projects that will lead to a FY 93 RA start	23

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS (continued)

	MAY
Accomplishments data pulled from CERCLIS and provided for Special program reports.	8
Pull SCAP planning data for outyear budget (FY 94)	8
Data pulled from CERCLIS for review of RD and RA schedules	8
Final FY 93 Superfund Program Management Manual	15
	JUNE
Pull of CERCLIS data for fourth quarter AOA	5
Data pulled from CERCLIS for review of RD and RA schedules	5
Accomplishments data pulled from CERCLIS and provided for Special program reports.	5
Complete negotiations on FY 92 fourth quarter AOAs for RD/RA, removal, and enforcement	12
Call memorandum and FY 93 proposed Regional budget sent to the Regions for semi-annual negotiations	12
Fourth quarter AOA request submitted to the AA SWER and placed in CERHELP	19
RA fact sheets for FY 93 RAs submitted to HQ	19
Regions submit enforcement mega-site management plans to the Office of Waste Programs Enforcement (OWPE)	30
Regions input AOA to IFMS	30
QUARTER 4	**JULY**
Fourth quarter AOA approved by the AA SWER and OC	6
Accomplishments data pulled from CERCLIS and provided for: 1) Entry into OPP STARS; 2) Special progam reports; and 3) AA report.	8

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS (continued)

	JULY (cont'd)
Data pulled from CERCLIS for review of RD and RA projects	8
Data pulled from CERCLIS to support negotiation of: 1) Final SCAP/STARS FY 93 targets; 2) First quarter FY 93 removals; and 3) Final FY 93 operating plan.	8
OPP STARS data verified (third quarter accomplishments)	13-17
OPP STARS system closes (third quarter accomplishments)	17
FY 93 RA priority setting panel meeting	21
	AUGUST
Accomplishments data pulled from CERCLIS and provided for Special program reports.	7
Data pulled from CERCLIS for review of RD and RA projects	7
Conduct negotiations on final FY 93 SCAP/STARS targets and budget	10-21
Memorandum to Regions on final budgets, targets and measures	31
	SEPTEMBER
CERCLIS revised to reflect final budgets, targets and measures	4
Data pulled from CERCLIS for review of RD and RA projects	8
Data pulled from CERCLIS for first quarter AOA	8
Accomplishments data pulled from CERCLIS and provided for Special program reports.	8
Final FY 93 FTE distribution	21
FY 93 first quarter AOA request submitted to the AA SWER and placed in CERHELP	25
Regional conference call on final RA appropriation	29
Regions input AOA to IFMS	30**

** Dependent on approval of final appropriations

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS (continued)

QUARTER 1 (FY 93)	OCTOBER
First quarter AOA approved by the AA SWER and OC	5**
Data pulled from CERCLIS for review of RD and RA schedules	7
Accomplishment data pulled from CERCLIS and provided for: 1) Special program reports; 2) AA report; 3) Entry into OPP system for FY 92 STARS end-of-year; and 4) FY 92 end-of-year assessment.	7
	NOVEMBER
Accomplishment data pulled from CERCLIS and provided for Special program reports.	6
Data pulled from CERCLIS for review of RD and RA schedules	6
FY 93 final targets, including open season changes, set in CERHELP	6
OPP STARS verified (fourth quarter FY 92)	16-20
OPP STARS system closes (fourth quarter FY 92)	20
Complete evaluation of FY 94 RI/FS start candidates	30
	DECEMBER
Draft FY 94 Operating Guidance and STARS measures sent to Regions for review	1
Pull of CERCLIS data for: 1) Second quarter AOA; and 2) FY 94 Congressional budget.	7
Data pull from CERCLIS for review of RD and RA schedules	7
Accomplishments data pulled from CERCLIS and provided for Special program reports.	7
Second quarter AOA request submitted to AA SWER and placed in CERHELP	11
Regions input AOA to IFMS	31

**Dependent on approval of final appropriations

SUPERFUND STATE PROGRAM MANAGER'S SCHEDULE
JULY 1991 - DECEMBER 1992

Task / Month	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
SCAP Planning Data	8	7	9	7	7	6	8	7	20	7	8	5	8	7	8	7	6	7
Accomplishment Reporting	8	7	9	7	7	6	8	7	6	7	8	5	8	7	8	7	6	7

FY 91 SCAP/STARS Targets & Measures	*/A			*/A														
FY 92 SCAP/STARS Targets & Measures							*/A	*P/A		*/A			*/A			*/A		
FY 92 Budget							*	P/A			*	P/A	P/A	P/A	P/A			
Advice of Allowance	(3)	*	P→	$(3)	*	P→	(6)	*	P→	(3)	*	P→	(6)	*	P→	$(5)	*	P
RA Priority Setting	P △23		$ △26						*	P/A △23		* △19	P △21		$ △29			
Mid-Year/End-of-Year Assessment			*	A				*	P/A						*	A		
FY 93 SCAP/STARS Targets & Measures						*	*/P	P △20			*	*	P→	(10)				
FY 93 Budget						*/P	*	P			*	*	P→	(10)				
FY 94 Budget							*	P			P							P
Agency Operating Plan						*	△17		(2)									*
FY 93 Superfund Program Management Manual									(9)*	△6	(15)							

"A" INDICATES ACCOMPLISHMENT DATA ARE PULLED FROM CERCLIS

"P" INDICATES PLANNING DATA ARE PULLED FROM CERCLIS

P→(#) INDICATES PLANNING DATA PULLED ONE MONTH ARE USED BY EPA ON THE DAY IN THE CIRCLE

"$" INDICATES DATE DEPENDENT ON APPROVAL OF FINAL APPROPRIATIONS

"*" INDICATES THAT DURING THE MONTH THE STATE MAY CONTACT THE REGION TO PROVIDE INPUT ON THE SPECIFIC PROGRAM MANAGEMENT TOOL

(#) INDICATES KEY DATES FOR HQ

△# INDICATES KEY DATES FOR THE REGION

EPA PROGRAM MANAGER'S SCHEDULE
JULY 1991 - DECEMBER 1992

Task / Month	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
SCAP Planning Data	8	7	9	7	7	6	8	7	20	7	8	5	8	7	8	7	6	7
Accomplishment Reporting	8	7	9	7	7	6	8	7	6	7	8	5	8	7	8	7	6	7
FY 92 Budget								P/A				P/A (12)	P/A	P/A	P/A			
FY 93 Budget								P				(12)	P → (10)		(4)			
FY 94 Budget						P		P			P							P
Workload Model			P (16)				P (10)		P (23)						P (21)			
FY 91 SCAP/STARS Targets & Measures	A			A														
FY 92 SCAP/STARS Targets & Measures							A	P/A	(20)	A			A			A		
FY 93 SCAP/STARS Targets & Measures							P (17)	P (20) → (2)	(20)			(12)	P → (10)		(4)		(6)	
Monthly Management Reports	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A
Advice of Allowance	(3)		P (30) →	$ (3)		P (30) →	(6)		P (31) →	(3)		P (30) →	(6)		P (30) →	$ (5)		P (31)
RA Priority Setting	P (23)		$ (26)							P/A (23)		(19)	P (21)		$ (29)			
RA Project Status	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A
Mid-Year/End-of-Year Assessment				A					P/A							A		

"P" INDICATES PLANNING

"A" INDICATES ACCOMPLISHMENTS

(#) INDICATES KEY HQ DATES

(#) INDICATES KEY DATES FOR THE REGIONS

"$" INDICATES DATE DEPENDENT ON APPROVAL OF FINAL APPROPRIATIONS

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

OVERVIEW

The Fiscal Year (FY) 1992 Superfund Program Management Manual illustrates the relationships among the major Superfund management tools. This includes identifying program goals and priorities, translating priorities into targets and measures that are planned and tracked through the Superfund Comprehensive Accomplishments Plan (SCAP), allocating resources through targets and measures, and evaluating SCAP to determine whether program goals are being met.

Regions are responsible for developing solutions to site management problems as they occur and should strive for a balanced approach to site work, encouraging both Potentially Responsible Parties (PRPs) and States to assume responsibility for response actions. Regions should coordinate with the States, the Office of Regional Counsel (ORC), U.S. Army Corps of Engineers (USACE), the Department of Justice (DOJ) and other Federal agencies (e.g., Department of Interior (DOI), the Agency for Toxic Substances and Disease Registry (ATSDR)) during the SCAP planning process.

The remaining sections of this chapter highlight the key program goals and themes addressed in this Manual.

OVERVIEW OF PROGRAM GOALS

The focus of the Superfund program is to maximize the protection of human health and the environment through fast and effective cleanup of priority hazardous waste sites and releases. The twin goals of maximizing participation of responsible parties and timely remediation of sites are two of the program's highest priorities. To meet these goals and to continue to fulfill the requirements of the long term strategy set forth in the Superfund Management Review and the four-year strategic plan of the Office of Solid Waste and Emergency Response (OSWER), several themes are highlighted in FY 92. These themes include:

- Ensuring that worst problems at the worst sites are addressed first by applying risk based priorities;
- Reducing risks by performing quick response actions at priority sites;
- Moving sites through the remedial pipeline to completion and deletion;
- Continuing to use environmental indicators as a means for communicating program progress;
- Maximizing the participation and increasing the number of PRPs involved in site remediation.
- Implementing management initiatives; and
- Maximizing cost recovery to the Trust Fund.

INTEGRATED FUND/ENFORCEMENT PROGRAM MANAGEMENT

The integration of enforcement and response activities has led to the development of a number of processes and procedures to support the achievement of program priorities. These initiatives include the development and application of the integrated Priority Setting Matrix and the Integrated Timeline for site management.

Integrated Program Priorities

First developed in 1989, the integrated Priority Setting Matrix provides a framework for allocating resources in Superfund to the highest priority activities. It is designed to identify and place in rough priority order the Superfund program goals and the activities that support achievement of those objectives. The Office of Waste Programs Enforcement (OWPE), the Office of Emergency and Remedial Response (OERR), and the Regions collaborated on revisions to the Matrix to better integrate budgeting resource allocation and Superfund Strategic Planning.

The integrated Priority Setting Matrix is designed to 1) identify relative program priorities; 2) list major program activities for which resources are provided; and 3) provide a framework to distribute the funding levels needed to support the activities.

The overall goals identified in the matrix (Exhibit ES-1) are to:

- Reduce near term risks to public health, emphasizing cleanup of the worst problems at worst sites first;
- Move sites quickly into cleanup using PRP resources as a first resort; and
- Maintain a baseline of activities that feed the remedial pipeline.

This matrix will be used by Headquarters (HQ) and the Regions in making trade-off decisions during:

- FY 93 budget formulation;
- FY 92 operating plan development, initial and final target setting; and
- Mid-year adjustment.

It should be noted that Federal Facilities are a separate program priority and are not included in the Matrix because they do not compete for funds from other Superfund program areas. The Office of Federal Facilities Enforcement (OFFE) will be working with Regional offices to develop a separate priority setting matrix for Federal Facilities.

Integrated Planning/Timeline Management

Integrated response/enforcement planning is the responsibility of HQ, Regional program offices, the States, ORC and DOJ. In order to provide adequate resources for priority actions at Superfund sites, HQ allocates resources within and between the response and enforcement budgets. Regions are responsible for providing data on the level of resources needed to accomplish these priority actions and negotiating commitments consistent with realistic site planning. Targets are negotiated from resource levels allocated.

Exhibit ES-1

PRIORITY SETTING MATRIX

PROGRAM PRIORITY	ACTIVITIES	RESOURCE LEVEL*
I. Reduce Near Term Threats A. Mitigate Risks from Immediate Threat	Classic Emergencies (Removal and Remedial, Fund and Enforcement)	A
	NPL Removals (Fund & Enforcement)	A
	Administrative Orders (AOs) for National Priorities List (NPL) Removals	A
B. Worst Problems First	**Site Assessment (Preliminary Assessment (PA)/Site Inspection (SI), Environmental Priorities Initiative (EPI))**	**B**
	Listing Sites	**B**
	Remedial Action (RA) Start (Fund) - Priority 1 Sites	**A**
II. Move Sites to Cleanup A. Support Ongoing Work at High Priority Sites to Completion of Current Phase (Operable Unit (OU))	Support Ongoing Remedial Design (RD)	A
	Ongoing RA (Fund and PRP) that lead to completion/ deletion	**A**
	Ongoing RA (Fund and PRP)	A
	Ongoing RD/RA Negotiations	A**
	Ongoing Remedial Investigation/Feasibility Study (RI/FS) (PRP)	A
	Ongoing RI/FS (Fund)	B
	Ongoing RI/FS (Enforcement mega-sites)	B
	Ongoing 107 Statute of Limitations (SOL) Litigation	A
	Ongoing 106 Litigation for Remedy	A
	Ongoing 104 Access	A
	Ongoing Compliance Enforcement	A
	Ongoing 106/107 Litigation	A
B. Take Enforcement Actions to Ensure a Strong Enforcement Presence and to Maximize Likelihood of PRP Takeover	RD/RA Negotiations (New)	A**
	PRP RD/RA Starts	A
	106 Settlement Referrals	A
	106 Unilateral Administrative Orders (UAOs) for RD/RA	A
	107 SOL Referrals	A***
	106 Litigation for Remedy	A
	106/107 Litigation	A
	Mixed Funding RD and RA	A
	104(e) Referrals	A

'A' = ALL and 'B' = BASELINE **BOLDING INDICATES CHANGES FOR FY 92**

* "A" and "B" are designed to indicate degree of importance, not an absolute rule with regard to funding. As used in this column "B" indicates a level of activities consistent with prior year activity. "A" means all those activities available to be done.

** Provided that timely special notice, special notice waiver or general notice with timelines has been issued and extensions have been requested/approved consistent with Agency policy.

*** Consistent with cost recovery strategy.

(Note: All activities identified in the matrix are to be funded at least at a minimum baseline level.)

Exhibit ES-1 (continued)

PRIORITY SETTING MATRIX

PROGRAM PRIORITY	ACTIVITIES	RESOURCE LEVEL*
II. Move Sites to Cleanup (continued) C. Take Action to Reduce Risk at Worst Problems First Where Enforcement Action is not Appropriate	RD Start (Fund) **RA Start (Fund) - Priority 2 and 3 Sites**	A B
D. Maximize Cost Recovery	Non-SOL Referrals	B***
E. Initiate RI/FS and Other Activities at Worst Problems First to Keep Pipeline Balanced	PRP RI/FS Fund RI/FS State Enforcement RI/FS	B B B
F. Other, Removal, Enforcement and State Support Activities to Support Long Term Goals	Non-NPL Time Critical Removals AOs for Non-NPL Time Crit. Removal Technical Assistance Grants (TAGs) Non-NPL PRP Search Core Program Cooperative Agreements (CPCA) 107 Administrative Settlements	B B B B B B
III. New Initiatives		
IV. Essential Program Management Elements A. Critical Path Support Activities	PRP Searches Contract Laboratory Program (CLP) Removal Support Remedial Project Support Community Relations	Fund at Level to Support Program Integrity
B. Core Program Support	Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) Data Base Management Contract Management Records Management Administrative Records Program Management State Program Support	Fund at Level to Support Program Integrity

'A' = ALL and 'B' = BASELINE **BOLDING INDICATES CHANGES FOR FY 92**

* "A" and "B" are designed to indicate degree of importance, not an absolute rule with regard to funding. As used in this column "B" indicates a level of activities consistent with prior year activity. "A" means all those activities available to be done.

*** Consistent with cost recovery strategy.

(Note: All activities identified in the matrix are to be funded at least at a minimum baseline level.)

After SCAP/Strategic Targeted Activities for Results System (STARS) targets have been finalized and funding levels developed, the SCAP process provides the flexibility to modify plans during the year. Modifications are termed either adjustments or amendments. Amendments require HQ concurrence and approval. Adjustments do not require HQ approval; however, they may require HQ notification.

Exhibit ES-2 illustrates the HQ and Regional responsibilities in the integrated planning process.

Exhibit ES-2

INTEGRATED PLANNING RESPONSIBILITIES

REGIONS	HQ
Involve the State in the planning process	Establishment of program priorities
Manage projects to integrate enforcement and response milestones and to ensure that schedules and timelines are met	Review of operating plans and site commitments
Provide accurate, complete and timely project planning data in the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) and SCAP	Work with Regional managers to adjust resources to meet program priorities
Follow established planning procedures and requirements	Negotiate and assess the status of mega-site funding
Recognize that missed commitments in the operating year severely affect resource availability in future years	Timely communication with the Regions on changes/additions to SCAP schedules
Involve ORC in planning process	Reprogram Regional resources to support priority activities
Negotiate and assess the status of mega-site funding	Provide funding and Full Time Equivalents (FTE) for negotiated targets
Assess outlays versus budget authorizations for Federal agencies cleanups part of the Office of Management and Budget (OMB) A-106 process	Involve Regions in preliminary resource requests
Identify multi-media planning and cleanup opportunities	Develop policy and guidance in response to Congressional or Agency initiatives
	Coordinate the Office of Solid Waste and Emergency Response (OSWER) and Office of Enforcement (OE) activities throughout the process

Integrated Timeline for Site Management

A major theme of the Superfund Management Review is the importance of an aggressive, well planned and tightly coordinated system for moving sites to completed remediation. Success in these efforts depends in large part on identifying critical decision points and goals and the amount of time it should take to get from one step to the next. As a result, the Agency has developed a timeline that provides an overview of the major remedial and enforcement activities required in the Superfund site cleanup process. The Integrated Timeline (Exhibit ES-3) is a multi-step site management process that spans a maximum of 24 quarters. In FY 92, HQ and the Regions will continue the initiatives to track the reasons for slippage.

To embody the concept of good timeline management, STARS/SCAP trends analyses will be undertaken in FY 92 to measure continuous improvements in the average duration of RI/FS projects and the average duration between Record of Decision (ROD) and Remedial Design (RD)/Remedial Action (RA) negotiations completion, ROD and RD start, and ROD and RA start. Also in FY 92, a HQ/Regional workgroup will be formed to review the goals, milestone events, and timeframes of the Integrated Timeline and consider potential revisions based on program experience.

Outyear Planning

When a site is proposed as a candidate for a Remedial Investigation/Feasibility Study (RI/FS) start, Regions must project and record in the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) a realistic schedule for core remedial and enforcement activities: RI/FS negotiations, RI/FS, ROD, RD/RA negotiations, RD, RA and cost recovery. Where better data on a project or site are not available, Regions can project schedules by using their experience or the Integrated Timeline for site management described in detail in Chapter I of the Manual. **As better information on project schedules and RA costs becomes available, Regions must update their SCAP data in CERCLIS.** At any given juncture during a FY, this information may be pulled from CERCLIS to support development of the Superfund budget. While every attempt will be made to contact the Region when this occurs, there may be instances when this cannot be done. Keeping the data current in CERCLIS is a continuous process that is particularly important for outyear budget planning, the workload model, Regional evaluation, and SCAP/STARS target setting.

INTEGRATED PROGRAM GOALS

Fund/Enforcement Goals

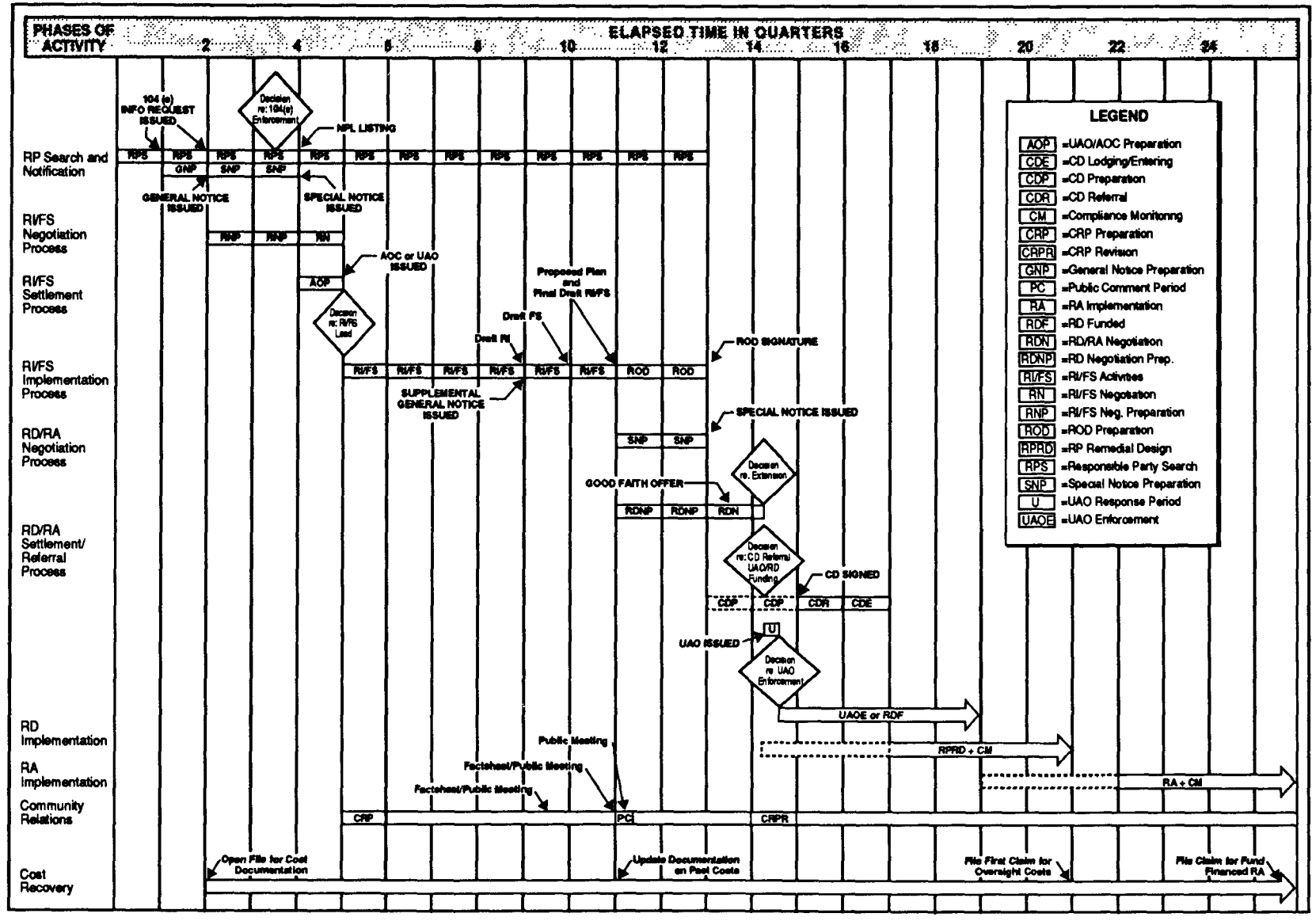
Maximizing the participation of PRPs in the Superfund program and remediating sites in a timely manner requires the Region to keep in mind the following:

- A comprehensive PRP search is the foundation of the Environmental Protection Agency's (EPA) enforcement process and serves to promote PRP participation in response activities. Once PRPs have been identified, negotiations need to be initiated, properly managed and completed within the special notice moratoriums;

- Regions should effectively use the settlement authorities and enforcement tools under the Superfund Amendments and Reauthorization Act of 1986 (SARA) (e.g., mixed funding, Non-Binding Allocation of Responsibility (NBAR), and de minimis) to compel PRP response and maximize PRP participation; and

Exhibit ES-3

INTEGRATED TIMELINE



- Continue moving sites through the remedial pipeline, completing ongoing projects to their next phase before starting new work.

Maximizing participation of PRPs and timely remediation of sites demands careful attention from both HQ and Regional managers. Of particular concern is the period from proposed plan to the start of RD and RA. In FY 92, HQ is continuing several management systems designed to spot and escalate concerns. These systems include written status reports, regularly scheduled forums for problem discussion and timeline management studies.

Cost Recovery

The EPA's policy is first to seek response actions by PRPs to meet environmental priority goals. EPA ensures this occurs by using its enforcement authorities vigorously. Where this is not possible, EPA conducts responses using the Superfund and then takes action to recover response costs from PRPs.

The goals for the Superfund cost recovery program are to:

- Maximize returns to the Fund, to enable more cleanups; it is EPA's intention to recover 100 percent of all costs targeted for recovery in every case pursued including direct costs, indirect costs, and interest; and,

- Create incentives for PRPs to conduct response themselves, in part through vigorous enforcement against recalcitrants, use of NBAR, de minimis settlements, and other CERCLA tools which promote PRP involvement.

These goals are consistent with the current Cost Recovery Strategy which places a higher emphasis on taking action against non-settlers.

Federal Facilities

Federal Facilities represent a significant threat to the environment and are receiving increased Agency attention. In response to the unique needs of mega-sites and complex compliance issues at Federal Facilities, OFFE in the Office of Enforcement (OE) has established the following initiatives, which are consistent with and complement Superfund program goals:

- Emphasis on improved Federal agency response programs and oversight through increased use of expedited response actions and streamlining;

- Institute a risk-based, "worst-first" enforcement approach; and

- Target facilities as prime opportunities for training, technology research and development, and technology transfer initiatives.

Management Initiatives

There are a number of management initiatives that are being implemented in FY 92 including:

- Implementation of a well managed program by continuing the strategy of fully funding RI/FS projects, with a goal of $750,000 per Operable Unit (OU) and $1,100,000 per site. These goals do not apply to mega-sites;

- Using the expertise of other Federal agencies, especially the construction management experience of the U.S. Army Corps of Engineers (USACE);
- Working toward making CERCLIS/WasteLAN more of a management tool for HQ and the Region. Expand the data base so it can be used to collect environmental information;
- Implementation of the Long Term Contracting Strategy (LTCS); and
- Development of CERCLIS data quality audit reports.

WORST SITES/WORST PROBLEMS FIRST

The Superfund Management Review established an Agency policy of addressing the worst problems first by scheduling incremental steps to clean up sites and expending scarce resources first on problems posing the most serious risk. The OSWER and OE Strategic Plans also made this policy a key objective for cleanup.

OFFE has also initiated a national effort to develop cleanup priorities based on the best judgment of EPA, States, Indian Tribes, citizen groups, and other Federal agencies to target limited government resources. Representatives from these groups will be participating in a national dialogue throughout FY 91 to develop a methodology and national priority system for Federal Facilities.

Site Assessment Program Goals

Site assessment demands are expanding and Regions are encountering more requirements in screening sites and making worst sites first decisions. The site assessment program is using a variety of mechanisms to ensure that worst sites enter the cleanup process first. These include:

- Establishing site assessment decisions/priority recommendations at each step of the evaluation process;
- Continuing the implementation of the Environmental Priorities Initiative (EPI);
- Implementing discovery projects;
- Increasing emphasis on Preliminary Assessments (PA) at Federal Facilities;
- Expanding emphasis on removal program coordination; and
- Implementing the revised Hazard Ranking System (HRS).

Remedial Investigation/Feasibility Study (RI/FS) Priority Setting Process

With a substantial number of RI/FS projects ongoing, the Agency will continue to limit the number of first and subsequent RI/FS starts in FY 92. As a result, a systematic process for establishing the relative priority of first and subsequent Fund and enforcement RI/FS starts was implemented. The specific objective of the RI/FS priority setting policy is to focus the limited number of RI/FS starts on the worst problems first.

By November 30, 1991, the Regions are required to submit a list of candidate RI/FS projects, a description of the priority setting process (if it changed from the FY 91 submission), and a three-tiered listing of all RI/FS start candidates that notes first and subsequent starts and explains the project ranking.

Planning for Mega-Sites

In the response program, mega-sites are defined as sites where the total RI/FS costs are in excess of or expected to exceed $3 million. There are over 20 sites nationally that currently come under the definition of mega-sites. In light of increased stress on the Superfund budget, mega-site management plans that characterize site problems, describe management options, and project total resource requirements must be submitted to HQ on an annual basis. These plans will be scrutinized with respect to enforcement activities, fiscal obligations and outlays, and technical approach. The relative priority of the RI/FS and the degree of risk reduction tht may be achieved will also be criteria for review of mega-site management plans. Funds for mega-sites will be allocated on a site by site basis.

Remedial Action (RA) Environmental Priority Setting

The number of sites reaching the construction end of the pipeline has increased dramatically following the Superfund Amendments and Reauthorization Act of 1986 (SARA). To ensure that limited RA funds would be directed to the worst problems first, an RA priority setting process was implemented.

Since the development and implementation of the RA priority setting process, two significant issues have emerged. First, a number of disincentives appear to have been created with the development of a line that separates sites that will be funded from sites that will not be funded. Second, PRPs are taking over an increasing number of post RD projects, and present projections for the FY 92 budget indicate a substantial increase in RA funding. As a result, adjustments to the RA priority setting process are being considered.

A two step approach to RA priority setting will occur. By April 1992, Regions are required to submit data sheets for each RD project that is expected to result in a FY 93 RA start, respectively. The data sheets should address PRP involvement, status of RD, and potential for phased funding of large dollar (greater than $50 million) projects. HQ will evaluate the projects, decide whether available projects are likely to exceed the RA budget, and make a decision on ranking. If it appears that the number of available projects will substantially exceed projected dollars, the RA ranking panel, which is composed of senior HQ and Regional managers, will proceed with project ranking. However, once the rankings are established, projects will be funded on a first ready, first funded basis through the third quarter, or until such time that it appears the available budget will not support the ready projects.

The RA priority setting process identifies three categories into which each RA project is assigned by the Region. The affected State shall be consulted prior to assigning an RA project to a category. (Regions are encouraged to involve affected States in completing project fact sheets.) Only projects where documentation has been submitted will be considered for ranking. The significance of these three categories is that RA projects are compared and ranked only with other projects in the same category; all projects of a given priority category are funded prior to funding projects in the next lower priority category. There is a subset of RA projects that is not evaluated under the priority setting process. These projects are automatically placed in the funding queue and guaranteed funds.

Each year a funding queue is developed. If it appears the RA budget will not support all ready projects, RAs will be funded in order of relative priority. After providing the dollars to support the projects that are guaranteed funding, all Priority 1 projects will be funded. Then, based on the available FY 92 RA budget, a "funding line" will be identified in either the Priority 2 or 3 category. Approved RA projects that stay on schedule through the first three quarters of the FY are assured funding. At mid-year and throughout the third and fourth quarters, all projects and the RA budget status will be reviewed and the funding procedures may be revised. Therefore, it is vitally important that up-to-date information on the readiness of projects and the funding needs be maintained in CERCLIS.

QUICK RESPONSE AT NATIONAL PRIORITIES LIST (NPL) SITES

During site planning phases, the Remedial Project Manager (RPM) or On-Scene Coordinator (OSC) should determine if the site is safe. A further determination should be made on the need for additional surface clean-up that will reduce risk, can be addressed through remedial/ removal authorities and can be accomplished quickly. OSCs are responsible for assessing half of their NPL sites each calendar year to ensure that no immediate threats have arisen. At the beginning of each calendar year, Regions are to submit documentation that states that 50 percent of the Region's proposed and final, non-Federal Facility NPL sites have been assessed. In FY 92, OSCs are asked to use these assessments to systematically identify opportunities for quick response. RPMs should also look for such opportunities during the scoping of the RI/FS.

To provide incentives for quick response, $50 million will be set aside (until the third quarter) in the RA budget for quick response projects. These projects do not require ranking.

In general this set aside should be used for quick response projects of less than $2 million. Projects up to $5 million may be approved if there is a significant reduction in risk, activities will lead to completion or deletion, or under other specified circumstances.

COMPLETIONS/DELETIONS

The achievement of site completions/deletions from the NPL has an increased emphasis in FY 92. Prompt movement of eligible sites into and through the completion/deletion process helps the Agency to accurately communicate to the public the progress it makes in cleaning up sites. Conversely, the public remains largely unaware of clean up accomplishments where EPA neglects to use the NPL process to show such accomplishments. Regions should ensure that interim and final closeout reports and appropriate proposed and final Federal Register notices are developed and submitted as soon as sites have reached appropriate stages in the cleanup process, but not later than the quarter following RA completion.

Key components of the completion/deletion initiative include:

- NPL Site Completions Through Final RA is a new STARS target in FY 92;
- Funds are provided for quick response actions that will lead to completion/deletion; and
- The program management component of the RA ranking criteria allows completions/deletions to be a reason for increasing the score of a project.

NATIONAL INFORMATION NEEDS

The uses of the data in CERCLIS continue to evolve and, in FY 92, the Agency will continue to take major steps to expand CERCLIS so it can be used as a comprehensive environmental data base. CERCLIS will continue to be used by OWPE, OERR and OE to support SCAP/STARS planning, tracking, and reporting national information needs on Superfund planning and progress, and other informational and administrative data needs. However, it will also provide data on RAs and environmental indicators. [Note: Throughout this Manual, the term CERCLIS is used to refer to the entire information system, including CERCLIS, CERHELP, and WasteLAN.]

NPL Book and Environmental Indicators

One of the recommendations in the Superfund Management Review was to better communicate the ongoing efforts of the Superfund program and the progress that is being made in site cleanup activities. Toward this goal, the Agency has developed the NPL Book and implemented the Superfund Environmental Indicators program.

The NPL book, which is published by State, is a concise, readable compendium of site descriptions and the status of cleanup for all proposed, final and deleted NPL sites. Maintenance of the NPL Book data base will be the responsibility of the Region, and HQ will publish annual update editions.

To date, the environmental indicators project has focused on the development and reporting of indicators that would accurately report environmentally based cleanup progress. Beginning in FY 92, Regions will be responsible for updating and reporting the environmental indicators (presented in Exhibit ES-4) in CERCLIS for RA projects and both non-NPL and NPL removals. STARS will also track environmental indicators through the STARS reporting measure–Progress Through Environmental Indicators.

Exhibit ES-4

ENVIRONMENTAL INDICATORS

Indicator A	**Making Sites Safe; Acute threats addressed**
Indicator B	**Making Sites Clean; Achievement of human health and ecological goals for a medium**
Indicator C	**Bring Technology to Bear; Amount of waste handled and technology employed**

RA Information

As the Agency measures the progress made toward meeting the requirements of SARA, information on RA activities is required. The RA information that will be recorded in CERCLIS by the Regions includes:

- Planned and actual start and completion dates for RD, RA and RA related events;
- RA cost estimates when the ROD is signed, the RD is 90 percent complete, and the RA contract is awarded; and
- Technical information on the selected remedy.

Regions will not receive funds for a Fund-financed RA in their AOA unless the remedy technology type is in CERCLIS. Similarly, Regions will not receive credit for a PRP or Fund RA start unless the remedy technology type is in CERCLIS.

SUPERFUND COMPREHENSIVE ACCOMPLISHMENTS PLAN

The SCAP is the central mechanism for planning, budgeting, tracking and evaluating progress toward Superfund site cleanup. The SCAP planning process is a dynamic, ongoing effort that has a significant impact on Superfund resource allocations. In the SCAP, every project or activity at a site is planned to its conclusion with accomplishments reported as they occur. Because of its program-wide importance, SCAP is interrelated with other Agency planning and management systems, including:

- Agency Operating Guidance — identifies Superfund goals and used to design SCAP/STARS targets and measures;
- Superfund budget — is based on information in SCAP;
- Agency Operating Plan — establishes the funds available to the Region to perform Superfund work identified in SCAP;
- STARS — is used by EPA to set and monitor the environmental objectives identified in the Agency's Operating Guidance. National and Regional STARS goals for Superfund are established and tracked through SCAP. STARS targets are a subset of those contained in SCAP;
- Superfund workload models — SCAP plans form the basis for resources distributed through the models; and
- CERCLIS — is the data base used by HQ and the Regions for Superfund site, program and project management. SCAP information is a subset of site data collected through CERCLIS.

Priority activities (see Exhibit ES-1) and programmatic guidance are used to guide the development of the SCAP. Planning reflects current goals under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended by SARA, the revised National Oil and Hazardous Substances Pollution Contingency Plan (NCP).

Focus of the SCAP Process Through the Year

Current FY planning information must be updated regularly (as soon as conditions change) by the Regions through CERCLIS. Routine changes in planning information, i.e., those that do not require a target or budget change, can be made by the Region without HQ involvement. In recognition of this, HQ and the Regions will conduct formal SCAP negotiations twice a year. During these formal negotiation time periods, current year issues and problems will be discussed, as well as schedules and budgets for future FYs. It is essential that States and the ORC be consulted prior to negotiations to ensure a coordinated effort. The focus of Regional responsibilities during the formal SCAP update/negotiation periods is outlined in Exhibit ES-5.

Exhibit ES-5

SCAP PLANNING YEAR

SECOND QUARTER (JANUARY/FEBRUARY/MARCH 1992)

- Regional program office consults with States and ORC on plans and schedules for the upcoming year
- Revise FY 92 annual budget ceilings to reflect first and second quarter performance and revised plans for the remainder of the year
- Update and negotiate planning information in CERCLIS for the third and fourth quarter FY 92
- Negotiate third and fourth quarter enforcement Advice of Allowances (AOA)
- Review slippage in FY 92 targets for development of action strategies
- Assess the status of RAs
- Negotiate preliminary FY 93 SCAP/STARS targets and measures
- Negotiate preliminary annual Regional budgets for FY 93
- Provide complete site schedules including planned RA obligations to allow HQ to project the outyear budget (FY 94)

FOURTH QUARTER (JULY/AUGUST 1992)

- Establish final SCAP/STARS commitments for FY 93
- Establish FY 93 annual Regional budget

The mid-year SCAP update is used to realign resources in the current FY and establish preliminary resource and target levels for the upcoming FY. If, as currently planned, the workload models are no longer frozen in FY 93, preliminary targets established at mid-year will be the basis for FTE distribution. Changes in current year costs and project schedules may result in shifts within program areas and revised annual funding levels.

The fourth quarter SCAP update during July and August is also an important planning event. This update will yield final STARS targets and will set each Region's annual budget for the upcoming year.

Accomplishment Reporting

It is strongly recommended that planning and accomplishment data for events and activities be entered into CERCLIS on a real time basis. At a minimum, accomplishments should be recorded within 5 days.

Data on accomplishments will be pulled from CERCLIS by HQ on the fifth working day of each month. Monthly data will be used in reports to the Assistant Administrator for the Office of Solid Waste and Emergency Response (AA SWER), the Assistant Administrator for OE, senior Superfund managers, Congress, the public, etc., on the progress of the Superfund program. Formal accomplishment reporting for STARS and SCAP purposes will be pulled on the fifth working day of each quarter. This information will be used to evaluate Regional progress toward meeting SCAP and STARS targets and submitted to the Office of Pollution Prevention (OPP) for reporting STARS accomplishments. Though end of year data will be pulled on the fifth working day of October, Regions will have until the third week of October to reconcile end-of-year accomplishments prior to their entry in the STARS system.

The major Regional responsibilities during the accomplishment reporting phase are shown in Exhibit ES-6.

Exhibit ES-6

ACCOMPLISHMENT REPORTING PHASE
REGIONAL RESPONSIBILITIES

- Reconcile financial data in CERCLIS with Integrated Financial Management System (IFMS) data
- Ensure accomplishment information in CERCLIS is current
- Review SCAP and STARS data in CERCLIS
- Review STARS data in OPP system

SCAP Financial Planning and the Regional Advice of Allowance (AOA)

The SCAP financial planning process is the mechanism which drives the quarterly AOA approved by the AA SWER and the Office of the Comptroller (OC). The process for issuing the AOA begins four weeks prior to the start of each quarter when planned site and non-site specific obligation data are pulled from CERCLIS and reviewed by HQ. Two weeks prior to the end of the quarter HQ puts the approved AOAs for the upcoming quarter into the CERHELP Budget Control/AOA system. Regions must put the AOA amounts found in this system into the Integrated Financial Management System (IFMS) before the end of the current quarter. The AA SWER and the OC will review the amounts in IFMS and approve or disapprove the AOA at the beginning of each quarter.

The OC will issue the following allowances to the Regions in FY 92:

- RA (site specific);

- RD (non-site specific);
- RI/FS;
- Other Response;
- Removal;
- Enforcement; and
- Federal Facility.

The other response allowance contains funds for site assessments, treatability studies, removal and remedial project support, response program support and oversight of PRP RDs and/or RAs.

Regions are required to operate within their quarterly AOA and annual budget. Regions are also responsible for managing the funds issued in their AOA, and for operating within budget ceilings, floors and other restrictions. Consistent with the flexible funding criteria, Regions can:

- Shift funds between projects within the other response, RI/FS, RD, removal, enforcement or Federal Facility allowances. HQ approval is not required;
- Shift existing funds between allowances. However, funds cannot be shifted into or out of the Federal Facility allowance. HQ approval of a change request is required to shift funds between allowances; and
- Move future planned obligations to the current quarter after the AOA is issued. HQ approval of a change request/SCAP amendment is required.

Any changes to the AOA after it is issued requires a change request. In some situations, a change in the SCAP will require processing a change request. HQ will not approve change requests/SCAP amendments unless CERCLIS is revised to reflect the change.

THE BUDGET PROCESS

The budget planning process begins a year and a half prior to the start of the fiscal year. In February 1992, Regions will begin planning for major remedial dollar expenditures, as well as expenditures for key enforcement actions in FY 94. To project the FY 94 budget, Regions must review core activity schedules for projects expected to begin or that would require additional funding in FY 94. Since Fund-financed RAs play a major role in the Superfund budget, it is crucial that these projects are identified in CERCLIS and reasonable cost estimates derived from the draft Feasibility Study (FS), the ROD or Cost of Remedial Action (CORA) Model estimates are also recorded.

FY 92 Response Budget

Regional requests for funds must be within the final negotiated budget levels. **The Regional response AOA will not be issued unless the total of the approved planned obligations, open commitments and actual obligations are within the annual budget.** In the past, the obligation rate for the first two quarters of the FY is low. As a result, Regions will not

receive their third quarter AOA for a specific response category unless the commitment/obligation rate is 50 percent or greater in that category.

The Regions decided to continue to manually enter financial data into CERCLIS. However, financial information in CERCLIS and IFMS must agree. **Regions will not receive their FY 92 second quarter AOA until the IFMS and CERCLIS data for FY 91 agree.**

FY 92 Enforcement Budget

The current projected enforcement budget for FY 92 is $64 million. The enforcement budget provides support for PRP removals, PRP RI/FS starts and oversight, Consent Decree (CD) and injunction referrals, negotiations for PRP responses, and judicial and administrative cost recovery actions. Consequently, Regional managers must consider the effects across the program when making a decision to focus on one part of the program as opposed to another. The order of priority is on maintaining ongoing project oversight and compliance enforcement, maintaining ongoing litigation for response and cost recovery, referring Statute of Limitation (SOL) cost recovery cases and negotiating PRP RD/RA response actions.

Funds for Federal Facility activities are obtained from OFFE. Funding needs should continue to be requested through CERCLIS. OWPE will work with OFFE on budget issues requiring case support.

In FY 91, a workgroup reviewed current extramural allocation procedures. Regions should expect some changes to these procedures in FY 92. Guidance will be issued outlining the new procedures.

An enforcement mega-site requires more than twice the average level of extramural resources for an activity to occur. Regions should first determine whether mega-sites can be funded within the Regional Case Budget allocation. If mega-sites cannot be funded within the Regional budget, a formal request for mega-site funding should be submitted to HQ . If there are sufficient funds to support all Regional requests, HQ will allocate mega-site dollars to the Regions. However, if the national budget cannot support mega-site needs, a HQ/Regional workgroup will review the mega-site funding requests and allocate dollars to the Region. Mega-site requests for FY 92 should be received by June 30, 1991.

Approved planned and actual obligations should equal the Region's annual AOA. The quarterly AOA will not be issued unless approved, planned obligations are within the remaining budget ceiling. A Region's annual budget may be revised depending on Regional performance, their budget execution and other Regional needs. Regions should be using the Alternative Remedial Contracting Strategy (ARCS) contractors for oversight of PRP-lead RI/FS projects to avoid transition problems with the expected close out of the Technical Enforcement Support (TES) contracts in FY 93/FY 94.

WORKLOAD MODELS

Regional Full Time Equivalents (FTE) allocations are made through the Hazardous Spill and Site Response model, the Technical Enforcement model, and the Federal Facilities Superfund Workload Model. Resources for the site assessment, remedial, and removal programs are contained in the Response model. Enforcement resources are in the Technical Enforcement model and resources for oversight of Federal Facilities are distributed by the Federal Facilities Superfund Workload Model.

The workload models are designed to reflect priorities and policies contained in the budget request. For the most part, the workload models are a straightforward application of FTE pricing factors from the national budget to Region-specific SCAP/STARS targets and ongoing activities in the remedial pipeline. **No FTEs are given to projects that are incorrectly coded in CERCLIS.**

In FY 92, each Region's Superfund FTE will be frozen at the FY 90 level. This is the second year of a two year freeze of Regional resources. While the freeze ensures that total Regional Superfund resources will not be affected, shifting of resources among the different program areas may occur. All shifts will be based on the FY 92 national budget and the Priority Setting Matrix.

During SCAP/STARS target negotiations, Regions may increase/decrease targets to match the total Regional Superfund FTE level. The increase/decrease should be in accordance with the integrated Priority Setting Matrix.

Since FY 93 workload models will be unfrozen, FY 92 mid-year negotiations will be particularly important. More guidance will follow, pending Agency decisions.

While other Superfund FTE remain frozen, OE has requested and experienced a significant increase in resources to address Federal Facility cleanup and enforcement. OE will use the Federal Facilities Superfund Workload Model to distribute these resources.

PROGRAM ASSESSMENT AND EVALUATION

The Superfund program management and assessment strategy has three components as shown in Exhibit ES-7.

Exhibit ES-7

SUPERFUND ASSESSMENT AND EVALUATION STRATEGY

Monthly and quarterly performance evaluation with CERCLIS data

OSWER Regional reviews

Internal evaluation and audit follow-up

Together, these components give program managers regular opportunities to recognize high performance, focus resources in Regions that demonstrate success, and provide training and technical assistance to those Regions that are experiencing difficulties. Regional performance is a factor when establishing targets and issuing AOAs.

In addition to the program management and assessment tools traditionally used by OSWER, OE will also be utilizing the A-106 Pollution Abatement Planning Process to ensure sufficient Federal agency funding of response programs beginning in FY 91. Modifications to the A-106 process have been made to provide OE, Regions, OMB, other Federal agencies, and Congress with improved information to evaluate accomplishments at Federal Facilities.

Regional and HQ responsibilities for implementing and conducting the program evaluation strategy process are shown in Exhibit ES-8.

Exhibit ES-8

EVALUATION RESPONSIBILITIES

REGIONAL RESPONSIBILITIES	HEADQUARTERS RESPONSIBILITIES
Meet quarterly SCAP and STARS targets and solve performance problems when they arise	Provide guidance to the Regions for the quarterly review, the mid-year assessment, the year-end assessment, and the OSWER and OE review
Provide quarterly SCAP and STARS data to HQ through CERCLIS	Identify priority issues and participate in OSWER and OE approach to Regional reviews
Maintain CERCLIS data quality at high levels for Superfund program and project management	Implement and report on follow-up action items from the OSWER and OE review and Superfund mid-year assessment
Participate in OSWER reviews	Review monthly performance data reported by the Regions and negotiate plans with Regions for meeting targets
Participate in workgroups to evaluate specific program area issues	Continually assess program performance and analyze timeliness and quality of work
Negotiate performance standards that provide individual accountability for quarterly targets	Recommend resource re-allocation based on performance
Develop action strategy to recoup slipping targets	Assure that all staff are informed of the results of performance reporting and OSWER and OE reviews
Assess Federal agency needs identified during the OMB A-106 process	Identify and undertake high priority special studies that result from the Federal Managers Financial Integrity Act (FMFIA) documentation
	Track audits, audit response activities and internal reviews
	Compare Federal agency budget authorities, obligations and outlays to monitor cleanup activities

USES OF THE MANUAL

The FY 92 Superfund Program Management Manual includes information and guidelines for Regional staff on Superfund program goals and priorities, the development of planning data, the application of planning data to the workload model process, Superfund financial management, the tracking of accomplishments and the evaluation of Regional progress toward meeting program goals. The FY 92 SCAP planning and evaluation process is supported by the information contained in this Manual. Users of the Manual must also refer to the CERCLIS and WasteLAN User Reference Notebooks for specific guidance on SCAP data coding, entry, maintenance and generation of SCAP reports.

STRUCTURE OF THE MANUAL

The FY 92 Superfund Program Management Manual consists of two volumes. The remainder of Volume I contains information on:

- Program goals and expectations;
- National information needs;
- SCAP procedures;
- SCAP/STARS targets and measures;
- Program planning and reporting requirements and procedures;
- Financial planning and management;
- Regional evaluations; and
- Workload models.

Volume II includes the following Appendices:

- Appendix A presents the methodologies used to derive the FY 93 preliminary targets and measures;
- Appendix B discusses the applicability of the Freedom of Information Act (FOIA) to SCAP;
- Appendix C contains the planning requirements and definitions for the Chemical Emergency Preparedness Program (CEPP);
- Appendix D is divided into two sections - Section 1 provides technical definitions for the SCAP/STARS targets and measures, and Section 2 provides definitions for other planning activities. A brief description of the planning processes associated with each definition is included;
- Appendix E provides the CERCLIS coding instructions and activity pricing factors for enforcement extramural funds or Case Budget;
- Appendix F provides information on the NPL Book;

- Appendix G discusses the Environmental Indicators program;
- Appendix H contains information on the RA priority setting criteria; and
- Appendix I provides the Federal Facility coding guidance.

In summary, the FY 92 Manual encompasses many new or revised program management policies, processes and procedures. In order to acquire a more in-depth understanding, the Manual itself should be read.

SUPERFUND COMPREHENSIVE ACCOMPLISHMENTS PLAN (SCAP) PLANNING AND REPORTING AND FINANCIAL MANAGEMENT

ONE MINUTE PROGRAM MANAGER RULES

Planning

- Determine site assessment activities, Remedial Investigation/Feasibility Study (RI/FS) starts, and Remedial Action (RA) starts based on a worst problems first evaluation.
- Preliminary and final SCAP/Strategic Targeted Activities for Results System (STARS) targets are established based on Headquarters (HQ)/Regional negotiations conducted in March and August, respectively.
- Preliminary and final Regional budgets are established based on HQ/Regional negotiations conducted in March and August. Final "approved" funding requests must be within the annual Regional budget proposed by HQ or negotiations will not be conducted.

Accomplishment Reporting

- Accomplishments will not be recognized unless they are correctly recorded in the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) by the specified pull date.
- Regions will not receive credit for a RA start or funds for a RA in their Advice of Allowance (AOA) unless a description of the remedial technology type for the RA is in CERCLIS.

Financial Management

- The AOA will not be issued unless the total of the planned obligations, open commitments and actual obligations for the Fiscal Year (FY) do not exceed the annual Regional budget.
- Regions will not receive their FY 92 second quarter AOA until the FY 91 financial information in CERCLIS and in the Integrated Financial Management System (IFMS) agree.
- Regions will not receive their third quarter AOA for a specific response category unless the commitment/obligation rate is 50 percent or greater in that AOA category.

Workload Model

- No Full Time Equivalent (FTE) positions are given to projects that are incorrectly coded in CERCLIS.

CHAPTER I

PROGRAM GOALS AND EXPECTATIONS

CHAPTER I - PROGRAM GOALS AND EXPECTATIONS

ONE MINUTE PROGRAM MANAGER RULES

Following are the actions Regional managers must take to comply with the requirements described in this Chapter. In order to acquire a more in-depth understanding of these requirements, the Chapter itself should be read.

Integrated Program Management

- Standard durations for response and enforcement activities should only be used if more accurate timeframes are not available. When better planning data and schedules are developed, the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) must be revised.

- New Strategic Targeted Activities for Results System (STARS) measures in Fiscal Year (FY) 92 emphasize trends in improvement of time durations of key response and enforcement activities in the remedial pipeline.

- Regions are urged to use Site Management Plans (SMP) to ensure that proper funding, enforcement activities and management responsibilities are laid out for a site.

- Regions are required to develop and submit Mega-site Management Plans for Fund-financed RI/FS projects if their costs exceed or are expected to exceed $3 million.

Worst Sites, Worst Problems First

- Environmental priority setting is required to take place at three stages in the Superfund program—site assessment, Remedial Investigation/ Feasibility Study (RI/FS), and Remedial Action (RA)—to ensure that the risks are reduced at the worst problems, worst sites first.

  - Establish and enter into CERCLIS site assessment decisions/ priority recommendations at each step of the evaluation process.

  - All RI/FS start candidates for FY 92 should be examined for environmental priority and a three tiered priority list submitted to Headquarters (HQ) by November 27, 1991.

  - Data sheets for FY 93 RA starts are to be submitted by April 23, 1992.

CHAPTER I - PROGRAM GOALS AND EXPECTATIONS (continued)

ONE MINUTE PROGRAM MANAGER RULES

Worst Sites, Worst Problems First (continued)

- RA projects are examined as a universe, to first determine if priority setting is necessary (i.e., can all projects be funded with available assets).
- If anticipated project needs exceed RA dollars available, the RA priority setting panel will rank all projects. RA fact sheets are due to HQ in June.
- Prior to funding, a project must be ranked and the Remedial Design (RD) must be 90 percent complete.
- All RA projects are ranked in accordance with specific criteria. A new management criterion was added to the RA ranking - will the RA lead to site completion or deletion.
- All RA projects ready to begin in the first two quarters of the FY will be funded on a first ready, first funded basis. This funding strategy could be extended through the third and fourth quarter.
- Up to date information on the readiness of projects and funding needs must be maintained in CERCLIS.
- HQ will only consider RA projects for funding if the Region is willing to commit to an RD completion. Only RA projects where documentation has been submitted will be considered for ranking.

Reduce Acute Threats

- In FY 92, incentives have been established for performing quick response actions at National Priorities List (NPL) sites.
  - The scope of removal assessments is expanded to include an evaluation of whether there are opportunities for quick response.
  - Regions must review half of their NPL sites each calendar year to ensure no immediate threats have arisen.
  - At the beginning of each calendar year, starting January 2, 1991, Regions need to submit to the Emergency Response Division documentation that 50 percent of the Region's proposed or final, non-Federal Facility NPL sites have been assessed.

CHAPTER I - PROGRAM GOALS AND EXPECTATIONS (continued)

ONE MINUTE PROGRAM MANAGER RULES

- A $50 million set aside from the RA budget can be used for quick response projects that need not be ranked to be funded. Projects under $2 million and projects up to $5 million that contribute to substantial risk reduction, constitute a significant interim action, or lead to site completion/deletion may be funded.

Completions/Deletions

- In FY 92, site completion/deletion is a major priority.
  - Prepare interim and final Close Out Reports as soon as possible after completion of the final RA construction project.
  - Completion/deletion are targeted in STARS in FY 92. However, no sites currently on the completion list will be counted as an accomplishment in FY 92.
  - Shift sites into the Construction Complete category following approval of interim or final Close Out Reports.
  - Conduct five year reviews for appropriate sites of the RA.

CHAPTER I - PROGRAM GOALS AND EXPECTATIONS

OVERVIEW OF PROGRAM GOALS

The focus of the Superfund program is to maximize the protection of human health and the environment through fast, effective cleanup of **priority** hazardous waste sites and releases. Maximizing appropriate participation of Potentially Responsible Parties (PRP) and timely remediation of sites are two of the Superfund program's highest priorities. Exhibit I-1 summarizes the long term strategy for Superfund as presented in the Superfund Management Review.

Exhibit I-1

SUPERFUND MANAGEMENT REVIEW STRATEGY

- Emphasize enforcement to induce private-party cleanup
- Control acute threats immediately
- Move sites to completion and deletion
- Seek new technologies for more effective cleanup
- Worst sites, worst problems first on the road to cleanup
- Carefully monitor and maintain sites over the long term
- Improve efficiency of program operations
- Encourage full participation by communities

Several themes are highlighted in Fiscal Year (FY) 92 in order to achieve these program goals:

- Continue to implement an integrated fund/enforcement program driven by the twin objectives of maximizing appropriate participation of PRPs and timely remediation of sites;
- Utilize risk based priorities to ensure that the worst problems at the worst sites are addressed first;
- Perform quick response actions for risk reduction at priority sites;
- Continue to use environmental indicators (EI) to communicate progress (see Chapter II for additional information);
- Move sites through the remedial pipeline to completion and deletion;
- Implement management initiatives to promote a well-managed Superfund program;

- Maximize cost recovery to the Trust Fund; and
- Maximize the participation and increase the number of PRPs participating in site remediation.

These goals are included in the four-year strategic plan of the Office of Solid Waste and Emergency Response (OSWER), which provides the framework to accomplish OSWER's programmatic goals. OSWER's strategic plan was developed in response to instructions given in late March, 1989 by the Administrator to the Agency's four program offices (Air and Radiation, Pesticides and Toxic Substances, Water, and Solid Waste and Emergency Response) to develop four year strategic plans to "...guide the Agency toward more direct implementation of its original and principal purpose: to reduce risk to human health and the environment." The strategic plans are designed to cover the period FY 92 to FY 95 and are updated annually.

INTEGRATED PROGRAM MANAGEMENT: BALANCING ENFORCEMENT FIRST AND TIMELY REMEDIATION

Maximizing participation of PRPs while ensuring timely remediation has led to the development of a number of initiatives to support the achievement of these program priorities. Two of these initiatives, the integrated Priority Setting Matrix and the Integrated Timeline, are described in this section. In addition, supporting enforcement and remedial program goals and expectations and management initiatives are discussed.

Integrated Program Priorities

First developed in 1989, the integrated Priority Setting Matrix (Exhibit I-2) provides a framework to allocate resources in Superfund to the highest priority activities. In FY 91, the Office of Waste Programs Enforcement (OWPE) and the Office of Emergency and Remedial Response (OERR) worked with the Regions to revise the Matrix to reflect the Superfund program goals for FY 92.

The integrated Priority Setting Matrix is designed to provide the following:

- Identification of the most significant categories of program priorities, arranged in order of importance where possible;
- Listing of all the program activities that receive resources, grouped according to their contribution to a program priority; and
- Estimation of the funding level needed to support that activity.

The Matrix provides a framework for establishing, testing and adjusting resource levels. This Matrix will be used by Headquarters (HQ) and the Regions in making trade off decisions during:

- FY 93 budget formulation;
- FY 92 operating plan development and initial target setting and negotiation; and
- Mid-year adjustment.

Exhibit I-2

PRIORITY SETTING MATRIX

PROGRAM PRIORITY	ACTIVITIES	RESOURCE LEVEL*
I. Reduce Near Term Threats A. Mitigate Risks from Immediate Threat	Classic Emergencies (Removal and Remedial, Fund and Enforcement)	A
	NPL Removals (Fund & Enforcement)	A
	Administrative Orders (AOs) for National Priorities List (NPL) Removals	A
B. Worst Problems First	**Site Assessment (Preliminary Assessment (PA)/Site Inspection (SI), Environmental Priorities Initiative (EPI))**	**B**
	Listing Sites	**B**
	Remedial Action (RA) Start (Fund) - Priority 1 Sites	**A**
II. Move Sites to Cleanup A. Support Ongoing Work at High Priority Sites to Completion of Current Phase (Operable Unit (OU))	Support Ongoing Remedial Design (RD)	A
	Ongoing RA (Fund and PRP) that lead to completion/ deletion	**A**
	Ongoing RA (Fund and PRP)	A
	Ongoing RD/RA Negotiations	A**
	Ongoing Remedial Investigation/Feasibility Study (RI/FS) (PRP)	A
	Ongoing RI/FS (Fund)	B
	Ongoing RI/FS (Enforcement mega-sites)	B
	Ongoing 107 Statute of Limitations (SOL) Litigation	A
	Ongoing 106 Litigation for Remedy	A
	Ongoing 104 Access	A
	Ongoing Compliance Enforcement	A
	Ongoing 106/107 Litigation	A
B. Take Enforcement Actions to Ensure a Strong Enforcement Presence and to Maximize Likelihood of PRP Takeover	RD/RA Negotiations (New)	A**
	PRP RD/RA Starts	A
	106 Settlement Referrals	A
	106 Unilateral Administrative Orders (UAOs) for RD/RA	A
	107 SOL Referrals	A***
	106 Litigation for Remedy	A
	106/107 Litigation	A
	Mixed Funding RD and RA	A
	104(e) Referrals	A

'A' = ALL and 'B' = BASELINE **BOLDING INDICATES CHANGES FOR FY 92**

* "A" and "B" are designed to indicate degree of importance, not an absolute rule with regard to funding. As used in this column "B" indicates a level of activities consistent with prior year activity. "A" means all those activities available to be done.

** Provided that timely special notice, special notice waiver or general notice with timelines has been issued and extensions have been requested/approved consistent with Agency policy.

*** Consistent with cost recovery strategy.

(Note: All activities identified in the matrix are to be funded at least at a minimum baseline level.)

Exhibit I-2 (continued)

PRIORITY SETTING MATRIX

PROGRAM PRIORITY	ACTIVITIES	RESOURCE LEVEL*
II. Move Sites to Cleanup (continued) C. Take Action to Reduce Risk at Worst Problems First Where Enforcement Action is not Appropriate	RD Start (Fund) **RA Start (Fund) - Priority 2 and 3 Sites**	A **B**
D. Maximize Cost Recovery	Non-SOL Referrals	B***
E. Initiate RI/FS and Other Activities at Worst Problems First to Keep Pipeline Balanced	PRP RI/FS Fund RI/FS State Enforcement RI/FS	B B B
F. Other, Removal, Enforcement and State Support Activities to Support Long Term Goals	Non-NPL Time Critical Removals AOs for Non-NPL Time Crit. Removal Technical Assistance Grants (TAGs) Non-NPL PRP Search Core Program Cooperative Agreements (CPCA) 107 Administrative Settlements	B B B B B B
III. New Initiatives		
IV. Essential Program Management Elements A. Critical Path Support Activities	PRP Searches Contract Laboratory Program (CLP) Removal Support Remedial Project Support Community Relations	Fund at Level to Support Program Integrity
B. Core Program Support	Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) Data Base Management Contract Management Records Management Administrative Records Program Management State Program Support	Fund at Level to Support Program Integrity

'A' = ALL and 'B' = BASELINE **BOLDING INDICATES CHANGES FOR FY 92**

* "A" and "B" are designed to indicate degree of importance, not an absolute rule with regard to funding. As used in this column "B" indicates a level of activities consistent with prior year activity. "A" means all those activities available to be done.

*** Consistent with cost recovery strategy.

(Note: All activities identified in the matrix are to be funded at least at a minimum baseline level.)

The overall organization of the Matrix is governed by the following concepts:

- Reduce near term risks to public health, emphasizing cleanup of the worst problems at the worst sites first. Maintain ongoing projects by moving sites quickly into construction while ensuring that PRPs are always the first option for financing cleanup actions. This priority places an emphasis on maximizing the number of sites in the construction pipeline and moving ongoing projects to their next phase of action before starting new work;

- All of the activities listed in the Matrix contribute in a significant manner to Superfund program success. Therefore, priority setting must be couched in terms of maintenance of an essential minimum baseline of activity across the board;

- A baseline of activities must be supported to ensure that a constant flow of projects is maintained across the remedial and removal pipelines, and that the entire program maintains its operating integrity; and

- Fully fund essential support activities.

Use of the Matrix is constrained by the following assumptions:

- Although baseline levels may be adjusted, there is a minimum level of activity that will be supported, even if all of the high priority activities that fall under funding level "A" are not funded.

- Proposed shifts in funding among activities during the course of an operating budget year will be carefully scrutinized to assure their possibility of implementation;

- The ordering of the Matrix may change from year to year in response to Congressional or Agency initiatives; and

- Shortfalls in priority activities that may lead to a requested reprogramming are evaluated at a national level.

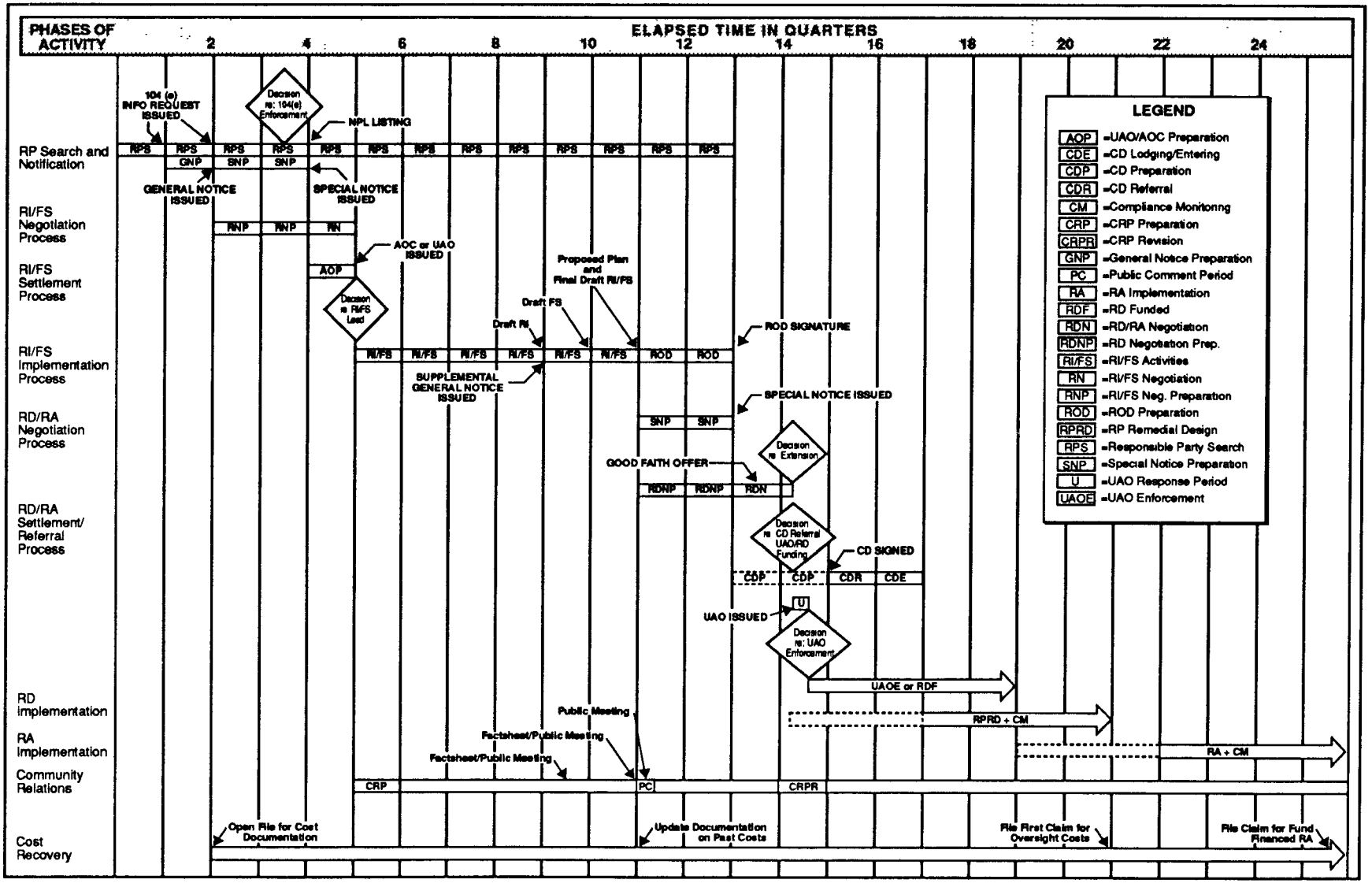
It should be noted that Federal Facilities are a separate program priority and are not included in the Matrix because they do not compete for funds from other Superfund program areas. The Office of Federal Facilities Enforcement (OFFE) will be working with Regional offices to develop a separate priority setting matrix for Federal Facilities.

Integrated Timeline for Site Management

A major theme of the Superfund Management Review is the importance of an aggressive, well planned and tightly coordinated system for moving sites to completed remediation. Success in these efforts depends in large part on identifying critical decision points and goals for the amount of time it should take to get from one step to the next. As a result, the Agency has developed a timeline that provides an overview of the major remedial and enforcement activities required in the Superfund site cleanup process. The Agency is also developing guidance to assist the Regions in the preparation of Site Management Plans (SMP). The Integrated Timeline (Exhibit I-3) is a multi-step site management process that, in the ideal situation, spans a maximum of 24 quarters. **These timeframes are goals that should only be used if more accurate estimates are not available. When better planning data and schedules are developed, the**

Exhibit I-3

INTEGRATED TIMELINE



Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) must be revised to reflect these schedules.

The Integrated Timeline will continue to be utilized to establish performance expectations. Performance improvements will be tracked against the Timeline. To embody the concept of good timeline management in FY 92, Strategic Targeted Activities for Results System (STARS) trends analyses will be undertaken. Continuous improvements in the average duration between 1) Record of Decision (ROD) and Remedial Design (RD)/Remedial Action (RA) negotiations completions, 2) ROD and RD start, and 3) ROD and RA start will be measured—by Region—for sites where RD/RA negotiation completions, RD starts or RA starts are planned in FY 92. Each of these averages will be reported relative to prior years (FY 90 and FY 91) and prior quarters performance. In addition, Superfund Comprehensive Accomplishments Plan (SCAP) measures will track improvements in Remedial Investigation /Feasibility Study (RI/FS) start to completion timeframes. (See Chapter IV and Volume II, Appendix D for more information on changes to SCAP/STARS targets and measures in FY 92, their definitions and planning requirements.) In FY 92, a HQ/Regional workgroup will be formed to review the goals and timing of the major response and enforcement activities in the Integrated Timeline and consider revisions based on program experience.

Regions are strongly urged to use a SMP to ensure that proper funding, enforcement activities and management responsibilities are laid out for a site. A site management plan should be put together for a site shortly after proposal for the National Priorities List (NPL). The plan should lay out important enforcement activities that are essential at the site (proper PRP searches, issuance of RI/FS special notice, issuance of RD/RA special notice, RD/RA negotiations, development and finalization of Consent Decree (CD), issuance of Unilateral Administrative Order (UAO)). These enforcement activities should be integrated with Fund-financed or PRP response events at the site or Operable Unit (OU). The plan can be used to ensure that funding is requested for the activities and that the proper people in all affected offices have been brought into the process at the appropriate points.

The phases of the Integrated Timeline are summarized below.

- Responsible Party (RP) Search and Notification — This first step in the site management process generally takes from 6 to 13 quarters. This step begins with the initiation of any component of the PRP search activities specified in the PRP Search Manual and includes the following activities:

  - Distribution of Section 104(e) information requests to owners/operators and generators/transporters;

  - Distribution of general notice to owners/operators and generators/transporters;

  - Decision to pursue Section 104(e) enforcement activities; and

  - Preparation of waste-in information and volumetric allocation for the RI/FS.

The RP search timeframe may be extended up to the point of RD special notice if a supplemental search is deemed warranted.

- RI/FS Negotiation and Settlement Process — This process will continue for a maximum of 3 quarters. Important milestones include:

  - Resolution of site lead with the State;

  - RI/FS negotiation preparation commencing after distribution of the general notice;

  - Scoping activities in order to direct the work in the Statement of Work (SOW);

  - Formal RI/FS negotiations commencing with issuance of the special notice and lasting a maximum of 90 days (without extension by Regional Administrator). RI/FS negotiations will terminate 60 days after special notice is issued if a Good Faith Offer (GFO) is not received; and

  - At the end of the settlement process, issue either an Administrative Order on Consent (AOC) or proceed with a Fund-financed RI/FS. In very limited circumstances, the Environmental Protection Agency (EPA) will issue a UAO.

- RI/FS Implementation Process — This is the third step in the site management process, and will begin after issuance of the AOC/UAO, or funding of the RI/FS. The RI/FS begins approximately one quarter following the issuance of special notice. Important milestones include:

  - Within a maximum of 4 quarters, the draft Remedial Investigation (RI) report will be completed;

  - Within 4 to 5 quarters, a supplemental general notice to the PRPs will be issued, if appropriate;

  - The draft Feasibility Study (FS) report will be completed by the end of the fifth quarter;

  - The final draft of the RI/FS report and the proposed plan will be completed by the end of the sixth quarter;

  - Following completion of the RI/FS report, the lead agency begins preparation of the ROD, which should take no more than 2 quarters;

  - ROD signature occurs 8 quarters from the start of the RI/FS implementation process and 13 quarters from the start of the RP search and notification process; and

  - Opening and updating the Administrative Record (AR) file and conducting Community Relations (CR) activities.

- Pre-referral and RD/RA Negotiation Process — The pre-referral process begins approximately 60 days prior to submitting a draft CD to the PRPs. RD/RA negotiations have a maximum duration of two quarters which formally begin with the issuance of Special Notice Letters (SNLs). SNL preparation is performed concur-

rent with ROD preparation. Early decisions must be made as to whether a GFO has been made, terminating negotiations that do not appear to be leading to settlement. Use appropriate settlement tools (e.g., mixed funding and de minimis), and the judicial and administrative authorities under Section 106 (such as UAOs for RD/RA) to bring about settlement or compel a PRP response. If the site has no viable or liable PRPs, a Fund-financed RD should be scheduled to begin the quarter after the ROD is signed. Important milestones include:

- Pre-referral litigation report and CD sent to Department of Justice (DOJ), OE and OWPE;
- Issuance of special notice with draft CD or waiver of special notice concurrent with ROD signature;
- Formal negotiations which commence with the issuance of special notice and extend a maximum of 120 days if a GFO is received;
- Termination of RD/RA negotiations if GFO is not received within 60 days after issuance of special notice. The Region will issue the UAO and decide whether to fund the RD or litigate; and
- Referral of CD, issuance of UAO, referral of Section 106 or 106/107 case, or funds obligated for a Fund-lead RD mark the conclusion of RD/RA negotiations.

• Settlement/Referral Process — The settlement/referral process includes a maximum of 2 quarters of CD preparation (concurrent with ROD), 1 quarter for the CD referral process and 1 quarter for CD lodging and entry. The CD referral, lodging, and entry process should take no longer than 2 quarters.

• RD Implementation — This step of the site management process includes funded RDs, RP-lead RDs and compliance monitoring. Credit is given for the RD on the date the RD contract is awarded by the PRPs, or with the funding of a Fund-lead RD.

• RA Implementation — This step in the site management process includes RA implementation and compliance monitoring. The RA will begin after the completion of the RD.

• Community Relations — CR activities begin after the decision on lead responsibilities is made, continue throughout the RI/FS, RD/RA process, and terminate with the completion of site cleanup activities. Major components of the CR program include:

- CR plan preparation, a public comment period, and CR plan revision;
- Opening and periodic updating of the AR file after the RI/FS work plan is approved;
- During the RI/FS process, prepare fact sheets and conduct public meetings;

- Conduct the public meeting during the public comment period after distribution of the proposed plan; and

- Revise the CR plan after the conclusion of RD/RA negotiations.

• Cost Recovery - Cost recovery activities also continue throughout the entire remedial process. Important milestones include:

- Opening of the cost documentation file concurrent with initiation of the RP search;

- Obtaining documentation of removal costs prior to RI/FS negotiations;

- Updating documentation on past costs as the RI/FS activities are completed;

- Issuing written demands in connection with the completion of each major phase of response activity and with initiation of new phases;

- Issuing written demands for oversight costs annually; and

- Referring actions within one year after completion of conventional removal actions and shortly after the execution of a contract for RA, but in no event later then two quarters before the Statute of Limitations (SOL) date.

Supporting Program Goals

Enforcement Goals

The goals of the Enforcement program are to maximize efficient use of PRP resources, to maximize cost recovery to the Trust Fund, and to send a clear message to the PRP community that recalcitrance is costly. To reach these goals, the following priorities have been identified for FY 92:

• Aggressively seek settlement for PRP response — In order to promote PRP participation in the response program, and to assure cost recovery, PRP searches should be comprehensive and completed early in the site clean-up process. SNLs should be issued in a timely manner after completion of the ROD. Regions are encouraged to use SMPs to lay out negotiation responsibilities among the parties involved and timeframes for deliverables. Well planned negotiations need to be initiated and completed within the special notice moratoriums or schedules presented in general notice letters. Regional Administrator or Assistant Administrator (AA) extensions should be used only where settlement appears likely. The settlement incentives/disincentives concepts are to be applied at multi-party sites. Effective use of the settlement authorities under the Superfund Amendments and Reauthorization Act of 1986 (SARA) (e.g., mixed funding, Non-Binding Allocation of Responsibility (NBAR), and de minimis) should be applied where appropriate.

• PRP search/compliance enforcement — A high-caliber PRP search is the foundation of EPA's enforcement process. It must focus on obtaining the

necessary evidence of the liability and financial viability of all PRPs for Section 106 and 107 litigation. Regions should continue to focus on thorough PRP searches with the assistance of civil investigators. Also, Regions are encouraged to use administrative authorities in cases of non-compliance with information requests issued under Section 104(e) and, if necessary, use treble damage litigation to enforce compliance. PRP search activities should continue even if Regions are unable to start the RI/FS as planned. If the start of the RI/FS is delayed, the actions that follow the RI/FS start should also be delayed.

- RD/RA Negotiation process — Regions should be prepared to better manage the RD/RA negotiation process within the time frames established under Section 122.

- Section 106 orders and litigation — Regions should be prepared to issue a UAO promptly after the negotiation moratorium deadlines if there are viable PRPs and a settlement has not been reached. UAOs with delayed effective dates should also be considered in order to encourage the successful conclusion of negotiations. If PRPs fail to comply, consideration should be given to referring a Section 106 judicial action to enforce compliance, especially if the site is not approved for RA funding in FY 92. If a Fund-financed response is initiated, all steps should be taken to seek treble damages against recalcitrant PRPs during cost recovery.

- PRP oversight and compliance enforcement — Following settlement or professed intent by a PRP to comply with a UAO, the Region must ensure PRP compliance with the terms of the settlement or UAO. EPA must ensure that PRP responses are timely, thorough, and do not compromise environmental goals. Regions should assess penalties in situations where PRPs clearly have not submitted major deliverables of acceptable quality by the dates specified in the Administrative Order (AO), CD or UAO. Particular attention should be given to PRP RI/FS projects. Regions should be cautious of taking over a PRP project because of inadequate performance.

- Cost recovery — Cost recovery actions serve to recover revenues to the Fund and encourage voluntary PRP cleanup action by eliminating incentives for PRPs to allow the government to conduct the response action. The President has set a goal of recovering $300 million in FY 93 in his Management By Objectives (MBO) system. Issuing demand letters in a timely manner and addressing SOL sites are two ways to reach the President's goal. Regions must also pursue viable non-settlers where a partial settlement was reached. Such actions will reinforce the notion that recalcitrance is costly.

- Removal enforcement — Regions should work to maintain or increase the percentage of removals conducted by PRPs, particularly time-critical and non-time-critical removals. In this effort, Regions should commence PRP searches early to assess whether there are viable and liable PRPs. Where this is the case and an AOC can not be negotiated, Regions should issue UAOs and, in cases of non-compliance, pursue cost recovery. Regions are required to support their removal enforcement decisions in action memos

and other appropriate documents. A sound Administrative Record will be the Agency's key to defending itself against Section 106(b) claims from PRPs seeking reimbursement for their removal costs. As the Superfund program uses more UAOs to compel response there are likely to be more claims.

- State participation — States continue to play an important role in the Superfund enforcement process. Regions are encouraged to enter into Cooperative Agreements (CAs), Superfund Memoranda of Agreement (SMOA), or other management assistance agreements when the State expects to play a significant role. State roles in the RD/RA negotiation process should be clearly defined prior to the negotiations. Use of SMPs will ensure that all parties are aware of their roles, the timeframe for negotiations, and the strategy that will be employed.

In addition to the authorities provided by CERCLA, the Agency may in some instances use authorities provided by other environmental laws. For example, under the Resource Conservation and Recovery Act (RCRA), the Agency can order owners and operators operating and closing hazardous waste facilities to investigate any potential leaks and to clean up if necessary. The Toxic Substances Control Act (TSCA) and its regulations can be used by the Agency to impose conditions on the handling of particularly hazardous substances, such as asbestos and polychlorinated biphenyls (PCB). In addition, in some cases where releases affect surface waters, the provisions of the Clean Water Act (CWA) can be used to impose fines and require cleanup. These other statutes also provide the basis for many of the Applicable or Relevant and Appropriate Requirements (ARAR) on which cleanup levels are based in site RODs.

Remedial Goals

The remedial program will retain the priority of moving projects/sites toward completion resulting in the following programmatic objectives:

- Implement the project completion strategy — Continue moving sites through the remedial pipeline in a timely and cost effective manner. The number of PRP-lead RDs and RAs must be maximized. For those sites where PRPs are not viable or available, HQ and the Regions may use the environmental priority setting scheme (discussed later in this Chapter) to determine which projects to fund and whether it is necessary to place some projects on temporary hold. Decisions on fund balancing and the use of alternative technologies in order to control outyear construction costs have to be made.

- Alternative technologies — Greater emphasis will be placed on the evaluation and selection of alternative technologies and the employment of the technologies on-site. Treatability studies will be an important part of the RI/FS, ensuring that adequate data exist to effectively evaluate each technology prior to remedy selection. Regions should provide technical oversight of all treatability study activities.

- Building public confidence — Through the implementation of the EI program and the NPL Book, the Agency has taken a big step in improving the communication of the ongoing efforts of the Superfund program and the progress being made in site cleanup. Better communication of this

type of information to Congress and the public will help build confidence in the Agency and the Superfund program.

Timely Management of Site Remediation

Maximizing participation of PRPs and timely remediation of sites demands careful attention from both HQ and Regional management. Of particular concern is the period from ROD signature to start of RD and RA especially with regard to timely issuance of special notice and swift resolution of settlement negotiations. In FY 92, HQ is continuing several management systems designed to spot and, if appropriate, escalate concerns. These systems include written status reports and regularly scheduled forums for problem discussion and resolution and the timeline management study.

The problem solving forums include a round of Regional conference calls during mid-year negotiations (see Chapter III), in late March/early April and in August. The purpose of these calls is to discuss, at senior management levels, major problems and opportunities affecting the annual enforcement targets with special emphasis on timeline management. OWPE will continue monthly conference calls to Regions to discuss progress of RD/RA negotiations.

The objective of the timeline management study is to identify the underlying causes of project slips so that process and planning improvements can be made at the Regional level. A questionnaire is used to provide insight into the causes of project delays and aid the Regions in improving process and planning. The questionnaire is to be completed for each project that has slipped from the planned quarter or can be anticipated to slip from a planned quarter in the future. HQ will attempt to incorporate elements that identify causes of project slippage in CERLCLIS.

Management Initiatives

- Implement the revised Hazard Ranking System (HRS). Use the HRS to rank sites for proposal to the NPL. An update to the NPL is scheduled for publication in the *Federal Register* (FR) semi-annually.

- Implementation of a well managed program by continuing the strategy of fully funding all RI/FS projects. The program has set the goal of reducing RI/FS costs to a national average of $750,000 per OU and $1,100,000 per site (exclusive of treatability studies). Every effort should be made to ensure that the trend of RI/FS costs is toward the overall national goal. Both the OU and site goals are important. The OU goal primarily affects year-to-year funding limitations. The site goal is needed for long term cost management and to eliminate the incentive a Region may have to break sites into OUs to increase its annual budget. Note, however, that Regions are strongly encouraged to focus RI/FS projects on principal threats, even if this does require additional OU(s) to complete site remediation. A Region's RI/FS budget is developed based on the full funding strategy. "Mega-sites" are excluded from the OU and site level cost reduction goals described above.

- Implement a mega-site management strategy that insures cost-effective environmental management of these significant sites. Mega-sites are defined as sites where RI/FS work at the site reaches or exceeds $3 million. Regions are required to develop and submit to the Hazardous Site

Control Division (HSCD) a Mega-site Management Plan that characterizes site problems and management options. Mega-site funding requests will be reviewed and resources allocated on a site by site basis. (See Chapter V for requirements on the Mega-site Management Plan.)

- Make effective use of other agency expertise — It is important that EPA make full use of construction management expertise available from the U.S. Army Corps of Engineers (USACE) and the Bureau of Reclamation (BUREC), and that EPA staff avoid duplicative oversight of projects assigned to these agencies. The USACE has a mission assignment from EPA to provide technical assistance, review RI/FS projects, oversee PRP RDs and RAs, and conduct RDs and RAs depending on their estimated cost.

- Information management — Continue the efforts toward making CERCLIS/WasteLAN more of a management tool for the Regions. This includes integrating the information needs external to OSWER (e.g., ORC, The Office of Enforcement (OE) and DOJ) into the CERCLIS information management environment, implementing and integrating project and program management tools (e.g., SMARTech), and reporting technical data using CERCLIS (e.g., EI and RA information). In FY 92, HQ will work with the Regions to define the extent and use of CERCLIS for these and other initiatives.

- Implementation of the Long Term Contracting Strategy (LTCS) — Transition from FIT to Alternative Remedial Contracting Strategy (ARCS) for conduct of site assessment work. $11 million was placed into the ARCS contract for the Regions to issue site assessment work assignments. Reorientation of the Emergency Response Cleanup Services Contractor (ERCS) to be accessible to both the remedial and removal programs. Oversight of PRP-lead RI/FS projects should be contracted to ARCs to avoid transition problems with the close-out of the Technical Enforcement Support (TES) contracts. Other new initiatives are also expected as a result of this strategy.

- Development of new audit reports for CERCLIS that focus on essential program management information.

WORST SITES, WORST PROBLEMS FIRST

The Superfund Management Review established an Agency policy of addressing the worst problems first: "Superfund will schedule incremental steps to clean up sites over time, expending scarce resources first on problems posing the most serious risks to public health." The OSWER and OE Strategic Plans made this a key objective for cleanup: "Through FY 95, (EPA will) increasingly address worst sites first in Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) response and remediation work."

OE has also initiated a national effort to develop cleanup priorities based on the judgment of EPA, States, Indian Tribes, citizen groups, and other Federal agencies to target limited government resources. Representatives from these groups will be participating in a national dia-

logue throughout FY 91 to develop a methodology and national priority system for Federal Facilities.

To meet OSWER's requirements, the identification of the worst sites, worst problems is made at three points: site assessment, RI/FS and RA.

Site Assessment Program Goals

Site assessment demands are expanding and Regions are encountering more requirements in screening sites and making worst sites first decisions. To ensure that the worst sites enter the cleanup process first the site assessment program has established the following goals:

- Enter all site assessment decisions/priority recommendations at each step of the evaluation process and all appropriate identifiers (RCRA, Federal Facility, Indian lands, etc.) into CERCLIS as rapidly as possible to facilitate overall program planning and to expedite response to Congressional and public inquiries.

- Continue to implement the Environmental Priorities Initiative (EPI). Preliminary Assessment (PA-Plus) (up to 200 hours per PA) should be conducted.

- Implementation of discovery projects. Concerns have been raised that there is a universe of potentially hazardous sites that are not being addressed. Three major categories of sites were identified—municipal landfills, large quantity hazardous waste generators, and RCRA Subtitle D industrial landfills. Discovery pilot projects in Regions III and X are scheduled to be complete at the end of FY 91. This program is expected to be expanded in FY 92.

- Renewed and expanded emphasis on the removal program coordination. State, ARCS, and EPA staff conducting PAs, site reconnaissance and Site Inspections (SIs) should consider the need for removal activities at all sites evaluated. Removal personnel must be notified in all instances where evidence of potential fire, explosion, or direct exposure hazards exist or where removal activities may substantially improve a hazardous situation. Also, new policies on consideration of removals in HRS scoring increases the need for removal and site assessment coordination.

- Achieve SI completion goal. During FY 91, resources were placed in the Region to eliminate the backlog of SIs to the greatest extent possible. This effort is expected to result in achievement of the SI completion goal imposed by SARA.

- Increase the involvement of the State in site assessment and increase EPA oversight of Multi-Site Cooperative Agreements (MSCA).

- Continue EPA's policy of conducting PAs within one year of CERCLIS listing in order to prevent the build-up of a PA backlog.

- Perform PAs at Federal Facilities to achieve SARA goals.

Over 6,000 sites have completed SIs and need to be evaluated for inclusion on the NPL. The overreaching site assessment goal is to set priorities for screening and listing on the NPL the highest priority sites first. Each Region will need to work with HQ to determine its most balanced priorities/workload and division of labor with its States.

RI/FS Priority Setting Process

With ongoing RI/FS projects demanding a substantial number of Full-Time Equivalents (FTEs) positions to maintain and support, the program has had to severely constrain RI/FS starts in FY 92 for both first and subsequent starts, and Fund-financed and RP lead projects. As a result, support for new and ongoing RI/FS projects must be carefully evaluated, within available resources, in a fashion that assures the greatest impact on human health and the environment. These factors led in FY 91 to a Regionally-implemented systematic process for establishing the relative priority of RI/FS projects. The specific objective of the RI/FS priority setting policy is to focus the limited number of first and subsequent RI/FS starts on the worst site problems in each Region.

This policy does not include Federal Facility sites and State Enforcement lead sites where no Superfund dollars are being spent.

Regions submitted their FY 91 RI/FS priority setting results at the end of January 1991. In general, the FY 92 priority setting process is expected to be similar to the FY 91 process. A decision will be made in FY 91 on whether a national ranking system for RI/FS projects will be developed. The issue here is whether a more consistent national process, that will be implemented in each Region, is necessary. An addendum to the Manual will be issued if the RI/FS priority setting is revised.

Requirements for Priority Setting Process

Decisions on the process for establishing RI/FS priorities are to be made by each Region. Following are minimum requirements for designing a RI/FS priority system:

- Use the HRS as a starting point;
- The environmental criteria used in assessing RAs should be used in evaluating RI/FS start candidates to the degree data and professional judgment is available:
  - Risk of contaminants;
  - Stability of site/contaminants;
  - Human population exposed; and
  - Threats to significant environments;
- Include States in the RI/FS priority setting.

Program management factors may elevate the priority of some RI/FS candidates. Regions should explain these management factors where they apply. These may include:

- Enforcement considerations - sites with willing and viable PRPs that are expected to produce quality products;
- In-house RI/FS projects;
- Final OU where completion or deletion can be quickly accomplished; and

- Multiple interdependent OUs.

Management Process

By November 27, 1991, the Regions are required to submit a list of the RI/FS projects with the following information:

- Description of the process used by the Region in assessing RI/FS start candidates, if it changed from the FY 91 submission;
- A three-tiered listing of all RI/FS start candidates noting first and subsequent and an explanation of the project ranking. The list should also identify the highest, next highest and relative lowest priority group of start candidates.

RA Environmental Priority Setting Process

The number of sites reaching the construction end of the pipeline has increased dramatically in the post SARA timeframe. To ensure that the limited funds would be directed to the worst problems first, an RA priority setting process has been implemented.

Since the development and implementation of the RA environmental priority setting, a number of issues have emerged. First, the creation of a funding line may have served as a disincentive for moving projects initially below the funding line to RD completion. In addition, fears that subsequent RA projects would not rank above the funding line appear to have created a disincentive for initiating quick response actions. Second, present projections for the FY 92 budget indicate a substantial increase in RA funding and the creation of an RA funding floor. This means that funds cannot be shifted out of the national RA budget for other activities. Third, PRPs are taking over an increasing number of post RD projects. As a result, adjustments to the RA priority setting process are being considered.

A two step approach to RA priority setting is proposed. By April 23, 1991, Regions shall submit limited data sheets on each RD project that will lead to a FY 92 RA start. Data sheets for ongoing RDs that will lead to a RA start in FY 93 should be submitted by April 23, 1992. Each data sheet should address:

- PRP involvement;
- Status of RD; and
- Potential for phased funding of large dollar (greater than $50 million) projects.

No projects will be considered unless the Region is willing to commit to a target for an RD completion for that project.

HQ will evaluate the information and decide whether available projects are likely to exceed the RA budget. At that time a decision will be made on whether ranking is necessary or appropriate. If anticipated project needs substantially exceed dollars available, all projects will be ranked. If it appears the RA budget will exceed project funding needs, ranking may be performed. In either case, once the rankings are established all projects that are ready to begin in the first two quarters will be funded on a first ready, first funded basis. This funding process

could be extended through the third and fourth quarters if at the mid-year evaluation it appears that all ready projects can be funded within the available RA budget.

It is important to remember that all NPL sites that require action after the RI/FS are, by definition, priority sites. The issue is their relative priority. The RA priority setting process attempts to determine the relative priority of RA projects based on environmental concerns. Analysis of this ranking process indicates that it is a consistent, discriminating and predictable system.

The RA environmental priority setting process identifies three priority categories into which each RA project is assigned. The significance of these categories is that RA projects are compared and ranked only with other projects in the same category. The priority setting categories contained in Exhibit I-4 were developed based on the following principles:

- Protection of human health from immediate threats is the highest priority;
- Threats to human health or to a significant environment under current conditions follow in relative priority; and
- Potential threats based upon future site conditions are of a lower priority.

Within priority categories 2 and 3 projects will be ranked using the following criteria:

- Risk of contaminant - concentration, toxicity, and volume;
- Stability - mobility of contaminant, site structure, and effectiveness of any institutional or physical controls;
- Human population exposed;
- Threat to endangered species or environmentally sensitive area; and
- Program management considerations. (In the past, program management considerations have emphasized engineering issues. In FY 92, special emphasis should be given to completions/deletions, discussed later in this Chapter.)

These ranking criteria and priority categories attempt to address the relative stability, nature and concentration of contaminants at the site; the proximity of the hazardous materials to population areas; and the threat to environmentally sensitive areas and/or endangered species. An additional criterion was designed to address programmatic factors.

Application of RA Priority Setting Criteria

Environmental factors are the primary consideration in determining which ranked RA projects are funded. All current year RA starts will be considered for ranking. There is a subset of RA projects that are not evaluated under the priority setting process, but are automatically placed in the funding queue and guaranteed funds. These are:

- Oversight of PRP RA projects;
- Small dollar quick response (removal or remedial) projects (generally $2.0 million or less), as long as they do not cumulatively exceed the small

Exhibit I-4

PRIORITY SETTING CATEGORIES

PRIORITY 1	**IMMEDIATE AND/OR IMMINENT THREAT** Immediate and/or imminent threat to human health as determined by EPA or by a Public Health Advisory from the Agency for Toxic Substances and Disease Registry (ATSDR)
PRIORITY 2	**ACTUAL OR POTENTIAL EXPOSURES UNDER CURRENT CONDITIONS*** Exposure pathway is contaminated above an accepted human health standard or risk range and under current conditions pathway is complete to human intake. Exposure pathway is contaminated above an environmental standard and under current conditions pathway is complete to a significant environment. Exposure pathway is contaminated above an accepted human health standard or risk range and not complete to human intake but under current conditions pathway could become complete. Exposure pathway is contaminated above an environmental standard and not complete to a significant environment but under current conditions pathway could become complete.
PRIORITY 3	**POTENTIAL EXPOSURE UNDER FUTURE CONDITIONS**** Exposure pathway may become contaminated above an accepted human health standard or risk range, and under future conditions pathway will be complete to human intake. Exposure pathway may become contaminated above an environmental standard and under future conditions pathway will be complete to a significant environment.

* Current condition is defined as what is actually occurring or in place, or occurs periodically on a regular basis at the time the project is being ranked. Current conditions can apply to land use (land which is currently zoned for a specific use but not presently being utilized for that use is not a current condition); or to existing resource use (i.e., ground water for drinking water); or to use of a body of water; or the migratory pattern of wildlife; or to other circumstances that are actually occurring.

** Future condition is defined as any land use or other condition which is not actually occurring at the time the project is ranked, but is reasonably expected in the future.

dollar project set aside ($50 million range, dependent on available budget. See discussion on quick response actions later in this Chapter.);

- Ongoing RAs that have been phased or incrementally funded;
- Mixed funding (preauthorization) response actions;
- Cash outs resulting from settlement agreements (depending on the cost of the RA and the funds received from the PRPs); and
- Long Term Response Action (LTRA) and other ongoing RA projects that require small amounts of additional funding to complete.

Ranking takes place only after project documentation has been submitted and certain enforcement milestones have been addressed. The enforcement milestones include:

- PRP search;
- Special notice letters;
- RD/RA negotiations; and
- Settlement achieved or a decision made to litigate, issue a UAO or fund the RA.

HQ will maintain an enforcement reserve of RA funds specifically for projects that had a high probability for PRP lead (75 percent or better), where negotiations failed and the project will now be funded. These sites are placed in the funding queue and will be funded out of the enforcement reserve.

Each year a funding queue is developed. It consists of RA projects that are ready for funding. In order for projects to be placed in the funding queue, the following activities must be conducted by the Region:

- Project must be ranked or meet the criteria discussed previously for projects that are not evaluated under the priority setting process;
- Large scale projects greater than $50 million have been evaluated to determine whether aspects of the project can be funded in phases or segmented consistent with a well engineered approach to the site without increasing cost or risk to health or the environment;
- RD must be 90 percent complete. RDs must be sent to HSCD for concurrence prior to Regional approval;
- A commitment from the State that cost share funds will be available through a signed Superfund State Contract (SSC) for Federal-lead projects (C3101 = "SS"); and
- Site access for RA has been secured (C3101 = "RE").

A special report (RA Queue Report) is under development that will pull the 90 percent RD, SSC and site access completion dates from CERCLIS. **The Advice of Allowance (AOA) for a site will not be issued until these activities are completed.**

Developing and Managing the Funding Queue

Once a funding queue is established, RAs will be funded on a first ready, first funded basis until it appears that the RA projects ready to proceed during the FY will exceed the national budget. At that point, RAs will be funded in order of relative priority until funds are exhausted. All Priority 1 projects will be funded first. Based on the available RA budget, a "funding line" will be identified in either the Priority 2 or 3 category. Funding for Priority 2 projects will precede funding of Priority 3 projects. Once an RA project has been approved for funding or gone through the ranking process and is ranked above the funding line, funding is assured for those projects that stay on schedule through the first three quarters of the FY.

At mid-year, the status of all funded and planned RAs, planned RA obligations for the remainder of the FY, and the available RA budget will be reviewed. Based on the results of this review, the funding procedures may be revised. Therefore, it is vitally important that up-to-date information on the readiness of projects and the funding needs be maintained in CERCLIS.

Documentation

The initial assignment of an RA project to one of the three priority categories is performed by the Region. All RA projects within a Region that are scheduled to begin in a given year are examined. The affected State shall be consulted when the Region prepares the RA priority setting documentation. The Region should complete their evaluation of RA projects by preparing the RA Fact Sheet and submitting it to HQ. (A copy of the RA Fact Sheet can be found in Appendix H.) **Only projects where documentation has been submitted will be considered for ranking.**

If ranking will be performed, fact sheets for FY 92 RA projects are due to HQ in June 1991 in order for the ranking to be completed by negotiations in August 1991. Fact sheets for FY 93 RA projects are due to HQ in June 1992.

If the status of a project changes during the FY, for example, an anticipated settlement falls through, an RD is completed ahead of schedule, or a potential threat becomes an actual threat, new or revised RA Fact Sheets should be sent to HQ.

It is not necessary for a Region to submit a new RA Fact Sheet if the schedule of a ranked RA project slips to the next FY, unless the facts associated with the project have changed. If the project has not changed, it will be placed in the funding queue based on the score it previously received. If circumstances have changed, it will be ranked again.

The Decision Making Process

The ranking of RA projects will be conducted by a panel composed of senior HQ and Regional managers. The following procedures are planned:

- The RA priority setting panel will convene at least once a year. If necessary, a mid-year (April) panel meeting will review the status of projects that were ranked previously, and re-rank projects that were below the

funding line. The July panel meeting will rank sites scheduled to begin in the first three quarters of the upcoming FY and the fourth quarter of the present FY. The RA panel will also conduct quarterly conference calls to rank new projects or revise the ranking for projects where conditions have changed.

- During the RA panel meeting, each Region will make a brief presentation of its projects.
- Panel members evaluate the merits of each project based on the priority setting criteria discussed earlier. A composite ranking score is computed for each project, resulting in a listing of RA projects in rank order by environmental priority.
- During the FY, HQ will pull RD, RA, and the subevent data from CERCLIS monthly to determine the latest schedule and funding needs. HQ will conduct conference calls with each Region at least once a quarter, more often if necessary, to discuss the status of the planned RA projects. Regions will also be contacted regularly during the fourth quarter.

CERCLIS Implementation

Given the vital importance of accurate and timely information, it is essential that CERCLIS information be kept up-to-date. Regions should regularly generate and review the Target/Negotiation Report (SCAP-16) to ensure that all queued projects are accurately coded.

During the FY, Regions must maintain:

- RD and RA planned start and completion dates;
- Completion dates for the SSC (C3101 = "SS"), acquisition of site access (C3101 = "RE"), and RD 90 percent complete;
- RA funding needs;
- Activity/Event Planning Status (C2110) associated with the RA; and
- Funding Priority Status (C3225) associated with the RA planned obligations.

Failure to maintain this information in CERCLIS could cause delays in funding. Exhibit I-5 contains the CERCLIS coding instructions for all RAs. If a project has been queued and the planned start date has passed without funds, the planned start date should be moved to the next quarter.

REDUCE ACUTE THREATS

During site planning phases, such as removal assessments or scoping for the RI/FS, the Remedial Project Manager (RPM) or the On-Scene Coordinator (OSC) should determine if the site is safe. A further determination should be made on the need for additional surface cleanup that will reduce risk, can be addressed through remedial/removal authorities, and can be done

Exhibit I-5

CERCLIS IMPLEMENTATION OF RA PRIORITY SETTING

RA Project Criteria	Activity/Event Planning Status (C2110)	Funding Priority Status (C3225)
Projects that have not been ranked	A (Alternate)	ALT (Alternate)
Projects in the queue without being ranked; funds available	P (Primary)	APR (Approved)
Projects to be ranked	Q (Queued)	ALT
Ranked projects above funding line	Q	APR
Ranked projects below funding line	Q	ALT

quickly. In the past the Agency has encouraged the use of removal authorities to perform quick response actions (i.e., Initial Remedial Measures (IRM), Expedited Response Actions (ERA), and "removals"). In FY 91 and FY 92, a variety of contracting mechanisms are being implemented that will provide the incentives to perform these actions under the remedial program.

Removal Program Goals

In FY 92, as in the past, the key goal of the removal program is to ensure that resources are available for time critical removals and not diverted to less critical removal actions. Regions should prioritize time critical removals in the following order:

- Classic emergencies;
- Removals at NPL sites; and
- Time critical removals at non-NPL sites posing major environmental and public health threats that can not be addressed by other authorities.

Ensuring that NPL sites do not pose an immediate threat remains a high priority. Regions have the responsibility of reviewing half their NPL sites each calendar year to ensure no immediate threats have arisen. At the beginning of each calendar year, starting January 2, 1992, each Region needs to submit documentation on the completed evaluations of at least 50 percent of all non-Federal Facility proposed and final NPL sites. The documentation that must be submitted includes documentation memoranda signed by a Regional Division Director and sent to the Regional Administrator with a copy to the Director of the Emergency Respone Division (ERD) and a copy of the WasteLAN report RMVL-12, Summary of NPL Site Evaluations Conducted in Calendar Year. This CERCLIS report is to be used to document sites where a biennial NPL site evaluation was conducted in the last calendar year. Planned or on-going removal actions where

an immediate threat was identified as a result of the biennial NPL site evaluation are to be entered on this report.

Non-time critical removals at non-NPL sites should be undertaken only as resources allow and to expedite cleanup in conformance with the worst problems first policy. Non-time critical removals at NPL sites should be planned and budgeted site specifically. For all non-time critical removals, Regions should involve States and PRPs to the maximum extent practicable. In classic emergencies, PRPs should be notified orally and given up to 24 hours to respond, depending on the situation. Oral notification should be followed up in writing. For time critical removals, enforcement activities (PRP searches, negotiations and issuance of an order) should be initiated as soon as the site is identified, and scheduled for completion based on the timing of the removal start.

Quick Response at NPL Sites Using Remedial Authorities

Quick response actions are designed to eliminate surface waste/chemicals, barrels, tanks, pits, ponds, and lagoons. They also serve to develop information for use in RI/FS scoping. When evaluating the potential for a quick response, the following criteria should be considered:

- The cleanup actions should be well defined, of low to moderate technical complexity, use a proven technology, have existing field information readily available, and have a low to moderate cost to complete. Examples are surface cleanup, soil excavation, interim ground water plume controls, tank or structure demolition, and impoundment closure.

- A project should not be broken up and expedited just to "turn dirt." The decision to expedite should be based on an attempt to reduce risks and compress the critical path for pipeline remedial activities.

- Before an action is taken, certain enforcement issues need to be addressed – Are willing and viable PRPs that are able to produce quality products involved? Are these PRPs interested in conducting quick response actions?

These criteria will assist the Region in a decision to conduct a quick response action at the site.

Financial Considerations

To provide incentives for quick response actions at remedial sites, the following management procedures are proposed:

- $50 million dollars will be set aside in the RA budget to be used for quick response projects. Ranking is not required for these actions. An evaluation will be made in the third quarter. Projects must be identified by that time in order to guarantee funding. At that point, unplanned and unobligated funds remaining in the quick response set aside will be placed back in the RA budget and used to fund priority RAs.

- Quick response projects should be less than $2 million, but projects up to $5 million may be approved by HQ. These projects must demonstrate one or more of the following:

- Substantial contribution to risk reduction;
- Significant interim action; or
- Activities lead to completion or deletion.

Authorities and Contracting Strategies

Under the remedial program, the ARCS contractor performing RI/FS activities may be tasked by the RPM to conduct quick response actions. Typically, the ARCS contractor will be able to subcontract for work of this nature. EPA has also developed a Prequalified Offerors Procurement Strategy, which provides a list of prequalified contractors that have the capability to perform specified technologies. Detailed plans and specifications are not needed for this option, and the process requires 60 to 90 days from Request for Proposal (RFP) to contract award.

With an OU ROD and detailed plans and specifications, the USACE has two contract options available to speed up a response action start. These are:

- Preplaced remedial action contracts that can be activated by delivery orders, eliminating the solicitation and audit requirements of site specific contracts; and
- Rapid response program contracts that are used for demolition actions, closures, point source contamination controls, and site stabilization.

With either of these contract mechanisms, response actions can be initiated within 30 to 60 days of design completion.

When the remedial program is performing the work, Regions are encouraged to conduct a focused FS that will lead to a "thin" ROD. HSCD is currently developing guidance on interim action RODs.

COMPLETIONS/DELETIONS AND FIVE YEAR REMEDY REVIEWS

Although the Superfund program has begun the process of articulating incremental progress through environmental indicators, the achievement of site completions and deletions from the NPL has a renewed emphasis for the Agency in FY 92. Key components of the completion and deletion process are discussed below.

The Preamble to the NCP describes a new category of the NPL—the "Construction Completion" category. The category consists of:

- Sites awaiting deletion;
- Sites awaiting deletion where CERCLA Section 121(c) requires review of the remedy no less than five years after RA initiation; and
- Sites undergoing LTRA.

EPA shifts sites into the Construction Completion category only after approval of interim or final Close Out Reports. Approval of an Interim Close Out Report indicates that construction

of the remedy is complete, and that it is operating properly, but that the remedy must operate for a period of time before achieving cleanup levels specified in the ROD. Approval of the final Close Out Report indicates that the remedy has achieved protectiveness levels specified in the ROD and that all RAs are complete.

LTRA sites may be placed in the five year review or awaiting deletion category upon attainment of the final remediation goals. A site requiring only Operation and Maintenance (O&M) at the time of construction completion may be categorized as a temporary measure until the process of reviewing the site for possible deletion from the NPL has been completed.

Section 300.425(e) of the NCP states that "Releases may be deleted from or re-categorized on the NPL where no further response is appropriate." It further states that in making a determination to delete a release from the NPL, EPA shall consider, in consultation with the State, whether any of the following criteria has been met:

- PRPs or other persons have implemented all appropriate response actions required;
- All appropriate Fund-financed response under CERCLA has been implemented and no further response actions by the PRPs are appropriate; or
- The RI has shown that the release poses no significant threat to public health or the environment and therefore taking of remedial measures is not appropriate.

SARA requires EPA review those remedial actions that result "...in any hazardous substances, pollutants, or contaminants remaining at the site..." no less often than every five years after implementation. The NCP states that RAs that result in hazardous substances, pollutants, or contaminants remaining at the site "...above levels that allow for unlimited use and unrestricted exposure..." shall be reviewed no less than every five years after initiation of the selected RA. In the Superfund Management Review, the Administrator has determined that EPA will not delete from the NPL sites that require SARA reviews until at least one review has been completed. EPA is currently taking comments on this policy and it may change in FY 92. However, taken together, the Superfund program is required to evaluate deletion candidate sites very carefully in order to ensure the appropriateness of deletion before publishing the deletion notice.

Five year reviews for appropriate sites are to be conducted after the RA. Thus reviews may be conducted during phases of the RA, during LTRA, during O&M, and where appropriate, additional reviews may be conducted after a site has been deleted from the NPL. Beginning in FY 90, each ROD attempts to identify when a five year review is necessary based on the nature of the remedy. Regions should identify sites where a five year review is required and develop workplans. Resources for five year reviews are contained within the O&M budget.

Completions are important initially, however, deletions will become more important if there are changes in the five year review and deletion process. Close Out Reports and Federal Register notices for sites eligible for recategorization as completions or for deletion from the NPL, should be prepared and submitted promptly to ensure that progress is accurately conveyed to those outside the Agency. Interim and final Close Out Reports should be completed no later than the quarter following RA completion. Completions/deletions are targeted in STARS in FY 92. However, no sites currently on the completion list will be counted as an accomplishment in FY 92.

OTHER PROGRAMMATIC THEMES

Federal Facilities Program Goals

The Federal Facilities program is committed to developing innovative compliance monitoring and enforcement approaches that will transition Federal Facilities into environmental leaders. The program's approach to successfully turning Federal Facilities into models for environmental compliance is based on using resources efficiently through streamlining activities, leveraging resources, and pursuing expedited response actions and strategic multimedia enforcement initiatives. This will be accomplished by improving coordination with program offices, States, and other Federal agencies; pursuing innovative technology research and development; and emphasizing communication through training and technology transfer initiatives.

By the beginning of FY 92, each of the 116 Federal Facilities on the NPL are expected to have completed Interagency Agreements (IAGs). To address these sites and the growing universe of Federal Facility Superfund sites, the four major goals of the Federal Facilities Superfund program in FY 92 are:

- Continued integration of environmental restoration activities under CERCLA and RCRA using IAGs as a means of reducing the most significant long-term threats posed by Federal Facilities;
- Promotion of increased efficiencies in Federal Government response programs through an emphasis on expedited response actions and streamlining activities;
- Assess Federal Agency needs, and outlays versus budget authorizations as part of the Office of Management and Budget (OMB) A106 process;
- Support for innovative technology development and pollution prevention principles; and
- Strategic planning activities with Regions and other HQ offices to leverage the Agency's resources.

In addition, a multimedia enforcement program is being developed for Federal Facilities which will be consistent with Superfund and individual media program goals and will assist with efficient resource use. The initiative, outlined in the "Enforcement Four-Year Strategic Plan" (issued by OE, October 17, 1990), reinforces the program and enforcement goals identified in the OSWER Strategic Plan.

Enforcement Four-Year Strategic Plan

The "Enforcement Four-Year Strategic Plan" is a collaborative effort of OE and the media compliance programs. The plan provides a foundation for media-specific and cross-media enforcement in the future, and identifies seven broad goals for enhancing enforcement efforts:

- Strengthen the Agency's enforcement voice;
- Target enforcement for maximum environmental results;
- Screen cases for appropriate and efficient enforcement response, after considering all relevant statutory authorities;

- Improve EPA relationship with other units of government;
- Use enforcement authorities creatively to leverage resources and maximize impact;
- Expand public outreach and communication efforts to encourage compliance and enhance deterrent value of enforcement; and
- Improve resource utilization and training.

Chemical Emergency Preparedness and Prevention Program

The main goal of the Chemical Emergency Preparedness and Prevention Program (CEPP) is to prevent and prepare for chemical accidents. The program's authorities are CERCLA and the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), also know as Title III of SARA. CEPP's FY 92 STARS measures focus on key activities to meet the above goal; specifically, technical assistance and training activities, simulations, after incident evaluations, chemical safety audits, and the Accidental Release Information Program (ARIP) measure aimed at gathering and analyzing information on accidental releases and prevention methods. SARA Title III enforcement measures are also included. The SCAP measures for CEPP complement and supplement the STARS measures and include outreach activities, reporting on the status of Title III implementation nationwide, participation in Regional Response Team (RRT) activities, and natural disaster and national security emergency preparedness activities. Because the deadline for completion of initial Local Emergency Planning Committee (LEPC) emergency response plans occurred in FY 89, review, exercise, revision, and improvement of plans will be emphasized in FY 92. LEPCs must update their plans annually. Revised plans must be reviewed by the State Emergency Response Commissions (SERC). RRTs may also review plans upon the request of the LEPCs.

The Agency shares responsibility with the United States Coast Guard (USCG) for implementing major provisions of the Oil Pollution Act of 1990 (OPA). EPA will review area contingency plans, issue regulations for facility response plans for non-transportation related facilities, implement recommendations of a report to Congress on liners or other means of secondary containment, and inspect removal equipment at facilities. The Agency will approve certain facility response plans and conduct area drills. In addition, Regional offices will assist SERCs, Tribes and LEPCs in coordinating and linking facility response plans with community response plans developed pursuant to EPCRA.

With the passage of the Clean Air Act Amendments of 1990, CEPP will also be involved in developing guidance and regulations required under the Clean Air Act Accidental Release provisions. These provisions build upon CEPP's existing initiatives to reduce the number and severity of chemical accidents.

CEPP STARS information does not need to be entered into CERCLIS. The reporting mechanism is outside the CERCLIS system.

Natural Disaster and National Security Emergency Preparedness (NSEP) Programs

The Plan for Federal Response to a Catastrophic Earthquake was mandated by the Earthquake Hazards Reduction Act. In FY 91, the Plan was officially broadened to cover Federal response to all catastrophic, natural and technological disasters, including earthquake, hurricane, flood, and terrorism. It was renamed the Federal Response Plan for PL-

93-288 (the Stafford Act). The Plan, which is being developed by 25 Federal departments and agencies and is coordinated by the Federal Emergency Management Agency (FEMA), is an effort to improve Federal, State, and local preparedness and response to these kind of disasters. EPA's responsibility in plan development is to act as the primary agency for Emergency Support Function (ESF) #10 — "Hazardous Materials," and as a support agency to other ESFs. All EPA Regions must develop a Regional annex to the Plan in order to coordinate with other Federal departments and agencies utilizing ESF #10 for catastrophic disasters, such as hurricanes, floods, and terrorism. Regions that have one or more of the 13 identified high-risk, high population areas for a catastrophic earthquake within its boundaries must also develop a risk-area specific, hazardous materials annex to the multi-agency Regional response plan. This annex operationally identifies how the Agency and its support agencies would respond to multiple hazardous material incidents, including radiological incidents, during a catastrophic earthquake. In Regions containing more than one catastrophic risk area, risk-area specific sub-plans are necessitated.

The purpose of the NSEP Program is to ensure the performance of essential functions of the Agency in the event of a national security emergency. EPA's responsibilities are outlined in Executive Order 12656 and related directives. Each Region is required to establish and maintain a designated team of personnel, members of the Regional Emergency Management Team (REMT), for such events; participate in EPA, FEMA or other agency sponsored planning sessions, workshops, training and exercises; and assist in preparing program support materials.

CHAPTER II

NATIONAL INFORMATION NEEDS

CHAPTER II - NATIONAL INFORMATION NEEDS

ONE MINUTE PROGRAM MANAGER RULES

Following are the actions Regional managers must take to comply with the requirements described in this Chapter. In order to acquire a more in-depth understanding of these requirements, the Chapter itself should be read.

- CERCLIS data should be updated within five days of the occurrence or schedule/funding change or at least monthly.
- On the fifth working day of each month, HQ pulls planning and accomplishment data from CERCLIS to support a variety of official reporting requirements including Superfund Monthly/Quarterly Management Reports, Superfund Progress Report, and Superfund Comprehensive Accomplishments Plan (SCAP)/Strategic Targeted Activities for Results System (STARS) quarterly reporting.
- No accomplishments are reported that are not accurately recorded in CERCLIS by the pull date.
- Environmental Indicator (EI) data are required to be reported for completed removals and RAs and for ongoing RAs.
- Regions must keep the National Priorities List (NPL) Book site fact sheets up to date. HQ will publish updates to the NPL book annually
- Estimates of RA costs must be entered into CERCLIS at various points along the remedial pipeline.
- Regions will not receive credit for an RA start unless the remedial technology type is in CERCLIS.
- Regions will not receive funds for an RA in their Advice of Allowance (AOA) unless the remedial technology type is in CERCLIS.

CHAPTER II - NATIONAL INFORMATION NEEDS

In the past, CERCLIS was primarily used to support STARS and SCAP planning and accomplishment reporting requirements. Prior to FY 89, Regions were only required to assure that data were up-to-date before the quarterly planning and accomplishment data pulls. In FY 89, CERCLIS data became the basis for major periodic reports that served national information needs (other than SCAP/STARS) on Superfund planning and progress. These reports provided historic, current, and future information on Superfund sites at the national, Regional and State levels. The data for these reports were pulled from CERCLIS on a monthly basis. As a result, CERCLIS data had to be updated at least monthly as of the fifth working day. In addition, CERCLIS provided valuable information for other administrative requirements such as responding to Freedom of Information Act (FOIA) requests, ad hoc requests from Congress, and as a link to other data bases.

The use of the data in CERCLIS continues to evolve and, in FY 91, the Agency took major steps to expand CERCLIS so it can also be used as an environmental data base. CERCLIS will continue to support SCAP/STARS, the major national information needs, and administrative requirements. In addition, it will provide data on RAs and EIs. This Chapter will provide additional information on the data that will be obtained through CERCLIS (other than SCAP/STARS, which are fully discussed in other parts of this Manual) and associated Regional CERCLIS data entry and data quality requirements. It will also discuss other major national information initiatives that will be handled outside the CERCLIS environment.

MANAGEMENT REPORTS

Periodically, reports are pulled from CERCLIS that provide national information on Superfund planning and progress. These reports must be consistent with the SCAP/STARS data. **It is essential that end-of-month CERCLIS data be up-to-date as of the fifth working day of each month.** (Specific dates are listed in the Manager's Schedule of Significant Events found at the beginning of this Manual.) This is the day that data will be pulled from CERCLIS to satisfy monthly reporting requirements. It is strongly recommended that planning and accomplishment data be entered on a real time basis as events, activities, and slippage occur.

The following sections provide a brief description of the reports used for Superfund program management.

Superfund Management Reports

The improvement of CERCLIS data quality and the establishment of a solid data base led to the development of a series of senior management reports. The management reports are designed to supplement conventional quarterly SCAP/STARS accomplishment reporting by providing a more frequent and detailed examination of program activity. The format and content of the report has evolved over time to address project needs. Basic data and graphics are updated monthly, and more detailed analysis is provided quarterly. The reports are completed approximately 30 days following the end-of-the-month/quarter. A quality assurance team is being formed to evaluate reports and recommend changes.

The format and contents of the Superfund senior management reports are summarized below.

Monthly Reports

The monthly reports contain project status information and Regional comparisons in a graphic format. The monthly management reports and formats change from time to time. Following is the current format:

- Section 1 — Summary of SCAP/STARS accomplishments and targets for the site assessment, remedial, and enforcement programs;
- Section 2 — Summaries of Regional commitments and obligations; and
- Section 3 — Summaries of program implementation progress.

Quarterly Reports

The Superfund Quarterly Management Reports depict the progress being made by the Agency in moving projects through the remedial pipeline and in increasing PRP involvement. The quarterly management reports contain the information that is available in the monthly reports supplemented with detailed graphic displays, as well as a section on the duration of events and trend analysis of PRP involvement.

- Section I - Targets and Accomplishments
  - Site Assessment and Remedial Program Performance - displays the percent of targets achieved in the major program areas;
  - Proactive Report - shows the planned events and activities for the current quarter and the number of sites slipping to upcoming quarters or the next FY;
  - Graphs on SCAP/STARS Accomplishments - these bar charts graphically present program accomplishments and targets for each Region; and
  - SCAP/STARS Targets and Accomplishments - displays quarterly and annual targets and accumulated accomplishment totals by SCAP/STARS activity for each Region.
- Section II - Regional Commitments and Obligations - these graphs display the percentage of allocated funds committed or obligated by Regions for the removal and remedial programs.
- Section III - A National Perspective of the Superfund Program
  - Inventory Assessment - pie chart showing status of sites in CERCLIS inventory;
  - Current NPL Site Activity - bar graph focusing on the number of sites that have had construction activity;
  - Work Begun at NPL Sites - pie chart showing the status of NPL sites;

- Pipeline Progress of Superfund Sites - graph indicating the number of RP and Fund lead sites that have progressed through the pipeline of remedial work;

- Increasing Activity at Superfund Sites - bar chart showing the difference in the number of sites that have had removal and remedial work pre-SARA vs. post SARA;

- Removal Activity at Superfund Sites - pie chart showing the distribution of NPL as opposed to non-NPL sites that have had a removal (Fund, RP, or other leads);

- Superfund Numbers Matrix - event based report displaying project start and completion accomplishment totals since program inception, pre-SARA and post-SARA;

- Site Inventory and Progress Toward SARA Targets - report listing the number of sites in CERCLIS and the number of sites reaching SARA site assessment program targets;

- Superfund Site Completions and Deletions from the NPL - thermometer graph showing the portion of completed sites that have been deleted or are at various stages of completion;

- Completion and Deletion Status of NPL Priority Sites - report listing the sites that have been deleted from the NPL, sites noticed for deletion, sites with completed close out reports awaiting publication of deletion notice, LTRA, and sites with completed final action but Close Out Report not final;

- Value of PRP Response Settlements - bar graph showing how the proportion of RD/RA settlements has increased with respect to other response settlements over the past three years;

- Cost Recovery Referrals to HQ/DOJ (>$200,000) - bar graph showing how the number and dollar value of cost recovery referrals to HQ/DOJ have changed over the past three years;

- Settlements for Cost Recovery - bar graph showing how the number and dollar values of cost recovery have changed over the past three years;

- Responsible Party Involvement - series of pie charts showing how PRP involvement has increased over the past three years;

- Cumulative Cost Recovery Collections - bar graph showing cumulative cost recovery from FY 87 to FY 90;

- FY 91 Superfund Appropriation - pie chart showing the distribution of the entire FY 91 Superfund appropriation;

- Superfund FY 91 Response Funding - pie chart showing the distribution of the FY 91 response budget;

- FY 92 Superfund Budget - pie chart showing the distribution of the entire FY 92 Superfund appropriation;

- FY 92 Superfund Response Budget - pie chart showing the distribution of the FY 92 response budget;

- EPA Superfund Obligation History and Funding Requirements by Fiscal Year - table showing how Superfund obligations and funding have increased;

- FTE Summary - table showing how FTE needs have increased since FY 89;

- Pipeline Progress of Projects at Superfund Sites - graph indicating the number of Fund and PRP projects at each stage of the pipeline of remedial work;

- Remedial Program Project Accomplishments (post SARA) - bar chart indicating the change in the number of projects (by year) at each stage of the pipeline;

- Ongoing NPL Work - table showing the change in the lead responsibility in pipeline projects over past years;

- Superfund Removal Actions - pie chart showing the distribution of NPL and non-NPL removal projects (Fund, RP, or other leads); and

- Removal Action Starts and Completions by FY - bar chart showing how NPL and non-NPL removal starts and completions have changed over the past three years.

• Section IV - Analysis of Program Implementation

- Cost and Duration of Events - these charts show the duration of selected events and between events by Region, and by lead, and a table shows the cost and duration of these events;

- Trend Analysis - PRP Involvement in Superfund - these charts depict current PRP involvement in various events and for the NPL universe, and show increasing PRP involvement by year; and

- Additional Analysis - by design, Section IV will evolve over time. As new analytical displays are developed to assess selected aspects of program implementation, they will be incorporated into Section IV.

Enforcement Reports

The following CERCLIS reports along with the Superfund Monthly Reports are used by Enforcement management in order to monitor accomplishments vs. targets, planned activities, or any activities that might require immediate action:

- Cost Recovery Category Report (ENFR-46) – This report lists every removal completed, every RA started, and some pre-RA activities that are candidates for cost recovery. Sites/projects are divided into one of four universes and seven categories of cost recovery response.

- SOL Management Report (ENFR-4) – This report lists every planned and actual completion date for removal, RI/FS, and remedial activities for all quarters. Planned and actual obligations for each activity are linked with cost recovery actions.

- Settlements Master Report (ENFR-3) – This report lists all settlements program-to-date. Data are divided by settlement category and summarized by FY, Region and remedies.

- Litigation Master Report (ENFR-6) – This report lists all litigation cases program-to-date. Data are divided by litigation type and summarized by FY and Region.

- Negotiation Master Report (ENFR-59) – This report lists all negotiations program-to-date. Data are divided by negotiation category and summarized by FY, Region, milestones, completed negotiations, and ongoing negotiations.

- Administrative/Unilateral Orders Issued (ENFR-25) – This report lists AOs and UAOs that have been issued.

- Enforcement Data Audit Report (ENFR-??) – This report is a comprehensive report for monitoring enforcement data quality. Each site consists of two pages, page one lists all enforcement data and the second page lists all response data. Enforcement actions without quality flags are printed on this report. Summary pages have not yet been developed.

ADMINISTRATIVE USES OF CERCLIS

In addition to the previously mentioned reporting requirements, CERCLIS provides valuable information to a broad range of users. For example, FOIA provides public access to CERCLIS data that have not been designated as confidential. These data are provided to private citizens, public and private interest groups, and industry (see Appendix B for FOIA information). Site name, description, location, NPL status, and current site activity are of particular interest to some of these groups, while not always being critical to internal management reporting requirements.

Ad hoc requests from Congress can also be answered, in many cases, by data contained in the CERCLIS data base. The more up-to-date and complete Superfund site data are, the better outside requests can be satisfied by queries of the CERCLIS data base, and less time will have to be spent by the Regions in searching through files.

There are also data elements in CERCLIS that are used as a link to other data bases. The Zip Code is used by the Geograph data base to provide system generated data to CERCLIS on site latitude, longitude, hydrogeologic unit, standard metropolitan statistical area (SMSA), county name, county code, and congressional district. The EPA Identification Number (EPA ID)

is supplied by the Facility Index System (FINDS) and is used in data bases throughout EPA and other Federal agencies, which relate to Superfund sites. The Superfund account number is used in CERCLIS and the Integrated Financial Management System (IFMS) and links CERCLIS and IFMS financial data. While some of these elements are not critical to SCAP, STARS, or the Superfund Progress Report (SPR), they are nonetheless of great importance to the efficient running of the CERCLIS data base and other related programs.

NPL BOOK

Although deletion of a site from the NPL is not the only measure of Superfund progress, it is the measure that has received the greatest focus, often resulting in Congressional and public criticism of the program's perceived lack of progress. The NPL deletion process takes several years and often represents multiple investigations, evaluations, removals and RAs. One of the recommendations in the Superfund Management Review was to better communicate the ongoing efforts of the Superfund program and the progress that is being made in site cleanup activities.

Toward this goal, the Agency developed the NPL Book. This book is a concise, readable compendium of site descriptions and the status of cleanup for all proposed, final, and deleted NPL sites. It describes the site history and location, major contaminants and human health threats, NPL listing information, response actions ongoing and completed, environmental progress, and plans for the future.

The NPL Book is published by State. Each book has a short State summary and the individual site summaries. Appendix F contains a sample site fact sheet, which was published in the first edition. A companion book contains a national summary of the Superfund program. It also includes: definitions; key to symbols; list of NPL sites by State; summary status of NPL sites; summary of how NPL sites have been addressed, and environmental progress statements.

The initial development of the NPL book required a large contractor supported data collection effort by the Office of Program Management (OPM). This effort was designed to gather all information required for the site summaries from site discovery to the present. Preparation of subsequent editions of these books will require review and updating by Regional staff. HQ plans to continue publishing these books annually.

Regional personnel will be asked to review and update present site summaries in the March-April timeframe, and return them to HQ for editing, formatting, and publishing. Summaries for sites newly proposed to the NPL will be drafted by HQ from available information and sent to the Region for review and correction. As in the initial effort, all information should be as current as the Region's review.

During FY 91, each Region received a copy of site summaries in a WordPerfect format for their own use. Regions will receive an updated version in FY 92 as the new editions are published.

ENVIRONMENTAL INDICATORS

An emerging means the Agency is using to communicate progress and accomplishments in the Superfund program is EI. The first phase of the EI program involved the development of eight specific indicators that would accurately report environmentally based cleanup progress. HQ collected information on completed RAs, ongoing RAs, NPL removals and non-NPL removals in excess of $200,000. An initial summary report was published in FY 91. In FY 92, Re-

gions will be responsible for updating and reporting EI data. The purpose of the effort is to provide Superfund management, Congress, and the public, direct evidence of environmental progress that results from Superfund cleanup actions. The data will be reported for all RAs and both NPL and non-NPL removals according to the following three indicators:

- Indicator A - Acute Threats Addressed - measures how often threats to human health have been eliminated at both **NPL and non-NPL sites** by preventing exposure to contaminated materials through the provision of site security, population relocation, alternate water supply, or the treatment, removal, or containment of hazardous wastes;

- Indicator B - Achievement of Human Health and Ecological Goals for a Medium - measures progress toward the achievement of health and ecological goals at **NPL sites** in terms of their constituent media – land, surface water, and ground water – and in terms of three degrees of goal achievement – full, partial, and cleanup underway;

- Indicator C - Amount of Waste Handled and Technology Employed - measures the weight or volume of contaminated material treated (on-site or off-site), removed (to off-site landfills or approved storage), or contained on-site at both **NPL and non-NPL sites.**

Complete descriptions of the indicators are provided in Appendix G.

Reporting Systems and Frequency

At the FY 92 Superfund Program Management Meeting, Regions requested that EI data be reported directly through CERCLIS. HQ will attempt to incorporate EI data elements into the CERCLIS system in FY 91. If CERCLIS is used, Regions will be responsible for entering historic EI data into CERCLIS and maintaining EI data quality. Whether the reporting system is electronic or hardcopy, however, the data will be in a format that resembles the hardcopy worksheets in Appendix G. These worksheets were used for data collection in FY 91.

The fundamental Superfund reporting system for EI is the quarterly STARS measure, Progress Through Environmental Indicators. However, quarterly reporting may prove to be more frequent than is feasible for environmental progress data. OSWER is, therefore, considering two options for EI reporting in FY 92: 1) quarterly reporting for all events completed at Superfund sites, with annual updates for ongoing events; or 2) semi-annual reporting for both ongoing and completed events at all Superfund sites. The Regions are encouraged to contribute their ideas about these or other options.

Indicator Development

HQ will continue to evaluate the ability of the indicators to measure environmental progress. Studies will continue to try to identify specific measures of progress in the areas of populations protected, ecological change, and contaminant concentration reductions. This work will build on pilot studies that were conducted in the Regions in FY 91.

The goal is to rely upon existing national ecological data bases as much as possible to develop indicators, and to take advantage of geographic information system capabilities where possible. This will allow the program to build a solid foundation of environmental information from which ecological indicators can be developed with a minimum of additional work for the Region.

As the Superfund program begins to rely more upon environmental indicators of progress, geographic data gains more significance. For that reason, it is important that latitude and longitude data be as accurate as possible. In late 1990, most of the coordinates of NPL sites were checked for accuracy, corrected, and placed in CERCLIS. In the future, Regions will be asked to follow guidance in establishing latitude/longitude coordinates for sites.

Chemical Emergency Preparedness and Prevention Office (CEPPO) Environmental Indicators

The ideal EI for the CEPPO is the reduction in the number and/or severity of accidental releases of hazardous substances that have a negative impact on human health and the environment. CEPPO will continue to collect information through the ARIP and will evaluate this information, as well as information from other data systems, as a starting point in the development of an indicator that reflects the number and/or severity of accidental releases. The Emergency Response Notification System (ERNS) may be used at the National and Regional level to identify approximately 90 percent of the facilities targeted by ARIP for more detailed data collection. ERNS data can also be used to provide information on releases of hazardous materials and oil caused by natural disasters.

A subcommittee, established to evaluate measures of success for prevention practices and programs, will also support this effort.

REMEDIAL ACTION INFORMATION

As the Agency measures the progress made in meeting the requirements of SARA, additional and more accurate information is required for RA activities. This information will be used to:

- Support and justify the response RA budget;
- Facilitate priority setting for Fund-financed RAs;
- Provide RA cost tracking information; and
- Provide the capability of characterizing RA projects and their associated costs.

The RA information that will be recorded in CERCLIS by the Regions includes:

- Planned and actual start and completion dates for RD, RA, and RA related events;
- RA cost estimates at different times during the remedial pipeline; and
- Technical information on the selected remedy.

Each of these will be discussed in greater detail in the following sections.

Planning and Accomplishment Data

Planned start and completion dates for RD, RA, and award of RA contract are entered into CERCLIS when a site is beginning the RI/FS. These dates represent the best estimate on when the activities are scheduled to begin. The schedules are updated regularly until the start or completion is actually accomplished. The scheduled start for RA on-site construction is placed

in CERCLIS when the RA contract is awarded. The schedules for these activities will be closely tracked and used for many different purposes, including:

- Projects planned to start or complete during a given FY become Regional SCAP/ STARS targets or measures;
- RA priority setting and tracking the status of the queue;
- Indicating progress in site cleanup and movement of sites to the advanced phases of the remedial pipeline; and
- Analyzing standard durations and timeframes.

Beginning in FY 91, planned schedules will be entered into CERCLIS in the month/day/ year (MM/DD/YY) format. The Fiscal Year/Quarter (FY/Q) data will be system generated. This process currently exists in WasteLAN. These dates will be tracked closely and true planned dates should be entered, not the last day of the quarter. This information must be updated until the start or completion is actually accomplished.

RA Cost Estimate

There are five types of RA cost estimating/projections that need to be reported to HQ:

- Cost of Remedial Action (CORA) Model cost estimate for Fund-financed and PRP RI/FS projects;
- RA cost estimate contained in a Fund and FE-lead ROD;
- Fund-financed RD 90 percent complete RA cost estimate;
- Fund-financed RA contract award RA cost estimate; and
- Total planned Fund-financed RA cost estimate.

The SCAP-25, RA Cost Estimate Information Report contains the information in CERCLIS on RA cost estimates/projections. Exhibit II-1 provides examples for coding RA cost estimates.

CORA Model Estimate

Prior to a ROD being signed, Regions can estimate the RA cost using the Cost of Remedial Action (CORA) model. This RA estimate is entered into CERCLIS against the RI/ FS or FS event with a Financial Type (C3202) of "E" (RA Cost Estimate).

ROD Estimate

When the ROD is signed, the capital cost of the remedy must be entered into CERCLIS against the ROD event with a Financial Type (C3202) of "E" (RA Cost Estimate).

If the ROD is amended, an alternative technology is chosen over the original. The new ROD capital cost should be entered against the new ROD event with a Financial Type (C3202) of "E". When a significant change is made that alters the scope, performance, or cost of a component of the remedy, it is documented in an Explanation of Significant

Exhibit II-1

RA COST ESTIMATING CODING

OU C1101	EVENT C2101	LEAD C2117	PLAN START FY/Q C2132	ACTUAL START C2140	PLAN COMP FY/Q C2133	ACTUAL COMP C2141	FINAN TYPE C3202	FINAN FY/Q C3218	FINAN DATA C3220	FUND STATUS C3225	BUDGET SOURCE C3229	FINAN AMOUNT C3230	INSTRUCTIONS
01	C01	F	87/2	3/15/87	89/2	3/30/89	E					10,000,000	CORA MODEL ESTIMATE = $10,000,000 SEND CORA DISK TO PDBS
01	RO1	F			89/2	3/30/89	E					12,000,000	ROD ESTIMATE = $12,000,000 (CAPITAL COST) ENTERED WHEN ROD IS SIGNED
01	RD1	F	89/4	9/19/89	90/4	8/2/90	E					13,500,000	RD 90% ESTIMATE = $13,500,000 ENTERED WHEN RD IS 90% COMPLETE
01	RA1	F	90/4	9/30/90	92/2		A	90/4	9/30/90	APR	R	13,500,000	TOTAL PLANNED RA COST ORIGINALLY ENTERED 88/2, UPDATED AS BETTER INFORMATION BECAME AVAILABLE
							A	91/2	2/20/91	APR	R	1,500,000	
							P	92/2		APR	R	300,000	
							E		1/17/91			13,225,000	RA CONTRACT AWARD = $13,225,000 ENTERED WHEN CONTRACT IS AWARDED
							E		4/2/91			14,000,000	RA CONTRACT AWARD = $14,000,000 ENTERED WHEN CONTRACT IS MODIFIED

Differences (ESD). A second entry with the new cost estimate is reported with the original ROD using a Financial Type (C3202) of "E." The date of the ESD is placed in the Financial Date (C3220), and "ESD" is entered in the Financial Note Field (C3242). In both situations, the original RA cost estimate remains in CERCLIS. See Chapter V for additional information on changes to RODs.

RD Estimate

When the RD reaches the 90 percent completion point, the Region enters the total RA cost estimate in CERCLIS based on the information gathered during the design. This estimate is entered against the RD event with a Financial Type (C3202) of "E" (RA Cost Estimate).

RA Contract Award

When the RA contract is awarded to the construction contractor, Regions enter the construction contract award amount into CERCLIS against the RA event with a Financial Type of "E" (RA Cost Estimate). The date of the contract award should be entered into the Financial Date (C3220). If the contract is later increased, a second entry must be made for the new total contract amount. The Financial Date field (C3220) is used to enter the date of the modification.

Total RA Cost

Regions estimate and report the total RA cost by entering planned obligations, actual obligations, and open commitments into CERCLIS. This includes planned obligations for the current year and upcoming FY as well as any incremental funding needs during the duration of the project. This total RA cost estimate constitutes the total Regional funding request for an RA. The RA cost estimate for RAs scheduled to begin in FY 93 must be in CERCLIS prior to mid-year negotiations. **Regions should update the RA cost estimate on a continuous basis as better information becomes available.**

Technical Information

Regions will not receive funds for a RA in their AOA unless the remedial technology type for the RA is in CERCLIS. Similarly, Regions will not receive credit for a RA start unless the remedial technology type for the RA is in CERCLIS. Exhibit II-2 contains coding guidance for the remedial technology types. Exhibit II-3 contains the CERCLIS remedial technology type codes. SCAP-24, RA Technology and Pipeline Tracking Report, displays the events and the remedial technology types.

ROD Technical Information

When a ROD is signed, an ESD becomes a component of the ROD issued, or a ROD is amended, the Region must enter the remedy technology type for the RA into CERCLIS against the ROD events. This is done by entering Remedial Technology in the RA Tech Type data field (C3401 = "RT") and the specific technology type(s) in the Technical Information Qualifier fields (C3402-C3411). The first ten treatment types are coded with a "1" in the Technical Information Type Suffix (C3415). When more than ten technology types are chosen, the Region should adjoin the types to the ROD event by entering the appropriate sequence number (C3415) in CERCLIS. If the remedy selected is "no action," the Regions should code the remedial technology against the ROD with the

Exhibit II-2

CODING GUIDANCE - REMEDIAL TECHNOLOGY TYPES

OU C1101	EVENT C2101	LEAD C2117	PLAN START FY/Q C2132	ACTUAL START C2140	PLAN COMP FY/Q C2133	ACTUAL COMP C2141	RA TECH TYPE C3401	RA TECH TYPE SEQ C3415	TECH QUAL-1 C3402	TECH QUAL-2 C3403	TECH QUAL-3 C3404	TECH QUAL-4 C3405
01	C01	F	87/2	3/15/87	89/2	3/30/89						
01	RO1	F			89/2	3/30/89	RT	1	RO	OH		
01	RD1	F	89/4	9/19/89	90/4		RT	1	BO	OH		
	RD2	F	90/2	1/15/90	91/1		RT	1	RO	OH		
01	RA1	F	90/4		92/2		RT	1	BO	OH		
	RA2	F	91/2		92/2		RT	1	RO	OH		

Exhibit II-3

REMEDIAL ACTION TECHNOLOGY TYPE CODES

Code	Definition	Technology
RI	Incineration/Thermal Destruction	On-site Off-site
SO	Solidification/Stabilization	Fixation Neutralization
VX	Vacuum Extraction	Soil Vapor Extraction
VS	Volatilization/Soil Aeration	Aeration Flaring
WF	Soil Washing/Flushing	Metals Precipitation Ion Exchange
BO	Biodegradation/Land Application	In-Situ Biodegradation Biodentrification Activated Sludge
OT	Other Treatment Technologies	Decontamination Dewatering Off-site RCRA Treatment and Recycling In-Situ Flaming Dechlorinization (APEG/KPEG)
ON	On-site Containment	Soil Cover Asphalt Cap RCRA Cap Levees Slurry Wall On-site RCRA Landfill (Above/Below Grade) Deep Well Injection Excavation Sediment Excavation and Dredging Pumping Contained Wastes Debris Removal Groundwater Extraction/Injection (Hydraulic Containment) Active Landfill Gas Collection
RO	Off-site Containment	Soil Excavation Sediment Excavation and Dredging Pumping Contained Wastes Debris Removal Groundwater Extraction/Injection (Hydraulic Containment) Active Landfill Gas Collection Off-site RCRA Landfill Off-site Solid Waste Landfill

Exhibit II-3 (continued)

REMEDIAL ACTION TECHNOLOGY TYPE CODES

Code	Definition	Technology
OS	Other Source Control Remedies	On-site/Off-site Residual
PT	Pump and Treatment	Air Stripping Carbon Absorption Electrochemical Reduction Extraction Filtration Ion Exchange Oil/Water Separator Precipitation Wellhead Treatment Activated Carbon Units - Residential Publicly Owned Treatment Works (POTW) Coagulation Flocculation Activated Sludge
RH	Alternate Water Supply	Municipal Distribution System
OH	Other	Monitoring Plume Management Natural Atenuation Subsurface Water Diversion/Collection Slope Stabilization Demolition Relocation Institutional Controls
LT	Leachate Collection/Treatment	
NA	No Action	
TS	Temporary Storage	On-site Off-site

"NA" (no action) technical qualifier. The "NA" event (no action ROD) should not be used. Additional information on ESDs and ROD amendments can be found in Chapter V.

RD Technical Information

When a RD is started, the Region must enter the technology type for the RA into CERCLIS. Like the ROD, this is done by entering Remedial Technology in the RA Tech Type data field (C3401="RT") against the RD and the specific technology type(s) in the Technical Information Qualifier (C3402-C3411).

If the ROD is amended after the RD has started, the Region must determine if a new RD is necessary. If a new RD is required, the original RD event should be discontinued and a new RD event entered. The First and Subsequent Completion (FSC) code (C2116) for the original RD should be "E" (Event Anomaly). The completion date for the old RD and the start date for the new RD should be the same. The First and Subsequent Start (FSS) code for the new RD should be "E" (Event Anomaly). If necessary, the new remedial technology type should be reported by entering Remedial Technology in the RA Tech Type data field (C3401="RT") and the specific technology type(s) in the Technical Information Qualifier (C3402-C3411) with the new RD. If the ROD is amended and a new RD is not necessary, the Technical Information Qualifier field should be updated.

If the design is split into multiple OUs from the ROD, the appropriate remedial technology and technical information qualifiers should be attached to the appropriate RD.

RA Technical Information

When requesting RA funds or recording a RA start, the Region must enter Remedial Technology (C3401="RT") into the RA Tech Type data field and the remedial technology types (C3402-C3411) for the RA against the RA event.

If the RA is split into multiple OUs from the ROD or RD, the appropriate remedial technology and technical information qualifiers should be attached to the appropriate RA.

CERCLIS DATA QUALITY

HQ will work with the Regions to improve data quality in CERCLIS. Inconsistencies continue to be a problem particularly for historical data and long-term projects. Wherever possible, HQ will implement ways to improve the quality of data necessary for project administration by establishing reasonable standards and developing appropriate data quality reports. The Audit-26, Underlying Data and Error Types Report has been operational since the start of FY 90 and has proven to be a useful tool in enhanced CERCLIS data quality. The CERCLIS reports librarian has compiled the select logic for key CERCLIS/SCAP reports in The Standard Select Logic document.

Enforcement Data Quality Effort

OWPE has developed a comprehensive report and documentation to assist the Regions with improving enforcement activity data quality. The enforcement data quality effort should begin during the fourth quarter of FY 91.

Data quality progress will be monitored on a quarterly basis. In order to support the Regions effort to "clean-up" enforcement data, OWPE has developed comprehensive coding sheets for each activity, an enforcement audit report, and a guide on how to use the report and code anomaly actions.

CHAPTER III

SUPERFUND COMPREHENSIVE ACCOMPLISHMENTS PLAN PROCEDURES

CHAPTER III - SUPERFUND COMPREHENSIVE ACCOMPLISHMENTS PLAN PROCEDURES

ONE MINUTE PROGRAM MANAGER RULES

Following are the actions Regional managers must take to comply with the requirements described in this Chapter. In order to acquire a more in-depth understanding of these requirements, the Chapter itself should be read.

- Most of the Superfund Budget is based on the SCAP.
- HQ will not recognize a SCAP/STARS accomplishment unless it is correctly recorded in CERCLIS by the specified pull date.
- Regions have complete responsibility for maintaining CERCLIS, WasteLAN, and selected portions of the CERHELP data base.
- The preliminary and final SCAP/STARS targets are established in March and August, respectively.
- During negotiations, Regions may propose changes in targets to match the total Regional Superfund resource level.
- Response and enforcement funding needs identified in January form the basis for the annual Regional budgets.
- RA cost estimates for outyear budget should be derived using the draft FS, the ROD or Cost of Remedial Action (CORA) model.
- Final "approved" funding requests must be within the annual Regional budget proposed by HQ.
- On the fifth working day of February and July, HQ pulls SCAP data from CERCLIS for negotiations.
- Preliminary and final target negotiations will be based, in part, on the definition of a steady state program, as well as the availability of pipeline projects.

CHAPTER III - SUPERFUND COMPREHENSIVE ACCOMPLISHMENTS PLAN PROCEDURES (continued)

ONE MINUTE PROGRAM MANAGER RULES

- On the fifth working day of each month, HQ pulls planning and accomplishment data from CERCLIS to support a variety of official reporting requirements.
- SCAP/STARS amendments require HQ concurrence and approval.
- Changes to STARS should not be made simply because a target cannot be met.
- STARS amendments should be submitted by the Regional Administrator to the Assistant Administrator for the Office of Solid Waste and Emergency Response (AA SWER) by April 15.
- Amendments will not be approved unless they are in CERCLIS.
- Planning and accomplishment data should be updated within five days of the occurrence or schedule/funding change or at least monthly.

CHAPTER III - SUPERFUND COMPREHENSIVE ACCOMPLISHMENTS PLAN PROCEDURES

INTRODUCTION

The SCAP process is used by the Superfund program to plan, budget, track, and evaluate progress toward Superfund site cleanup. The SCAP planning process is a dynamic, ongoing effort that has a significant impact on Superfund resource allocation and program evaluation. Planned obligations and STARS targets and measures are generated through SCAP and influence the Superfund budget and evaluation process. SCAP planning is a day-to-day responsibility of the Regions. A semi-annual process has been established through which HQ and Regions formally negotiate plans for the future. CERCLIS serves as the conduit for the SCAP process. CERCLIS provides both HQ and Regions with direct access to the same data. Reports can be produced allowing for daily, interactive updates of planning and site cleanup progress information.

RELATIONSHIP OF SCAP TO OTHER MANAGEMENT TOOLS

The SCAP process is crucial to Superfund program planning, tracking, and evaluation. As the Superfund program's central planning mechanism, it is interrelated with all Agency and Superfund program specific planning and management systems, such as the Agency Operating Guidance, the Superfund budget, Agency Operating Plan, STARS, and the Superfund workload models. The Agency Operating Guidance defines Superfund goals for the upcoming year. SCAP targets/measures are designed to reflect the Agency Operating Guidance. In some cases, new SCAP categories are developed, or the projections for SCAP activities are adjusted to match the Agency's goals.

Most of the Superfund program's budget is based on the SCAP. The operating year's budget is developed 18 months prior to its beginning. For example, the SCAP existing in the third quarter of FY 92 will be used to formulate the FY 94 budget. The site schedules reflected in the SCAP serve as the foundation for determining outyear budget priorities, such as the dollar levels to be requested in the budget and the total level of FTEs to be made available for distribution through the workload model. Because dollars for Fund-financed RAs and RDs dominate Superfund's overall budget, it is critical that the SCAP identify RD and RA candidates and projected funding needs. RA cost estimates should be derived using the draft FS, ROD or CORA model estimates.

The Superfund budget provides the basis for the Agency Operating Plan. The Operating Plan, which is finalized prior to the FY, establishes the funds available to the Regions for performing Superfund work.

STARS, formerly the Strategic Planning and Management System (SPMS), is used by EPA to set and monitor the environmental objectives identified in the Agency's Operating Guidance for a FY. National and Regional STARS goals for Superfund are established and tracked through SCAP. STARS targets are a subset of those contained in SCAP. STARS targets and measures are reported quarterly by HQ and the Regions to the Office of Pollution Prevention (OPP). OPP tracks Regional progress toward STARS goals on a quarterly basis as part of the overall Agency performance evaluation process. With the exception of CEPP and the Environmental Indicators measures, HQ will not recognize a STARS accomplishment unless it is correctly recorded in CERCLIS.

The Superfund workload models distribute FTEs for each program and Region. There are two Superfund program models, the Hazardous Site and Spill Response model, which distributes resources for the site assessment, remedial and removal programs, and the Technical Enforcement model which distributes enforcement FTEs. SCAP plans form the basis of the workload models. In FY 92, each Region's FTEs will be frozen at the FY 90 levels provided that the national budget does not increase or decrease by ten percent. While the freeze ensures that total Regional Superfund resources will not be affected, shifting of resources within the Region among the different program areas may occur. This includes shifts between the response and enforcement programs. All shifts will be based on the FY 92 national budget and the integrated Priority Setting Matrix.

The Office of Federal Facilities Enforcement (OFFE) will coordinate with OERR and OWPE throughout the SCAP process. OFFE will rely on CERCLIS data in planning, budgeting, tracking, and evaluating progress at Superfund sites. In addition to CERCLIS, OFFE and the Regions will also utilize information gathered in conjunction with the A-106 Pollution Abatement Planning Process to evaluate the adequacy of Federal agency budgeting for Superfund sites. These data will enable OFFE and the Regions to evaluate actual outlays and accomplishments at Superfund sites against budget authorities and obligations. Changes to the A-106 data base, also known as the Federal Facilities Information System (FFIS), and to the information collection procedures are being implemented in FY 91 and will enable improved planning, coordination with Federal agencies, and post-funding evaluation of accomplishments. A-106 data will complement information provided in CERCLIS and will provide OFFE and the Regions with additional insight into Federal agency planning and cleanup.

SCAP AND CERCLIS/WASTELAN RELATIONSHIP

CERCLIS is the data base used by HQ and Regional personnel for Superfund site, program and project management. CERCLIS contains the official inventory of CERCLA sites and supports current site planning and tracking functions. In CERCLIS, financial data are integrated with data from the site assessment, remedial, removal and enforcement programs. Site assessment, remedial and removal activities are called "events" in CERCLIS. Enforcement actions are labeled "activities." SCAP information is a subset of the site data collected through CERCLIS. Data entry responsibilities and report retrieval abilities exist at the Regional level so that Regional managers and users play a central role in maintaining and using the data base. OWPE, OERR and OE rely on CERCLIS as the sole repository of information on plans and accomplishments and use the data base to generate national reports and perform analysis.

CERCLIS consists of two data bases: a site specific data base, CERCLIS, and a non-site specific data base, CERHELP. The site specific data base contains site, OU, event, enforcement activity, technical and financial information. HQ is developing a system to download financial data from the agency-wide Integrated Financial Management System (IFMS) into CERCLIS. The data to be transferred include such information as commitments, decommitments, obligations, deobligations, outlays, credits, transaction date, obligating document number and funding vehicle.

CERHELP contains information such as SCAP/STARS targets and accomplishments, AOA, budget, and information on non-site/incident activities. The CERHELP data base consists of the following separate files:

- The Targets and Accomplishments System is the data file used for setting and tracking SCAP/STARS targets. Preliminary and final Regional SCAP/STARS

commitments are entered into the system by the HQ SCAP Coordinator. Target data are updated by the Region to reflect SCAP adjustments and by HQ to reflect approved amendments. Regional reporting of non-site/incident accomplishments is also performed through this system. Data from this system are used in all official SCAP targets and accomplishment reports and are the baseline for Regional evaluation.

- The Budget Control/Advice of Allowance (BC/AOA) file is used by HQ for SCAP budget development and control and for tracking and reporting the AOA process.

- Planning and tracking of non-site/incident activities and financial data are accomplished through the Non-Site/Incident Activity system. Regions are responsible for entering and maintaining SCAP non-site specific information.

Using CERHELP, Regions will be able to track planning data and reconcile the site specific planning in CERCLIS with the AOA and SCAP/STARS targets. It serves as an important management tool for Regions and HQ.

WasteLAN is CERCLIS on a personal computer (PC)-based system located in the Region. It provides an alternative to direct data entry into the mainframe data base. WasteLAN maintains the Regional data base on a local area network (LAN) and the Region regularly uploads the data to the mainframe.

WasteLAN is designed to meet three objectives:

- Support Regional program management — Regional program management needs are supported by the use of an integrated data base that provides information for program evaluation and management reporting of STARS/SCAP plans and accomplishments;

- Provide key information to the mainframe — Information is entered into WasteLAN. The system has the capability to electronically transfer a copy of the data to the mainframe database; and

- Support site project management — Site project management needs are supported by the detailed site and contract level data for site planning and project management purposes.

In this Manual, CERCLIS will be used as a generic term that will encompass CERCLIS, CERHELP, and WasteLAN.

Additional information, including Regional responsibilities for CERCLIS, CERHELP, and WasteLAN can be found in the CERCLIS Users Reference Manual or the WasteLAN Users Reference Manual.

SCAP ROLES AND RESPONSIBILITIES

HQ responsibilities for maintaining the SCAP in CERCLIS include:

- Entering negotiated preliminary and final SCAP/STARS targets and measures and site back-up in the CERHELP Targets and Accomplishments data file;

- Updating the numbers and site back-up in the Targets and Accomplishments data file to reflect approved amendments to the SCAP throughout the year;
- Entering preliminary and final budget data in the CERHELP BC/AOA system;
- Determining the AOA based on SCAP planned activities in CERCLIS;
- Entering and maintaining AOA data in the CERHELP BC/AOA system; and
- Responding to Regional requests for changes in plans through the amendment/ change request process.

Regions have complete responsibility for maintaining CERCLIS/WasteLAN, SCAP and selected portions of the CERHELP data base. At a minimum this requires:

- For sites which are beginning the RI/FS in the current or next FY, planning and scheduling all pipeline remedial events and enforcement activities through the NPL deletion process. These data are to be entered into CERCLIS in the month/ day/year (MM/DD/YY) format;
- Keeping SCAP planning data current, including updating site schedules established at the RI/FS stage and RA cost estimates when better planning data become available;
- Updating the site back-up in the Targets and Accomplishments data file to reflect adjustments to the SCAP throughout the year;
- Reporting accomplishments as they occur;
- Reconciling CERCLIS financial data with IFMS;
- Entering and maintaining quarterly planning, budget and accomplishments reporting in CERHELP for non-site specific activities;
- Preparing SCAP amendments and change requests; and
- Tracking and recording Technical Enforcement Support (TES) work assignments (tasking).

The Regional Information Management Coordinator (IMC) is a senior position which serves as Regional lead for all Superfund program and systems management activities. The following lead responsibilities for Regional program planning and management rest with the IMC:

- Coordinate SCAP/STARS planning, development and reporting;
- Ensure Regional accomplishments are accurately reflected in CERCLIS;
- Reconcile IFMS data with CERCLIS financial data;
- Provide liaison to HQ on SCAP/STARS and program evaluation issues;

- Coordinate Regional evaluations by HQ; and
- Ensure that the quality of CERCLIS data are such that accomplishments and planning data can be accurately retrieved from the system.

OVERVIEW OF THE SCAP PROCESS

The SCAP process generates data that fulfill the following functions:

- Tracking of accomplishments against targets/measures;
- Updating planning (schedules and funds) for the current FY;
- Developing planning data for the upcoming FY; and
- Providing data for outyear budget planning purposes.

It is essential that SCAP data remain current and up-to-date and that accomplishments be reported as soon as they occur. Planning information should be reviewed and updated as necessary.

The SCAP formal negotiation cycle is a semi-annual process. The focus of the two formal negotiations is slightly different. Exhibit III-1 indicates the significant differences between the February and August negotiating sessions.

Exhibit III-1

SCAP PLANNING YEAR

SECOND QUARTER (JANUARY/FEBRUARY/MARCH 1992)

- Regional program office consults with States and Office of Regional Counsel (ORC) on plans and schedules for the upcoming year
- Revise FY 92 annual budget ceilings to reflect first and second quarter performance and revised plans for the remainder of the year
- Update and negotiate planning information in CERCLIS for the third and fourth quarter FY 92
- Negotiate third and fourth quarter enforcement AOAs
- Review slippage in FY 92 targets for development of action strategies
- Assess the status of RAs
- Negotiate preliminary FY 93 SCAP/STARS targets and measures
- Negotiate preliminary annual Regional budgets for FY 93
- Provide complete site schedules including planned RA obligations to allow HQ to project the outyear budget (FY 94)

FOURTH QUARTER (JULY/AUGUST 1992)

- Establish final SCAP/STARS commitments for FY 93
- Establish FY 93 annual Regional budget

The fourth quarter SCAP planning cycle is important because of its direct impact on the upcoming FY's budget. Regions are required to manage their funds and operate within the annual budgets established during the fourth quarter update. Non-RA funds within the Region's budget must be reprogrammed to meet unexpected contingencies.

During the second quarter negotiations, and throughout the third and fourth quarters, the RAs that are scheduled for funding will be carefully assessed to identify schedule slippage. If it appears that planned RAs with approved funding will not be ready to proceed in FY 92, other priority RAs will be funded instead. Funding will be provided for approved RAs that remain on schedule through the first three quarters of the FY. Once an RA project is ranked and placed above the funding line, Regions have the flexibility to modify the budget to accommodate the RA project funding needs.

SCAP CHANGE CONTROL PROCEDURES

Stability in the SCAP process through the year is essential to the success of SCAP planning and accomplishment reporting/evaluation procedures. The following procedures are used to control changes to items in the SCAP:

- Changes (including additions or deletions) to SCAP targets, measures, definitions, methodologies, planning processes, accomplishment reporting, financial management or any other processes described in this Manual must be presented by the Office Director for the program office proposing the change and have the concurrence of both OWPE and OERR;

- All proposed changes must be sent to the Regions and all other program offices for review and comment prior to implementation; and

- The decision on whether to proceed with the proposed change must be documented in writing. If the proposed change will be implemented, an addendum to the Superfund Program Management Manual will be issued.

PROCEDURES FOR ANNUAL TARGET SETTING

The process for the development of SCAP and STARS targets/measures for a FY begins with the SCAP developed during the second quarter of the previous FY. Preliminary targets/measures for the upcoming FY are set by early March. All targets/measures are negotiated and numbers are established only after discussions between OERR, OWPE, and the Regions. In the Regions, a joint review of commitments should be undertaken by the program office and ORC. Final SCAP and STARS targets are negotiated in the fourth quarter (August) between HQ and the Region. The dates for pulling CERCLIS information that will be used for negotiations can be found in the Manager's Schedule of Significant Events presented at the beginning of this Manual.

The negotiation of preliminary and final SCAP/STARS targets and measures has become complicated as a result of the freeze in Regional FTEs. During negotiations, Regions may propose changes in targets to match the total Regional Superfund resource level. The changes in targets must be made in accordance with the integrated Priority Setting Matrix and the overall budget. HQ will work to ensure that the cumulative Regional targets meet national budget

commitments. Preliminary and final target negotiations will also be based, in part, on the definition of a steady state program as well as the availability of pipeline projects.

The procedures for target setting for the upcoming FY are as follows:

- At the beginning of the second quarter (January) HQ sends to the Regions initial targets and planning estimates based on the SCAP/STARS Methodologies and the budget for the upcoming FY. SCAP/STARS Methodologies for FY 93 are presented in Appendix A.

- Regions will respond to proposed SCAP/STARS targets/measures through CERCLIS within the timeframes established for the second quarter SCAP negotiations. To adequately plan for the year, a Region must make decisions on the status of projects. States and ORC should be consulted prior to making these decisions. Remedial and enforcement projects (except RAs) should be identified as either "Primary" (P) or "Alternate" (A) in the Activity/Event Planning Status field (C2110 and C1725) in CERCLIS. Primary projects represent those that have the greatest likelihood of meeting the schedules in CERCLIS. Alternates represent sites that can be substituted for primary targets. The negotiated number of primary projects will be used to determine preliminary SCAP/STARS commitments. A sufficient number of alternate projects should be maintained to replace primary projects which experience slippage or are deferred because of revised project priorities. A Region should identify alternate projects to ensure that it can maintain a steady pipeline of remedial activity. (See Exhibit III-2 for an example of the use of the Activity/Event Planning Status field.)

- At this time, the schedules for queued RA projects should be reevaluated. Projects experiencing slippage that lead to a planned start date in the upcoming FY are placed in the new funding queue. The placement of the RAs in the queue is based on their existing score, unless site conditions have changed and the project will be re-ranked. The correct Activity/Event Planning Status field codes for different RA projects are presented in Chapter I Exhibit I-5.

  Fourth quarter FY 92 RA projects that will not be funded because of budget constraints should be coded with an Activity/Event Planning Status flag of "Q" (queued). During fourth quarter negotiations, the planned start date for these projects should be changed to FY 93.

- The Regional response to non-site/incident targets or planning estimates should be reported in the Targets and Accomplishments file in CERHELP. The Regional target or planning estimate must be entered into CERHELP with the appropriate activity code and a "Proposed" (P) in the Version data field in CERHELP. Appendix D identifies the targets and measures which are planned on a site specific vs. non-site/incident basis.

- Regions must also identify FY 93 remedial and enforcement funding needs at NPL sites in CERCLIS. States should be consulted to ensure that State-lead activities and State funding needs are accurately reflected in SCAP. At this time, the Region only needs to provide the planned quarter of obligation, the budget source, amount, and contract vehicle for response funding needs. RA funding needs should also be identified as "Approved" (APR) or "Alternate" (ALT). Chapter I Exhibit I-5 presents the rules for identifying "ALT" and "APR" RA projects.

Exhibit III-2

EXAMPLES OF ACTIVITY/EVENT PLANNING STATUS AND PRIORITY FUNDING STATUS

ORIGINAL PLAN

Site Name (C104)	OU (C1101)	Event (C2101)	Ld (C2117)	Activity/Event Planning Status (C2110)	Plan Start (C2132)	Actual Start (C2140)	Qual (C2103)	Funding Status (C3225)	Budget Source (C3229)	Finan Amount (C3230)
X	01	C01	F	P	91/2		L	APR	R	750,000
Y	01	C01	F	P	91/4		M	APR	R	500,000
								CON	E	25,000
Z	01	C01	F	A	91/2		H	ALT	R	750,000
								CON	E	75,000

ALTERED PLAN

Site Name (C104)	OU (C1101)	Event (C2101)	Ld (C2117)	Activity/Event Planning Status (C2110)	Plan Start (C2132)	Actual Start (C2140)	Qual (C2103)	Funding Status (C3225)	Budget Source (C3229)	Finan Amount (C3230)
X	01	C01	F	A	91/4		L	ALT	R	750,000
Y	01	C01	F	P	91/2	2/16/91		APR	R	500,000
Z	01	C01	RP	P	91/2	3/20/91		APR	E	75,000

Appendix E contains the CERCLIS coding instructions for requesting Case Budget funds.

- HQ/Regional negotiations and FTEs reconciliation occur during the second quarter. A negotiation schedule is sent to the Regions. Action strategies developed for current year performance problems are a factor in the negotiation of targets and measures.

- Preliminary targets/measures are set after completion of the negotiations in early March. Regional RA start targets will be established after the RA priority setting panel meeting in July.

- Based on the fourth quarter SCAP reflected in CERCLIS, a second round of negotiations and FTEs reconciliation is held to finalize the targets and planning estimates and the Regional budget. At this time, only minor changes to targets and measures developed during the second quarter should occur. These negotia-

tions are conducted in August and final targets, measures, and associated budgets are in place by early September.

- In preparation for the fourth quarter SCAP negotiations, final proposed Regional budget ceilings for the removal, remedial, and enforcement programs will be sent to the Regions. RA funds are not included in the budget ceiling. However, the Funding Priority Status field for all RA projects should be reviewed and updated if necessary. Those remedial events or enforcement activities which have the greatest likelihood of requiring funding during the FY that are within the Region's budget allocation should be identified by placing "Approved" (APR) in the Funding Priority Status field (C3225 and C2909) in CERCLIS. The total of all approved funding must not exceed the budget ceilings or HQ will not initiate negotiations.

  For all events (RI/FS, RD, RA) scheduled to begin during the FY, the "APR" funding status can only be placed on funds for projects which are coded with "P" Activity/Event Planning Status. For example, only RI/FS starts that are primary SCAP/STARS targets will be used by HQ to establish the RI/FS budget. Projects with a Funding Priority Status (C3225 and C2909) of "Alternate" (ALT) are moving toward the point of obligation. As with primary and alternate SCAP/STARS targets and measures, projects with alternate funds may be substituted for approved projects which experience slippage or are deferred due to changing priorities. Activities/projects identified as alternate will also form the basis for any requests for supplemental funding.

  Projects may also be identified with a Funding Priority Status (C3225 and C2909) of "CON" (Planned Contingency Funds). This code allows Regions to indicate funding needs for projects that have a medium or high potential for the PRP assuming lead responsibility. (See Chapter V for additional information on coding PRP probabilities.) The financial amounts associated with the event/activity that has the greatest likelihood of requiring funding would be coded as "APR." The financial amounts associated with the event/activity that has the least likelihood of requiring funding would be coded as "CON." (See Exhibit III-2 for an example of the use of the Funding Priority Status field.)

- The Activity/Event Planning Status should also be updated prior to fourth quarter negotiations.

- Any site scheduling or target changes that result from the negotiation of preliminary or final targets/measures must be entered into CERCLIS by the Regions. At this point, Regions should also reflect the RA priority setting funding decisions in CERCLIS.

- Written concurrence of final negotiated targets and budget levels will be obtained at the close of negotiating sessions between HQ and each Region.

- HQ will enter preliminary and final commitments including the site specific backup where appropriate into the Targets and Accomplishments file in the CERHELP data base.

- Targets and measures, site back-up, and the Regional budget are sent to the AA for approval in early September. They are then submitted to the OPP as final STARS targets.

SCAP PLANNING

Regions are required to keep the SCAP data in CERCLIS up-to-date and accurate. Changes in planning information (schedules and funds) should be entered into CERCLIS within five days. If changes affect a SCAP or STARS target or measure or the approved funding level for a site, the Activity/Event Planning Status and Funding Priority Status fields in CERCLIS must also be updated.

Semi-Annual Planning Process

As a final check to ensure that SCAP data are up-to-date, Regions should generate SCAP and Audit reports periodically, especially those Regions which have delegated responsibility for the data base to RPMs and OSCs. At a minimum, reports should be generated prior to the major updates in January and June for internal review of the planning data in CERCLIS. These planning data should reflect any adjustments or approved amendments made to the annual plan. Regions should note that changes made in CERCLIS to site schedules and other planning data will not automatically result in changes to SCAP/STARS targets. Although Regions have the flexibility to alter plans, they are still accountable for meeting the targets negotiated at the beginning of the FY. (See the section on SCAP/STARS Adjustments and Amendments).

On the fifth working day of February and July, HQ pulls the proposed Regional SCAP update which serves as the basis for HQ/Regional mid-year and final negotiations. HQ will perform all negotiations based on the information in CERCLIS on these pull dates. To ensure consistency in the negotiation phase, the CERCLIS data bases are frozen prior to pulling the reports used for negotiations. As a result, all parties (HQ and the Regions) will have identical data for use during the negotiation process.

CERCLIS data quality problems that affect the SCAP update shall be resolved prior to negotiations. These problems are to be resolved on a Region-specific basis through telephone calls between HQ and the IMC or program manager.

CERCLIS Reports for SCAP Planning/Target Setting

Exhibit III-3 presents the CERCLIS reports used by HQ and the Regions in the development and negotiation of Regional targets/measures. Following is a discussion of these reports:

- The Non-NPL Site Summary Report (SCAP-1) displays major planned, ongoing and completed activities for sites that are not on the current NPL. Information on PRP searches, non-NPL removals, non-NPL removal AOs, etc. are found on this report. A site must have planned or ongoing work to show on this report.

- The NPL Site Summary Report (SCAP-2) contains planned and actual data for major events and enforcement activities at sites that are on the NPL, including deleted and removal sites.

- The Financial Report (SCAP-4) and Financial Summary for Enforcement (SCAP-4E) aggregate dollars by program area and provide both site specific backup from CERCLIS and non-site specific backup from CERHELP. These reports should be

Exhibit III-3

SCAP PLANNING/TARGET SETTING CERCLIS REPORTS

SCAP-1:	*Non-NPL Site Summary Report*
SCAP-2:	*NPL Site Summary Report*
SCAP-4:	*SCAP Financial Report*
SCAP-4E:	*Financial Summary for Enforcement*
SCAP-13:	*SCAP/STARS Measures Report*
SCAP-14:	*SCAP/STARS Targets and Accomplishments Summary Report*
SCAP-16:	*Target/Negotiation Report*
SCAP-21:	*Budget Control Report*
SCAP-21E:	*Financial Report for Enforcement*
SCAP-27:	*Event/Activity Summary Report for NPL Sites*
ENFR-4:	*SOL Management Report*
ENFR-8:	*Enforcement Data Audit Report*
ENFR-25:	*Administrative/Unilateral Orders Issued*
ENFR-46:	*Cost Recovery Category Report (CRCR)*
ENFR-49:	*Case Budget Modeling Audit Report*
AUDIT-26:	*Underlying Data and Error Types Report*
AUDIT-40:	*Enforcement Financial Audit Report*

used to compare the funding requests contained in CERCLIS and CERHELP against the Regional budgets. Regions are prompted for "APR," "ALT," "CON" and "TOTAL."

- The SCAP/STARS Targets and Accomplishments Summary Report (SCAP-14) displays current year aggregate quarterly target and accomplishment totals and site back-up by SCAP activity.

- The Target/Negotiation Report (SCAP-16) is similar to the SCAP/STARS Targets and Accomplishments Summary Report (SCAP-14) and is used for target negotiations for the upcoming FY. The activity/event planning flags and other coding requirements needed to identify a given event/activity as a planned start or completion is included in the report. A similar report, SCAP/STARS Measures Report (SCAP-13) is used for negotiation of SCAP measures and for budget and FTEs allocation.

- The Budget Control Report (SCAP-21) and Financial Report for Enforcement (SCAP-21E) are similar to the Financial Report and the Financial Summary for Enforcement (SCAP-4 and SCAP 4E). They provide quarterly and annual Regional budget ceilings and show the difference between the ceilings and the total annual Regional budget.

- The Event/Activity Summary Report for NPL Sites (SCAP-27) provides planned obligations, first and subsequent start and completion codes, and budget source for events and activities at sites on the NPL. It is similar to the SCAP-2 except for the addition of these codes and the deletion of the SCAP note field.

- The SOL Management Report (ENFR-4) identifies planned and actual completion dates and obligations for response activities.

- The Administrative/Unilateral Orders Issued (ENFR-25) contains a list of AOs and UAOs that have been issued.

- The Cost Recovery Category Report (CRCR) (ENFR-46) is used to negotiate cost recovery targets and track cost recovery actions at sites. It divides sites into a number of categories based on SOL considerations and planned or actual cost recovery enforcement activity.

- The Case Budget Modeling Audit Report (ENFR-49) is used to identify Case Budget data quality problems.

- The Enforcement Data Audit Report (ENFR-8) is used to monitor enforcement data quality. The report lists enforcement activities with and without data quality issues and response actions.

- The Underlying Data and Error Types Report (AUDIT-26) is an edit report used to check data quality.

- A comprehensive Enforcement Financial Audit Report (AUDIT 40) lists those records with data quality problems and identifies the specific errors.

SCAP ACCOMPLISHMENT REPORTING

Accomplishments data are entered into WasteLAN by the IMC, RPM, and OSC or are recorded on Site Information Forms (SIF), Integrated SIFs (ISIFs), CERHELP Non-Site Incident Activity Maintenance Forms, or other Regional data entry forms, and entered into CERCLIS by the IMC or designee. Data on accomplishments should be entered into CERCLIS within five working days of the event or activity. **Only accomplishments correctly reported in CERCLIS will be recognized by HQ. If a Region feels that it has correctly recorded an accomplishment that is not showing in the SCAP/STARS Targets and Accomplishments Summary Report (SCAP-14), please contact the appropriate HQ office.**

Prior to the fifth day of each month, Regions should generate SCAP reports for internal review. Regions should perform data quality checks and make adjustments to CERCLIS if the data bases do not reflect actual accomplishments.

On the fifth working day of each month, HQ will pull data from CERCLIS on a selected number of key indicators of progress in the Superfund program (i.e., removals, RI/FS starts, RODs, RDs, RA starts, RD/RA CDs, cost recovery referrals). These numbers will be the official numbers used in any reports of progress given to the Administrator, the Assistant Administrator for the Office of Solid Waste and Emergency Response (AA SWER), the AA for OE, Congress and the news media.

On the fifth working day of each quarter, HQ pulls SCAP reports from CERCLIS. These reports are reviewed by HQ to evaluate Regional progress toward SCAP targets and are submitted to OPP for reporting STARS accomplishments. It is important to note that in addition to reporting accomplishments in CERCLIS, Regions must verify the accuracy of the STARS data entered by HQ into the OPP STARS system. If a Region identifies a discrepancy in the accom-

plishments reported by HQ, they should note it in the STARS system and contact the relevant HQ program office. Discrepancies must be resolved, generally by the 15th working day of a quarter.

End of the year accomplishments will be pulled on the fifth working day of October. However, Regions have until the third week of October to reconcile discrepancies. Final end of year accomplishments will be reported to OPP in November. This allows the Regions ample opportunity to review end-of-year financial data and record accomplishments in CERCLIS.

CERCLIS Reports for Accomplishment Reporting

Exhibit III-4 presents CERCLIS reports HQ uses to evaluate Regional accomplishments. All are used for reporting and crediting SCAP/STARS targets and accomplishments. Following is a discussion of these reports:

- The SCAP/STARS Measures Report (SCAP-13), SCAP/STARS Targets and Accomplishments Summary Report (SCAP-14) and Event/Activity Summary Report for NPL Sites (SCAP-27) reports are used by the site assessment, removal, remedial and enforcement programs to provide planned and actual information for events and activities.

- Financial information and the status of obligations are provided by the Financial Report (SCAP- 4), Financial Summary for Enforcement (SCAP-4E), Budget Control Report (SCAP-21) and the Financial Report for Enforcement (SCAP-21E).

Exhibit III-4

PROGRAM EVALUATION CERCLIS REPORTS

SCAP-4:	*SCAP Financial Report*
SCAP 4E:	*Financial Summary for Enforcement*
SCAP-13:	*SCAP/STARS Measures Report*
SCAP-14:	*SCAP/STARS Targets and Accomplishments Summary Report*
SCAP-21:	*Budget Control Report*
SCAP -21E:	*Financial Report for Enforcement*
SCAP-27:	*Event/Activity Summary Report for NPL Sites*

SCAP/STARS ADJUSTMENTS AND AMENDMENTS

After targets have been finalized and funding levels developed, the SCAP process provides the flexibility to modify plans during the year. Modifications to planned targets are termed either adjustments or amendments. **Amendments require HQ concurrence and approval.** Adjustments do not require HQ approval, but may require HQ notification. Amendments and adjustments should be reflected in CERCLIS by updating the site specific data base and the CERHELP Targets and Accomplishments data file on an ongoing basis. Exhibit III-5 lists the major Superfund amendments and adjustments. Exhibit III-6 describes the procedures that must be followed when processing amendments.

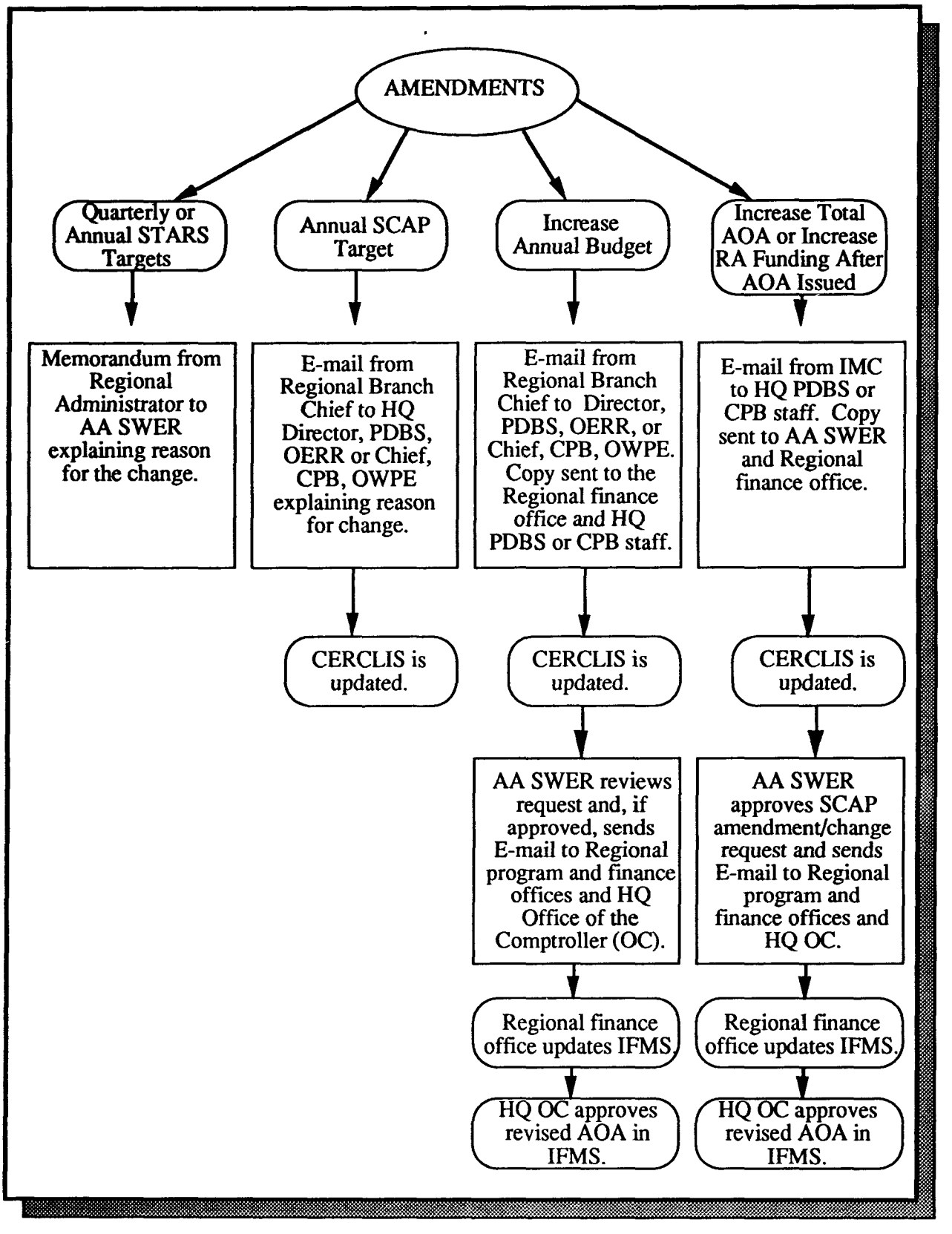
Exhibit III-5

AMENDMENTS AND ADJUSTMENTS

SITUATION	AMENDMENT OR ADJUSTMENT	CHANGE REQUEST REQUIRED	PROCEDURES
INCREASE ANNUAL BUDGET	AMENDMENT	YES, IF APPROVED	SEE EXHIBIT III-6 OR CHAPTER VI, EXHIBIT VI-4
DECREASE ANNUAL BUDGET	ADJUSTMENT	NO	REVISE CERCLIS; NOTIFY HQ PROGRAM DEVELOPMENT AND BUDGET STAFF (PDBS), OERR OR CONTRACTS AND PLANNING BRANCH (CPB), OWPE
INCREASE TOTAL (OWPE AND OERR) AOA AFTER ISSUANCE WITHIN ANNUAL BUDGET	AMENDMENT	YES	SEE EXHIBIT III-6 OR CHAPTER VI, EXHIBIT VI-4
DECREASE TOTAL (OWPE AND OERR) AOA AFTER ISSUANCE	ADJUSTMENT	YES	SEE CHAPTER VI, EXHIBIT VI-4
INCREASE/DECREASE RA FUNDING BEFORE AOA ISSUED	ADJUSTMENT	NO	REVISE CERCLIS
DECREASE RA FUNDING AFTER AOA ISSUED	ADJUSTMENT	YES	SEE CHAPTER VI, EXHIBIT VI-4
INCREASE RA FUNDING AFTER AOA ISSUED	AMENDMENT	YES	SEE EXHIBIT III-6, CHAPTER VI OR EXHIBIT VI-4
SHIFT FUNDS WITHIN ALLOWANCE AFTER AOA ISSUED	ADJUSTMENT	NO	REVISE CERCLIS
SHIFT FUNDS BETWEEN ALLOWANCES AFTER AOA ISSUED	ADJUSTMENT	YES	SEE CHAPTER VI, EXHIBIT VI-4
CHANGE ANNUAL SCAP TARGET	AMENDMENT	NO	SEE EXHIBIT III-6
CHANGE STARS QUARTERLY OR ANNUAL TARGETS	AMENDMENT	NO	SEE EXHIBIT III-6
TARGET SITE SUBSTITUTIONS	ADJUSTMENT	NO	REVISE CERCLIS

Exhibit III-6

SCAP AMENDMENT PROCESS



SCAP amendments should contain the following information:

- Site name and Site/Spill Identification number (S/S ID);
- Event/activity affected;
- Justification/purpose;
- Funding amount (if the amendment requests an increase in the annual budget or is a change request);
- Allowance that is being increased and/or allowance that is being decreased, if the amendment is a change request; and
- Program element (TGB-enforcement, TFA-response, or TYP-Federal Facility), if the amendment is also a change request.

Amendments or adjustments that modify the Region's AOA require a change request. In these situations, the change request becomes the SCAP amendment. Chapter VI outlines the change request procedures.

The Office of Program Management (OPM) coordinates requests from the program offices in OERR. OPM and the CERCLA Enforcement Division (CED) of OWPE provide input on SCAP amendment approval decisions.

Changes to STARS commitments should not be made simply because targets will not be met. However, in some cases, amendments to targets may be necessary and may be changed under the following conditions:

- Major, unforeseen contingencies arise that alter established priorities (i.e., Congressional action, natural disasters);
- Major contingencies arise to alter established Regional commitments (i.e., State legislative action); or
- Measure or definition in system is creating an unanticipated negative impact.

OSWER requires that all STARS amendments be submitted to HQ by April 15 in order to meet the April 30 deadline for changing targets imposed by OPP. STARS amendments must be approved by AA SWER. The OPM and program offices in OERR and CED in OWPE provide input on STARS amendment approval decisions.

All amendments should be recorded in the CERCLIS site specific data base as an "approved" action after the Region issues the change request or memorandum to OSWER. Regions should not initiate any obligation against change requests until the HQ Office of the Comptroller (OC) and AA SWER approve the revised AOA in IFMS. The site back-up in the CERHELP Targets and Accomplishments and BC/AOA data files will be revised by HQ if the amendment is approved. If the amendment is not approved, HQ will notify the Region and the "approved" record in CERCLIS will have to be revised.

MAINTAINING THE TARGETS AND ACCOMPLISHMENTS FILE

HQ is responsible for entering the preliminary and final negotiated SCAP/STARS targets and site back-up in the Targets and Accomplishments file in CERHELP. During the FY, HQ will also be responsible for changing the targets and site back-up if amendments are approved. Regions are responsible for updating the Targets and Accomplishments file to reflect SCAP/ STARS adjustments. Appendix D contains tables which show which targets and measures require site specific backup in CERHELP.

Following are guidelines for Regional maintenance of the Targets and Accomplishments file. Additional detailed instructions on CERHELP can be found in the CERCLIS Users Reference Manual.

- Regions will be allowed to add to or delete sites from the Targets and Accomplishments file only in the case of site substitutions. However, the site specific CERCLIS records should be updated at the time a SCAP or STARS amendment is requested.

- The number of approved sites named in the Targets and Accomplishments file must be at least equal to the numerical target. If a Region has a target of eight RDs, for example, eight approved sites must be named in the Targets and Accomplishments site back-up.

- If "To Be Determined" (TBD) sites are used instead of real sites in the Targets and Accomplishments file, there must be enough candidate sites in CERCLIS that can be used to replace the TBD sites as soon as possible.

- A site and its associated events/activities that are planned site specifically must be in CERCLIS before they can be in the CERHELP Targets and Accomplishments file. FTEs are distributed using site data in CERHELP. Regions may lose FTEs if appropriate site backup is not in CERHELP.

- It is essential that the list of sites that support the targets be kept up-to-date and current. Regional SCAP adjustments must be reflected in CERHELP. This includes site substitutions and changes in schedules that do not affect STARS or SCAP targets.

Following are the procedures for making changes to the CERHELP target site data:

- Each time a change to site data in CERCLIS results in a SCAP adjustment, run the CERHELP Target Maintenance Report (Report #6 on the CERCLIS Site Reports Menu).

- Locate the Target Activity Code page on the report (report is sequenced alphabetically by Target Activity Code).

- Scan target site data to locate site no longer being targeted and delete the EPA Identification Number (EPA ID), OU and Event or Enforcement Activity Code.

- Record corresponding codes for the replacement site.

- Access Non-Site/Incident Screen #27 — CERHELP Target/Accomplishment Data Maintenance Screen:

  - Enter Action Code C=Change and Record Type S=Site;

  - To access record to be changed, enter required field data (Region, FY, activity type, lead, quarter and sequence number codes) directly from report;

  - Enter replacement site data (EPA ID, OU and Event or Enforcement Activity Codes); and

  - Run Target Maintenance Report to verify changes. File report for use in making subsequent changes.

- The HQ SCAP Coordinator and interested program offices will run National Target Maintenance Reports as needed to review changes.

CHAPTER IV

TARGETS AND MEASURES

CHAPTER IV - TARGETS AND MEASURES

ONE MINUTE PROGRAM MANAGER RULES

Following are the actions HQ has taken in STARS targeting and reporting. In order to acquire a more in-depth understanding of the SCAP/STARS targeting and reporting requirements, the Chapter itself should be read.

- The new FY 92 STARS measures provide information on progress and support environmentally significant program priorities.
- FY 92 new STARS targets and measures:
  - NPL Sites Completed Through Final RA (target);
  - Preliminary Assessment (PA) Completions Under Environmental Priorities Initiative (EPI) (measure);
  - RI/FS Projects Nominated for the Superfund Innovative Technology Evaluation (SITE) Program (measure);
  - Section 104(e) Referrals/Orders (measure);
  - Trend in Record of Decision (ROD) Signature to RD Start Duration (measure);
  - Trend in ROD Signature to RA Start Duration (measure); and
  - Trend in ROD Signature to RD/RA Negotiation Completion Duration (measure).
- FY 91 STARS measures eliminated in FY 92:
  - RD/RA Negotiations Completed (target);
  - Percent NPL Sites Addressed (measure); and
  - Percent Screening Site Inspections (SSI) Candidates Requiring Further Action (measure).
- Regions will receive credit for accomplishments for all remedial and many enforcement targets and measures only at NPL sites.

CHAPTER IV - TARGETS AND MEASURES

ROLE OF SCAP

SCAP and STARS targets are the key device by which program goals are translated into quantifiable program achievements. They identify performance expectations for the Regions and should not be seen as only a method for allocating resources. Specific targets are negotiated by HQ and the Regions. The Regions are expected to concentrate their resources on achieving these targets.

STARS is used by the Administrator to set and monitor the progress each program is making toward meeting its environmental goals. STARS targets and measures are reported quarterly by HQ and the Regions to the OPP through the OPP STARS computer system. SCAP is used by the AA SWER and senior Superfund managers to monitor the progress each Region is making toward achieving its Superfund goals. SCAP targets and measures are reported monthly by the Regions through CERCLIS. As discussed in Chapter I, the CEPP does not use CERCLIS for reporting SCAP accomplishments. The reports used by the CEPP in recording quarterly accomplishments can be found in Volume II, Appendix C.

National and Regional STARS goals are established and tracked through SCAP. STARS targets are a subset of those contained in SCAP.

SCAP/STARS TARGETS AND MEASURES

A SCAP or STARS target (either quarterly or annual) is a pre-determined numerical goal that is established prior to the FY to ensure the designated activities will take place. STARS targets and measures track the priorities set forth in the Operating Guidance. All STARS targets are SCAP targets. An example of a SCAP and STARS targeted activity is Remedies Selected at NPL Sites. Annual budgets are allocated based on STARS and SCAP targets. In addition, Regions are evaluated on a quarterly basis according to their completion of activities with established targets.

A SCAP or STARS measure, on the other hand, is used to track an activity that is important in monitoring overall program progress. The three types of measures are SCAP planning estimates, STARS reporting, and SCAP reporting measures. Planning estimates result in numerical goals being established prior to the FY, which are used in setting annual budgets. Regions report progress against the planning estimates. SCAP/STARS reporting measures have no associated quantitative goals; only actual accomplishments are tracked (e.g., media addressed).

Following are the changes to the SCAP/STARS targets and measures from FY 91 to FY 92:

- NPL Sites Completed Through Final RA is a new STARS/SCAP target. It was a SCAP target only in FY 91;
- RD/RA Injunctive Referrals and RD/RA Settlements are a combined STARS target. These enforcement activities were targeted separately in FY 91; however, Regions reported and were evaluated against the combined target;
- Section 107 and 106/107 Injunctive Referrals and Settlements are a combined STARS target. Like RD/RA referrals and settlements, Section 107 and 106/107

referrals and settlements had separate targets in FY 91, but Regions were evaluated on their success in meeting the combined target;

- PA Completions Under EPI is a new STARS measure and replaces the SCAP measure for PA completions;

- RI/FS Projects Nominated for the Superfund Innovative Technology Evaluation (SITE) Program is a new STARS measure. It was a SCAP measure in FY 91;

- Section 104(e) Referrals/Orders is a new STARS measure;

- UAOs Issued for RD/RA is a STARS measure instead of a STARS target;

- Trend in ROD Signature to RD Start Duration, Trend in ROD Signature to RA Start Duration, and Trend in ROD Signature to RD/RA Negotiation Completion Duration are new STARS measures. The purpose of these measures is to evaluate Regional improvement in managing the timeframe between ROD and RA start. While the ultimate goal is the timeframe in the Integrated Timeline (see Chapter I), progress will be evaluated based on prior year and prior quarter performance during the FY;

- AOs Issued for Removals and RI/FS replaced AOs Issued for RI/FS, RD, Cost Recovery, and Removal as a STARS measure;

- Use of Alternative Dispute Resolution (ADR) for Cost Recovery is a new SCAP measure;

- Trend in RI/FS Duration is a new SCAP measure;

- Emergency Response Activity is a new SCAP measure;

- The FY 91 STARS measure, Cost Recovery Amounts Referred and Settled, is now called Dollars Achieved Toward the Cost Recovery MBO Goal;

- The FY 91 STARS measure, Type of Media Addressed, is now called Progress Through Environmental Indicators;

- RD/RA Negotiation Completions is not a STARS target. It is a SCAP target only;

- Percent NPL Sites Addressed is no longer a STARS measure;

- Percent Screening Site Inspection (SSI) Candidates Requiring Further Action is no longer a STARS measure;

- LSI Starts is no longer a SCAP measure;

- NPL Sites Where All Remedial/Removal Activity Completed is no longer a SCAP measure; and

- Section 106/107 Referrals With or Without Settlement is no longer a SCAP measure separate from the STARS target.

Exhibits IV-1 and IV-2 contain the SCAP/STARS Targets and Measures. Definitions and planning requirements for the Site Assessment, Remedial, Removal, Enforcement, and Oil Spill activities are in Volume II, Appendix D. SCAP/STARS Targets and Measures for the CEPP are found in Exhibit IV-3. CEPP definitions and requirements can be found in Appendix C.

NPL sites are the top priority for all remedial and many enforcement targets and measures. Regions will receive credit for accomplishments at non-NPL sites only for non-NPL Removal Starts, and non-NPL PRP searches. The following targets and measures will credit accomplishments at both NPL and non-NPL sites:

- Progress Through Environmental Indicators;
- Removal Completions;
- Emergency Response Activity;
- Section 107 Referrals/Settlements (<$200,000);
- Administrative Cost Recovery Settlements;
- Section 107 Referrals/Settlements (>$200,000);
- 107 Case Resolution;
- Cost Recovery Decision Document;
- Administrative Record Compilation;
- Dollars Achieved Toward Cost Recovery MBO Goal;
- AOs Issued for Removal; and
- All site assessment, oil spill, and CEPP targets and measures.

All other targets and measures accomplishments are credited at NPL sites only.

Exhibit IV-1

SCAP/STARS TARGETS

ACTIVITIES	STARS TARGET	SCAP TARGET	QUARTERLY TARGET	ANNUAL TARGET
Site Assessment				
SI Completions (S/F-1)	X	X	X	X
Remedial				
RI/FS				
- First RI/FS Starts		X	X	X
- Subsequent RI/FS Starts		X	X	X
- RI/FS To Public		X	X	X
Remedies Selected At NPL Sites (ROD) (S/C-10)	X*		X	X
- First Remedy Selected (ROD)		X	X	X
- Subsequent Remedy Selected (ROD)		X	X	X
RD Starts				
- First RD Start		X	X	X
- Subsequent RD Starts		X	X	X
RD Completion (S/C-3)	X**		X	X
- First RD Completions		X	X	X
- Subsequent RD Completions		X	X	X
RA Start				
- First RA Start (Fund)		X	X	X
- Subsequent RA Start (Fund)		X	X	X
- First RA Start (PRP)		X	X	X
- Subsequent RA Start (PRP)		X	X	X
RA Contract Award (S/C-4)	X**		X	X
- First RA Contract Award		X	X	X
- Subsequent RA Contract Award		X	X	X
RA Completions (S/C-5)	X**		X	X
- First RA Completion		X	X	X
- Subsequent RA Completion		X	X	X
NPL Sites Completed by Final RA (S/C-6)	X**	X	X	X
Removal				
NPL Removal Start		X		X
Non-NPL Removal Start		X		X
NPL Site Completion thru Removal		X		X

* The STARS target combines first and subsequent, if appropriate, as a single target. Includes RODs with the following leads: Federal (F) and Federal Enforcement (FE)

** The STARS target combines first and subsequent, if appropriate, as a single target. Includes projects with the following leads: Federal (F), State (S), PRP actions under State order/decree (PS), In-house RDs (EP), Responsible Party under Federal order/decree (RP), and Mixed funding (MR).

Exhibit IV-1 (continued)

SCAP/STARS TARGETS

ACTIVITIES	STARS TARGET	SCAP TARGET	QUARTERLY TARGET	ANNUAL TARGET
Remedial/Removal				
NPL Sites Addressed Through Removal Action or RI/FS Start (S/C-7)	X***			X
Enforcement				
RD/RA Negotiation Starts		X	X	X
RD/RA Negotiation Completions		X	X	X
Section 107 Referrals/Settlements (<$200,000)		X	X	X
Administrative Cost Recovery Settlements		X	X	X
RD/RA Settlements and Injunctive Referrals (S/E-1a and 1b)	X		X	X
- Settlements		X	X	X
- Injunctive Referrals		X	X	X
Section 107 or 106/107 Referral /Settlements (>$200,000) (S/E-4)	X	X	X	X
Federal Facilities				
Remedies Selected at NPL Sites (ROD)	X	X	X	X
Signed IAG at Federal Facilities	X	X	X	X

*** Includes projects with the following leads: Federal (F), State (S), PRP actions under State order/decree (PS), In-house (EP), Responsible Party under Federal order/decree (RP), and Mixed funding (MR).

Exhibit IV-2

SCAP/STARS MEASURES

ACTIVITIES	STARS REPORTING	SCAP PLAN/REPORT	QTRLY	ANNUAL
Progress Through Environmental Indicators	X		X	X
Site Assessment				
PA Completions under EPI (S/F-2)	X	X	X	X
EPA-PA/SI Completions		X		X
State-PA/SI Completions		X		X
Remedial				
Trend in RI/FS Duration		X	X	X
Treatability Studies		X	X	X
RI/FS Nominated for the SITE Program (S/C-8)	X		X	X
RA On-Site Construction		X	X	X
NPL Deletion Initiated		X	X	X
Trend in ROD to RD Start Duration (S/C-9a)	X		X	X
Trend in ROD to RA Start Duration (S/C-9b)	X		X	X
Removal				
Removal Investigations Completed at NPL Sites		X		X
Removal Completions		X		X
Emergency Response Activity		X	X	X
Oil Spill Activities				
Spill Prevention Control and Countermeasure (SPCC) Inspections/Reviews		X		X
Oil Pollution Act (OPA) Funded Oil Spills Cleaned Up by EPA		X		X
On-Scene Monitoring of Oil Spill Responses		X		X

Exhibit IV-2 (continued)

SCAP/STARS MEASURES

ACTIVITIES	STARS REPORTING	SCAP PLAN/REPORT	QTRLY	ANNUAL
Enforcement				
NPL PRP Search Start		X	X	X
Non-NPL PRP Search Start		X	X	X
NPL PRP Search Completions		X	X	X
Non-NPL PRP Search Completions		X	X	X
Issuance of General Notice Letters (GNL)		X	X	X
Issuance of Special Notice Letters (SNL)		X	X	X
AOs Issued for Removals and RI/FS (S/E-2b)	X	X	X	X
RI/FS Negotiations Start		X	X	X
RI/FS Negotiations Complete		X	X	X
UAOs Issued for RD/RA (S/E-1c)	X	X	X	X
Trend in ROD to RD/RA Negotiation Complete Duration (S/E-3)	X		X	X
Section 106, 106/107, 107 Case Resolution		X	X	X
Dollars Achieved Toward Cost Recovery MBO (S/E-5)	X		X	X
104(e) Letters Issued		X	X	X
104(e) Referrals/Orders (S/E-2a)	X	X	X	X
Demand Letters Issued		X	X	X
Cost Recovery Decision Document		X	X	X
Administrative Record Compilation Completed (Removal and Remedial)		X	X	X
State CD for RD/RA Issued		X	X	X
State Order for RI/FS Issued		X	X	X
De minimis Settlements Achieved		X	X	X
Mixed Funding Settlements Achieved		X	X	X
Use of ADR for Cost Recovery (S/E-6a)		X	X	X

Exhibit IV-3

CEPP SCAP/STARS MEASURES

ACTIVITIES	STARS/ SCAP TARGET	STARS REPORTING	SCAP REPORTING	QTRLY	ANNUAL
CEPP					
Reduction in number and/or severity of accidental releases		X		X	X
Technical assistance and training activities conducted, sponsored, developed, assisted in developing, participated in or presented by EPA (CEP-1)	X	X		X	X
State, Tribal or local exercises or after incident evaluations EPA conducted, sponsored, assisted in developing or participated in (CEP-2)	X	X		X	X
ARIP questionaires sent to and returned by facilities having releases (CEP-3)		X		X	X
Chemical safety audits conducted (CEP-4)	X	X		X	X
Status of Title III implementation in each State	X*		X		X
Outreach activities EPA conducted, sponsored, assisted in developing or participated in			X	X	X
Participation in RRT activities			X	X	X
EPA facility compliance investigations of possible violations of CERCLA Section 103 and EPCRA Sections 302, 303, 304, 311, and 312	X			X	X
Administrative Complaints referred to ORC	X			X	X

* SCAP target only

Exhibit IV-3 (continued)

CEPP SCAP/STARS MEASURES

ACTIVITIES	STARS/ SCAP TARGET	STARS REPORTING	SCAP REPORTING	QTRLY	ANNUAL
CEPP (continued)					
AOs issued for violations of EPCRA Section 302 and 303		X		X	X
CATASTROPHIC DISASTER PREPAREDNESS					
Development, completion and/or maintenance of the Hazardous Materials Supplement (ESF #10) to the multi-agency "Federal Response Plan"	X*		X	X	X
Planning support provided to other Regions	X*		X	X	X
Planning activity developments in other ESFs for which EPA provides support	X*		X	X	X
Participation and dissemination of information to other Regions and HQ on catastrophic disaster preparedness activities	X*		X	X	X
NATIONAL SECURITY EMERGENCY PREPAREDNESS (NSEP)					
Full participation in EPA, FEMA or other agency planning sessions, workshops, training, or exercises; and assisting in the development of support materials for the NSEP	X*		X	X	X

* SCAP target only

CHAPTER V

PROGRAM PLANNING AND REPORTING REQUIREMENTS AND PROCEDURES

CHAPTER V - PROGRAM PLANNING AND REPORTING REQUIREMENTS AND PROCEDURES

ONE MINUTE PROGRAM MANAGER RULES

Following are the actions Regional managers must take to comply with the requirements described in this Chapter. In order to acquire a more in-depth understanding of these requirements, the Chapter itself should be read.

- Site-Assessment
  - In order to receive credit for PA and Site Inspection (SI) completions, the completion date and a decision on further activities must be entered into CERCLIS.
- Response and Enforcement
  - CERCLIS must identify the lead for all response events and enforcement activities.
  - Enter planning data on removal actions into CERCLIS as soon as a site is identified or the quarter before a removal will begin.
  - If a Potentially Responsible Party (PRP) takes over an RI/FS after Fund dollars have been obligated, the Region should retain the funds needed for oversight during the current FY and deobligate the remainder.
  - If a PRP takes over an RD/RA after Fund dollars have been obligated, the Region should retain the funds needed for oversight of the entire project, and deobligate the remainder.
  - The probability of PRPs assuming responsibility for response activities must be entered into CERCLIS.
  - Prepare site management plans shortly after a site is proposed for the NPL.
  - For outyear budget purposes, provide schedules for all core remedial events and enforcement activities when identifying sites for RI/FS starts.

CHAPTER V - PROGRAM PLANNING AND REPORTING REQUIREMENTS AND PROCEDURES (continued)

ONE MINUTE PROGRAM MANAGER RULES

- Response and Enforcement (continued)
  - Develop site maps that show the relationship of events and activities at the sites and indicate whether the event/activity is completed, planned or ongoing. If an event or activity does not occur as planned, then those events/activities must be modified and the Link record deleted and updated as appropriate.
  - Standard durations should only be used if more accurate timeframes for response events and enforcement activities are not available. When better planning data and schedules are developed, CERCLIS must be revised.
  - Send copies of RODs and ROD amendments to the Hazardous Site Control Division (HSCD) and the CERCLA Enforcement Division (CED).
  - A response mega-site management plan must be submitted to HSCD by January 31, 1992 for all sites where the total site RI/FS work exceeds or is expected to exceed $3 million.
  - Request funds for treatability studies separate from the RI/FS. Record actual start and completion dates for treatability studies in CERCLIS.
  - The nomination and acceptance of a project to the SITE program are to be entered into CERCLIS.
  - Negotiate reimbursement of Technical Assistance Grants (TAG) at Federal Facilities during Interagency Agreement (IAG) negotiations.
  - Assess the capacity and the capabilities of the various entities available to perform response and oversight work prior to assignment of Superfund work.
  - An in-house RI/FS should be planned in each Region where sites/projects are available.

CHAPTER V - PROGRAM PLANNING AND REPORTING REQUIREMENTS AND PROCEDURES (continued)

ONE MINUTE PROGRAM MANAGER RULES

- Response and Enforcement (continued)
  - Mixed funding settlements must be planned. Funds are part of the Region's response budget.
  - Enforcement mega-sites management plans must be submitted to CED by June 30.
  - Send notice letters to PRPs, conduct negotiations and issue AOs at every removal, time permitting.
  - Issue notice letters for RI/FS at least 120 days prior to the planned RI/FS start.
  - Funds expended for oversight of PRP activities must be tracked and billed to the PRPs. Collection of oversight funds should be tracked and recorded in CERCLIS.
  - Special notice letter for RD/RA should be issued about the time of ROD signature.
  - Regions should consult with CED when the Region plans to fund an RD and not issue a UAO and there are liable and viable PRPs.
  - Regions should jointly plan PRP negotiations with ORC.
  - Send copies of CDs and 10 point referral documents to the Compliance Branch in CED and OE-Superfund.
- State Enforcement
  - Report State orders or CDs for RI/FS and/or RD/RA in CERCLIS.
- Federal Facilities
  - Schedules for ongoing or planned Federal Facility IAG negotiations should be forwarded to HQ two weeks prior to each quarter.

CHAPTER V - PROGRAM PLANNING AND REPORTING REQUIREMENTS AND PROCEDURES

INTEGRATED PLANNING

Planning in the Superfund program is accomplished through the budget, operating guidance, SCAP and performance evaluation process. Successful planning requires the reflection of program priorities in the budget and operating guidance, accurate costing of these priorities in the budget, workload model and SCAP, and translation of the priorities and resource requirements into specific output commitments in SCAP and STARS. Candid evaluation of performance against these commitments is essential to the assessment of the viability of program priorities, resource requirements and overall effectiveness.

Integrated planning is the responsibility of HQ, Regional program offices, the States, ORC and DOJ. In order to provide adequate resources for priority actions at Superfund sites, HQ allocates resources within and between response and enforcement. Regions are responsible for providing data on the level of resources needed to accomplish those priority activities and negotiate commitments consistent with realistic site planning. Regions should not accept targets that require completion of activities that cannot be funded or staffed within the resources provided.

Flexibility to adjust resources in response to changing program conditions decreases as the operating year approaches, especially since the total number of FTEs remain constant from FY 90 to FY 92. The budget is most flexible while being developed, 12 to 18 months prior to the FY, and becomes less flexible once the operating year starts. Exhibit V-1 summarizes levels of flexibility as the operating year is entered. Major phases in the decision making continuum include:

- Formulation of the outyear budget 12 to 18 months prior to the FY. Development of the budget includes identification of major program issues, analysis of program costs, and alignment of resources among competing priorities. These activities receive resource allocations that are established by the Administrator and AA SWER. These allocations balance the needs of the Superfund program with the needs of other Agency programs.

- Development of the initial operating plan occurs six months prior to the FY and is finalized before the start of the FY. The operating plan and associated SCAP/ STARS output commitments are the vehicle by which OSWER translates national budget commitments into Region specific targets. OSWER provides resources to support targets through the AOA and workload process. Regions are expected to work within the annual Regional budgets established at the start of the year until the mid-year SCAP update. Regions have substantial flexibility within the general budget and AOA structure to shift funds as needed to meet priority activities. Once the initial operating plan is established at the start of the year, generally additional resources can be shifted to a Region only at the expense of resources for other Regions. However, HQ may shift funds among the Regions depending on the level of use and need.

- The mid-year SCAP update is used to realign resources in the current FY and establish preliminary resource and target levels for the upcoming FY. Current year resource adjustments focus on changes needed due to cost and project sched-

Exhibit V-1

FLEXIBILITY SCALE FOR BUDGETING/PLANNING

◄ MINIMUM		MAXIMUM ►
OPERATING YEAR BUDGET (FY 92)	**OPERATING YEAR BUDGET (FY 93)**	**OPERATING YEAR BUDGET (FY 94)**
1. Operating Plan Establishes Funding Ceiling (91/4)	1. Development of Operating Plan Begins 6 Months Prior to FY (Begins 92/2)	1. Formulation Begins 12 - 18 Months Prior to FY; Largely Dependent on Reg. Planning Data in CERCLIS (Begins 92/2)
2. Quarter Specific Targets are Set - - STARS targets can be changed only through formal Regional Administrator request - Sites can be substituted to meet commitments	2. Initial SCAP/STARS Targets Set in March; Finalized in August	2. No Targets Set but Schedules and Estimated RA Cost Help to Drive Budget Request
3. Pricing Factors are Set - Cannot Change Pricing on Events/Activities	3. Pricing Factors can be changed through Regional/ HQ Consensus	3. Pricing Factors are Subject to Review
4. Additional Funds can only be Obtained through Special Requests	4. The Budget is Set but There is More Leeway to Make Adjustments Based on Proven Need	4. Budget is Constrained Based on Resource Cap Imposed by AA and Administrator Unless Exception can be Justified
5. Regions have Flexibility within General Budget and AOA Structure to Shift Funds to Meet Priority Activities		5. Maximum Flexibility to Design Budget to Optimize Cross-Program Priorities
6. Mid-Year SCAP Update Used to Realign Resources	6. Mid-Year SCAP Update Sets Preliminary Resource Levels	
7. Flexibility on Dollars much Greater than FTEs through Reg. Reprogramming	7. Flexibility on Dollars and FTE may be Constrained by President's Budget and Freeze	

ule modifications. **Changes may result in shifts within program areas and among Regions and revised annual funding levels.** Estimates developed for the upcoming FY represent the first formal opportunity for changing resources among program areas at a national level. The revised resource estimates also serve as a "baseline" for examining program needs in the budget year.

PROGRAM MANAGEMENT PROCEDURES

This section describes the information flow and HQ/Regional responsibilities associated with integrated planning.

HQ responsibilities in the integrated planning process include:

- Establishing a combined Fund and Enforcement hierarchy of program priorities in consultation with the Regions to be used in negotiations and adjustments of targets;
- Reviewing integrated operating plans and site commitments proposed by the Regions prior to negotiations;
- Coordinating OSWER, OE and OFFE activities throughout the planning process;
- Working with Regional managers to determine how resources should be adjusted to meet program priorities;
- Negotiating and assessing the status of response and enforcement mega-sites;
- Communicating in a timely manner with the Regions on changes/additions to SCAP schedules;
- Shifting Regional resources if needed to support priority activities;
- Providing the funding and FTE at levels consistent with established pricing factors for negotiated targets and measures;
- Increasing participation of Regional managers in the formulation of preliminary resource requests; and
- Developing policy and guidance in response to Congressional or Agency initiatives.

Effective operation of integrated priority setting depends heavily on Regional willingness to do the following:

- Managing projects to integrate enforcement and Fund milestones and to ensure schedules and timeliness are met;
- Negotiating and assessing the status of response and enforcement mega-sites;
- Involving the State and ORC in the planning process;

- Providing accurate, complete and timely project planning data in CERCLIS and SCAP;
- Following established planning procedures and requirements so that HQ has a common basis to evaluate Regional proposals;
- Assessing outlays versus budget authorizations for Federal agencies cleanup as part of the Office of Management and Budget (OMB) A-106 process;
- Identifying multimedia planning and cleanup opportunities; and
- Recognizing that missed commitments severely impact resource availability (For example, FTE and dollars budgeted for negotiations and/or RD in a FY cannot be used if the ROD slips past the FY. The FTE cannot be replaced and the funds do not automatically roll over into the next FY.)

SITE ASSESSMENT PLANNING AND REPORTING REQUIREMENTS

Preliminary Assessments/Site Inspections

Regions can only be given credit for PA and SI completions if the completion date and a decision on further activities at the site are entered into the appropriate CERCLIS site record.

There are four decisions that must be made at the completion of the PA:

- Higher priority for an SI;
- Lower priority for an SI;
- No Further Remedial Action Planned (NFRAP); and
- Deferred to RCRA or the National Response Center (NRC).

There are four decisions that must be made at the completion of the SI:

- Higher priority for scoring;
- Lower priority for scoring;
- NFRAP; and
- Deferred to RCRA or the NRC.

Expanded Site Inspection (ESI)

Expanded Site Inspections (ESI) are reserved for sites that are viable NPL candidates. Under the revised HRS, an ESI may be many types of activities. For example, a site that has a soil exposure problem may have an ESI that consists solely of community relations activities and neighborhood soil sampling; another may involve fish tissue sampling; another ground water and air monitoring. The level of effort and cost for this activity is highly variable.

The decisions that must be made after an ESI are:

- Recommended for HRS scoring; and
- NFRAP.

REMOVAL PLANNING AND REPORTING REQUIREMENTS

The nature of removal activities is to respond to emergency, time critical and non-time critical situations at NPL and non-NPL sites. Each Region should recognize that it probably does not have sufficient funds to address all actual or threatened releases that meet the removal criteria in the NCP. Responsible management means having to make some tough decisions such as deferring funding time critical actions in order to maintain a sufficient contingency for classic emergencies. Additionally, Regions have to depend more upon State and local authorities to address the real, but smaller threats that Regions now occasionally handle.

The increased use of enforcement authorities becomes essential as the funds for removal actions remain the same and responses get more expensive. PRP searches should be initiated as soon as a candidate site has been identified. Oral notice, followed by written notice, should be given to PRPs in emergency situations. For time critical situations, written notice should be given to identified PRPs, negotiations should be conducted and AOs issued to the extent possible where there are viable parties and the work can be properly scoped and implemented. PRP searches may continue after the removal has started to further identify PRPs for takeover of actions or cost recovery. Non-time critical removals with viable PRPs are prime candidates for PRP actions.

Since so much of the removal work cannot be anticipated, Regions are only required to develop site specific plans one quarter in advance. Each quarter, a plan for the upcoming quarter is prepared. A Region begins this planning period by identifying sites in CERCLIS which are candidates for removal work in the upcoming quarter, designating the expected lead, identifying the funding each action will require and the category of each removal. Valid removal categories (C2118) are:

- TC -Time Critical;
- NT - Non-Time Critical; and
- EM - Emergency.

Oversight dollars for PRP removals will be provided through the Case Budget. In order for funds to be available for classic emergencies or for sites that cannot be identified during the planning process, a removal contingency amount is placed in the non-site/incident activity section of the CERHELP data base by the Region.

The process for determining quarterly AOA for the removal program is described in Chapter VI.

REMEDIAL RESPONSE PLANNING AND REPORTING REQUIREMENTS

PRP Search Outcome/Site Classification

Beginning in FY 90, Regions were no longer required to enter or maintain the site classification. However, upon completion of the first phase of a NPL or non-NPL PRP search, Regions are required to record the outcome in CERCLIS (C1719 - Negotiation-Litigation Outcome). This data is to be entered based on PRP information reviewed to date and the Region's best judgment. The PRP search outcome should be updated as additional information becomes available. Valid outcome codes are:

- NV - Search complete, no viable PRPs, orphan site;
- VC - Viable PRP; cannot do work; and
- VP - Search complete, viable PRPs.

See the Enforcement Planning Requirements section titled Pre-RI/FS Enforcement Activity of this Chapter for additional information.

Project/Event Lead Codes

Project/event lead codes identify the entity performing the work at the site. Exhibit V-2 shows the valid project/event lead codes.

A lead code must be placed in CERCLIS (C2117) for all response events and enforcement activities. **Beginning in FY 92, Regions will have the ability to code the lead for project support activities based on Regional preference. The national rule for coding project support leads has been eliminated.** This is a change from previous years. Regions are not required to change historical data in CERCLIS. All enforcement actions (i.e., orders, decrees, PRP searches, etc.) performed by EPA and all RODs resulting from RP and PS-lead RI/FS projects should have a lead of "FE" (Federal Enforcement). All enforcement actions conducted by the State should have a lead of "SE" (State Enforcement). RODs at SN and SR-lead RI/FS projects should have a lead of "SE". RODs at Federal Facilities have a lead code of "FF" (Federal Facility). CERCLIS should not contain planned obligations for projects with "SR" or "SN" leads. No funds will be provided for activities with these leads.

The Agency acknowledges that States can and have assumed the lead role in reaching an agreement with the PRPs for response activities at NPL sites without negotiating a cooperative agreement or other formal agreement with EPA (SR lead). However, the NCP has determined that in the absence of a formal agreement the State will not be officially recognized as the "lead agency" for the project and EPA will not concur on the remedy selected.

Takeovers

A takeover means a change in entity performing an event after the event has started and credit given. Typically, this occurs where a settlement with the PRP has been reached after the event has been started. It may also occur where the Fund assumes a RP-lead project because of non-compliance.

For each remedial or removal event takeover, a new CERCLIS record must be created and FSS and FSC codes (C2115 and C2116) revised. A takeover does not create a new OU. The original CERCLIS event must be updated to show the completion date as the date of the takeover. The start date for the new CERCLIS event is also the date of the takeover.

Exhibit V-2

PROJECT/EVENT LEAD CODES IN CERCLIS IN FY 92

Lead	Definition
F	Fund financed response actions performed by EPA (applies to response events)
RP	PRP financed response actions performed by the PRP under a Federal order/CD (applies to response events)
S	Fund financed response actions performed by a State — Money provided through a CA (applies to response events)
PS	PRP financed response actions performed by PRP under a State order/CD with PRP oversight paid for or conducted by EPA through an EPA CA with the State or, if oversight is not funded by EPA, a SMOA or other formal document between EPA and the State exists which allows EPA review of PRP deliverables (applies to response events)
SN	State financed (no Fund dollars) response actions performed by the State (applies to response events)
SR	PRP response under a State order/CD and no EPA oversight support or money provided through a CA and no other formal agreement exists between EPA and the State
CG	Work performed by the Coast Guard — Limited to removals (applies to response events)
MR	Preauthorization Mixed Funding work performed by PRP under a Federal decree with an agreement that the Fund will provide reimbursement to the PRP (applies to response events)
SE	Enforcement activities performed by a State — Money provided through a CA or if not funded by EPA, a comparable enforcement document exists. (Also applies to ROD events at SN and SR-lead response events)
FE	Enforcement activities performed by EPA or work done by enforcement program (also applies to ROD events at RP and PS-lead response events). Historically (Pre-FY 89) applied to RI/FS and RD response events
EP	Response activities performed by EPA using in-house resources
FF	Work performed by the Federal Facility with oversight provided by EPA and/or the State at sites designated as Federal Facilities on the NPL; also applies to RODs at Federal Facilities

Exhibit V-3

EVENT TAKEOVER AT WORKPLAN STAGE

OU	EVENT	LEAD	TAKEOVER FLAG	ACTUAL START	PLAN COMP.	ACTUAL COMP.	FSS	FSC	COMMENTS
01	CO1	F	T	7/29/88	11/30/88	11/30/88	E	E	SITE WIDE
01	CO2	RP	CO1	11/30/88	12/15/90		A	A	SITE WIDE

Exhibit V-4

EVENT TAKEOVER

OU	EVENT	LEAD	TAKEOVER FLAG	ACTUAL START	PLAN COMP.	ACTUAL COMP.	FSS	FSC	COMMENTS
01	CO1	F	T	11/15/87	4/30/90	4/30/89	A	E	SITE WIDE
01	CO2	RP	CO1	4/30/89	2/20/90		E	A	SITE WIDE

The CERCLIS Event Takeover Flag (C2114) is manually maintained. A "T" is used in this field to flag the original event which has the change in lead. The new event has an event code followed by a sequence number to indicate the original event that was taken over.

When the takeover of a response event occurs and work has not proceeded past the workplan stage, credit will be given to the program taking over the lead for both a start and completion. For example, assume a settlement is reached for a PRP to conduct a RI/FS for which funds have been obligated but no work has been approved. The PRPs, in picking up the project at this stage, will get a RI/FS start. Had the work plan been approved, the Fund would have received credit for the RI/FS start. In order to assure credit is given to the proper program, the FSS and FSC codes should be placed with the event which was taken over. (See Exhibit V-3 for an example of the takeover coding.) However, if a takeover occurs after the workplan stage then the new lead will only receive credit for a completion; the previous lead retains credit for the start. Exhibit V-4 shows the proper placement of the FSS and FSC codes under these circumstances.

When there is a takeover of a removal action, credit is given to the program with the original start and the completion is credited to the program that completes the work.

If a PRP takes over an RI/FS after response dollars have been obligated, the Region should retain the funds needed for PRP oversight for the remainder of the FY and deobligate the rest. Additional funds for oversight in future years should be obtained from the enforcement Case Budget. If the PRPs take over the RD or RA after response funds have been obligated, the Region can retain the funds needed to provide oversight of the entire PRP RD or RA activities. The remainder should be deobligated. RD funds that are deobligated may be replaced in the Region's AOA and used in accordance with the flexible funding priorities outlined in Chapter VI. Deobligated RA funds must be returned to HQ for funding of other priority RA projects.

When the Fund originally obligated dollars for response activities and a takeover occurs, Regions will have to request a change in account number through their Regional Financial Management Office (FMO). The activity code within the account number changes if the Agency is acting in an oversight role as opposed to performing the response action.

Exhibit V-5

PRP PROBABILITIES

OU (C1101)	EVENT (C2101)	LD (C2117)	TAKE OVER (C2114)	PLAN START (C2130)	ACTUAL START (C2140)	PLAN COMP (C2131)	ACTUAL COMP (C2141)	QUAL (C2103)
01	C01	F		3/30/88		9/30/90		
01	R01	F				9/30/90		
01	RD1	F		1/10/91		5/3/91		M
01	RA1	F		8/5/91		7/1/92		M

Funds to support PRP negotiations, including the development of workplans, should be funded by the enforcement Case Budget.

PRP projects that are deficient may be addressed by the response program. If the project requires substantial Fund involvement to correct, it should be coded as a Fund take over in CERCLIS.

Probability of PRP Funded Response Actions

During the development of budget planning information, Regions should pay particular attention to the probability of a PRP assuming responsibility for RD or RA or the potential for a mixed funding response. Historically, twenty to twenty five percent of each Region's Fund-lead RI/FS projects result in RP-lead RDs and RAs. Regions should examine the scheduled RD and/ or RA starts in FY 92 through FY 94, ascertain PRP viability and the strength of the enforcement case, the relative environmental priority of the project, and the likelihood of a PRP assuming the lead. The likelihood of the PRPs assuming lead responsibility should be recorded in CERCLIS in the Event Qualifier data element (C2103) with the event(s) that are scheduled to begin. (See Exhibit V-5 for an example of coding PRP probabilities.) As better information is received on the probability of the PRPs assuming responsibility, the qualifier in CERCLIS should be updated.

Valid probabilities are:

H - High, estimated 75 percent or better chance of PRP takeover;
M - Medium, estimated 25 percent - 74 percent chance of PRP takeover; and
L - Low, estimated 24 percent or less chance of PRP takeover.

First and Subsequent Starts and Completions

FSS and FSC codes (C2115 and C2116, respectively) are used to identify and characterize the sequencing of event starts and completions at a site. They are not used for enforcement activities. ROD events do not receive FSS codes. If an event does not have actual dates, the FSS and FSC codes are determined by the planned dates. One of the codes shown in Exhibit V-6

Exhibit V-6

FIRST AND SUBSEQUENT STARTS AND COMPLETIONS

A	=	First and only event at a site
B	=	First of two or more events
C	=	Subsequent, but not final event
D	=	Final of two or more events
E	=	Anomaly

must be assigned to each remedial event as it is entered into CERCLIS. Exhibit V-7 illustrates the use of FSS/FSC codes. Mass FSS/FSC data generation routines are under development to ease data entry and maintenance burdens. These routines rely on having no blank values in the FSS/FSC fields.

The FSS/FSC codes are based on event start and completion dates, not the system generated sequence number. Thus the first start of an event, for example an RD, at a site is coded "A." If a second RD is started, the "A" code for the first RD start must be changed to a "B" and the second RD is assigned a "D" code. If a third RD is started, the first RD remains a "B," the second RD must be changed from a "D" to "C" and the third RD is assigned a "D" code. Event completions use the same methodology. If there is one occurrence of each event, all FSS/FSC codes are "A."

Anomalies are those projects that do not fit the normal definitions of pipeline events and activities. Anomalies can be those projects that 1) do not receive SCAP/STARS credit but still need to be tracked or 2) occur out of the ordinary pipeline progression. An example of an abnormal pipeline progression is a removal that is conducted after the RD and in place of the RA. (See Exhibit V-7.)

Another example of an anomaly would occur when EPA has decided not to complete an ongoing event. The FSS/FSC code of 'E' is used in this situation to identify anomaly events that do not meet the criteria for start or completion accomplishment reporting. Those dates associated with the 'E' value will not receive SCAP/STARS credit. Suppose EPA discovers information that leads to a decision not to implement a RD already underway. Instead, a new RD is necessary. The anomaly coding allows the Region to receive and retain credit for the first RD that is started and, at the same time, inform HQ and Regional managers that a significant occurrence has taken place at the site. Since the first RD was interrupted and, therefore, was not completed according to the definition, it does not meet SCAP criteria for credit as an RD completion (FSC code = 'E'). The second RD will not be counted as a subsequent start because it is addressing the same remedy (ROD), but it can receive credit for an RD completion. (See Exhibit V-8.)

Another example of anomaly occurrences happens when different entities conduct RI/FS work simultaneously that lead to a single ROD. Since it is inconsistent to give credit for more RI/FS starts than completions (the Agency would have to explain why RI/FS work is not leading to ROD), only one RI/FS can be credited for starting. These projects are coded under the same

Exhibit V-7

OPERABLE UNIT AND FIRST AND SUBSEQUENT START AND COMPLETION CODING

OPERABLE UNIT '00' AND REMOVAL EVENTS

OU	EVENT	LEAD	PLAN START FY/Q	PLAN COMP FY/Q	FSS	FSC	COMMENT
00	DS1	S		82/3			
00	PA1	S	83/3	84/1			
00	SI1	S	84/2	84/4			
00	RV1	F	85/2	86/2	B	B	ENTIRE SITE
00	TG1	F	86/3	92/4			
00	ND1	F	92/1	92/4			
	FN01	FE	86/1	86/2			
01	CO1	F	86/3	88/3	A	A	
01	RO1	F		88/3		A	
	AN01	FE	88/3	88/4			
01	RD1	F	89/1	90/2	A	A	
01	RA1	F	90/2	91/1	A	A	
01	RV1	F	87/4	88/2	D	D	RMVL PART OF REMEDY
01	CR1	F	86/2	91/1			CR ACTIVITIES FOR 1 OU

REMEDIAL EVENTS, ANOMALIES AND PROJECT PHASING

OU	EVENT	LEAD	PLAN START FY/Q	PLAN COMP FY/Q	FSS	FSC	COMMENT
	FN01	FE	87/1	87/3			LINK W/OU 02 RI
01	CO1	S	87/3	88/3	B	E	2 RI/FS W/1 ROD
01	CO2	F	87/4	88/3	E	B	2 RI/FS W/1 ROD
01	RO1	F		88/3		B	ROD FROM CO1 & CO2
	AN01	FE	88/3	89/1			
01	RD1	F	89/1	90/2	B	E	PHASE I
01	RD2	F	89/2	90/3	E	B	PHASE II
01	RA1	F	90/3	91/1	B	E	PHASE I
01	RA2	F	90/3	94/1	E	C	PHASE II
02	RI1	F	87/4	88/4	C	E	RI WITH 2 FS PROJECTS
02	FS1	F	88/4	89/3	E	C	
02	RO1	F		89/3		C	
	AN02	FE	89/3	89/4			
02	RD1	F	89/4	90/4	C	C	
02	RA1	F	90/4	94/2	C	D	
03	FS1	F	89/1	90/3	D	D	2ND FS FROM OU 02 RI
03	RO1	F		90/3		D	
	AN03	FE	90/3	90/3			
03	RD1	F	90/3	91/1	D	C	
03	RV1	F	91/1	91/3	A	A	RV INSTEAD OF RA
04	RD1	F	90/1	91/3	C	D	2ND RD FROM OU 02 ROD
04	RA1	F	91/3	93/1	D	B	2ND RA FROM OU 02 ROD

Exhibit V-8

CODING ANAMOLIES

DECISION NOT TO COMPLETE AN ON-GOING EVENT

OU	EVENT	LEAD	PLAN START FY/Q	PLAN COMP FY/Q	FSS	FSC	COMMENT
01	CO1	F	86/3	88/3	A	A	
01	RO1	F		88/3		A	
01	RD1	F	89/2	89/4	A	E	RD WILL NOT BE FINISHED NO CREDIT FOR COMPLETION
01	RD2	F	89/4	90/2	E	A	NO CREDIT FOR START
01	RA1	F	90/3	91/1	A	A	

SIMULTANEOUS RI/FS WORK

OU	EVENT	LEAD	PLAN START FY/Q	PLAN COMP FY/Q	FSS	FSC	COMMENT
	FN01	FE	84/4	85/2			
01	CO1	RP	85/2	88/3	A	E	NO CREDIT FOR COMPLETION
01	CO1	S	87/3	88/3	E	E	NO CREDIT FOR START OR COMPLETION
01	CO2	F	87/4	88/3	E	A	NO CREDIT FOR START
01	RO1	F		88/3		A	

OU with multiple sequence numbers and the anomaly code ('E') in the appropriate FSS/FSC fields (C2115 and C2116). (See Exhibit V-7 and Exhibit V-8.)

Since the FSS and FSC codes are manually maintained, it is necessary to update these codes each time an event is added. Exhibit V-9 indicates combinations of FSS/FSC codes that are inconsistent with the coding procedures.

Exhibit V-9

IMPOSSIBLE FSS AND FSC CODE COMBINATIONS

- More than one A, B, or D
- An A and B
- An A and D
- An A and C
- C without a D and B
- B and C without a D
- C and D without a B

Operable Units in Remedial and Enforcement Programs

The NCP defines an OU as "discrete actions that comprise incremental steps toward the final remedy." An OU is the division of a project into meaningful remedial work elements (events) that can be implemented on different schedules, resulting in acceleration of the RD and RA. OUs allow certain elements of a project to be started ahead of others to lessen the hazards present at the site and to complete some work elements ahead of more complex and hazardous work elements. Large, complicated projects are separated into smaller, more manageable remedial work elements. Each element can move at its own rate to completion, thereby preparing the site for any further required remediation. Exhibit V-10 presents the criteria for establishing OUs. Exhibit V-11 shows examples of OUs.

Exhibit V-10

CRITERIA FOR OUs

- Availability of existing information
- Type of waste
- Type of media involved
- Technology requirements
- Funding availability
- Management considerations

Exhibit V-11

EXAMPLES OF OUs

EXAMPLES OF OPERABLE UNITS

- RI/FS
  - Source Control
  - Groundwater Cleanup
  - Permanent Relocation
- RD and RA
  - Pump and Treat System
  - Pilot Testing
  - Incineration
  - Cap
  - Waterline Installation
  - Soil Removal

The OU concept is one of the driving mechanisms for Superfund's budgeting, planning and accomplishment reporting processes. Since the inception of CERCLIS, a standard methodology has been used by OSWER to code, track and evaluate site progress. OUs were distinguished by using a combination of data fields that made the event unique. This caused confusion

and multiple interpretations of OUs. As a result, it has become apparent that the methodology needs to be revised to accommodate new initiatives and tracking requirements.

The new methodology, which is being implemented in FY 91, uses OU numbers (C1101 - Operable Unit Indicator), FSS/FSC codes (C2115 and C2116) and Links. The ability to enhance the old methodology is attributed to the development of Links. Links provide the technical ability to link response events or enforcement activities with another event or activity. This capability allows coding of discrete parts of response actions at sites in CERCLIS using unique OU numbers.

Two important new capabilities of the methodology are:

- Coding, tracking and consolidating investigation activities at multiple OUs into one ROD; and
- Tracking single RODs with multiple RDs and RAs.

Following are the rules for coding OUs. These rules are summarized in Exhibit V-12.

Exhibit V-12

GROUND RULES FOR CODING OPERABLE UNITS

- Removals for the entire site are OU '00'
- OUs are triggered by the ROD
- Each RI/FS project is coded with the same OU number as the ROD it is associated with; subsequent RODs must address an aspect of the remedy not developed in the initial ROD
- Removals performed as part of a remedy (ROD) are coded with the OU number for the remedy (ROD)
- When a second like event is started, the event is coded at the next available OU number
- Each OU at the RD stage must result in a separate plan and specifications
- Each OU at the RA stage must be based on a separate bid package
- PRP, State or EPA takeovers do not result in separate OUs
- Phased projects do not result in separate OUs

Sequence Numbers

If a site has multiple like-events (e.g., RDs) within a single OU, CERCLIS automatically generates a sequence number for each event. The sequence number is dependent on the order the event is entered into the system.

Operable Unit Zero (C1101 = '00')

Currently, OU number '00' is used to identify removals, site assessment activity, and in some cases, site wide activities. Links will change this slightly. All site assessment activity will continue to be coded as OU '00'. Activities that reflect a site wide condition or occurrence and events that cover the entire site will also be coded as OU '00'. For example, NPL deletions and Technical Assistance Grants (TAG) are not specific to an OU, therefore these should be coded as OU number '00' (C1101 = '00'). Activities such as community relations, aerial surveys and topographical mapping will sometimes address a single event or span multiple events or even an entire site. In cases where the event addresses a single RI/FS or removal, the events should be coded at that OU. Where the event spans multiple events, they should be coded at the OU they are most closely related to and linked to the additional OUs they address. (See Exhibit V-7.)

Removal Events

Currently, removal events are coded as OU '00'. This was based on the assumption that removals addressed entire sites. As the Superfund program has grown, removals have been used in the partial cleanup of sites and in conjunction with remedial events to complete the clean up efforts. Using Links, removals that are performed as part of a remedy will be coded with the OU number of that remedy. Removals that are strictly site wide and not related to a specific remedy will continue to be coded with the OU '00'. (See Exhibit V-7.)

Remedial Events

In order for a RI/FS project to receive credit for a start, it must result in a ROD. This definition requires that the RI/FS and the ROD share the same OU. There are cases where multiple RI/FS activities have occurred that lead to a single ROD. For SCAP purposes, multiple RI/FS starts are not credited when the result is a single ROD. In these cases, the Regions code each RI/FS with the same OU number. This results in different system-generated sequence numbers for each RI/FS. Credit for only one start and one completion is given in this case. (See Exhibit V-7 and Exhibit V-8.)

At some sites, the RI may span multiple OUs, the entire site, or even multiple sites. From these RIs, focused FS projects occur and multiple RODs may be signed. In these instances, Regions can receive credit for multiple RI/FS starts. In the example in Exhibit V-7, credit is given when the RI starts at the first OU and when the FS starts at the second OU. Credit for an RI/FS completion is given for the completion of the FS at the first OU and the completion of the FS at the second OU. This is consistent with the rule that for each ROD Regions can only receive credit for one RI/FS start.

Multiple RDs and RAs may be generated from the same ROD. These events are coded with different OU numbers because they are discrete parts of the site cleanup. Links relates them to the ROD designating the remedy they are addressing. (See Exhibit V-7.)

Project Phasing

At the RD and RA stages, a project may be phased or time sequenced to accelerate the cleanup effort. Phasing is complementary to OUs. Whereas OUs break large, complex projects into smaller, more manageable work elements, phasing is a method to accelerate the implementation of the OUs. Phasing manipulates the internal steps required to complete each OU, thereby optimizing the overall schedule.

Event sequence numbers allow the Regions to code and track this phasing. Phases of each response event are shown in CERCLIS by the use of sequence numbers and the value of 'E' (anomaly) in the FSS/FSC codes (C2115 and C2116). Funding required for each of the phases is tracked against the phase. However, the duration of the project is calculated from the date the first phase started to the date the last phase is completed. (See Exhibit V-7.)

Links

At the April 1989 CERCLIS Management Council meeting, the change request requiring the linkage of enforcement activities to other activities, enforcement activities to response events, and events to other events was approved. The resulting system enhancement is the Links Module. This module enables the integration of removal, site assessment, remedial and enforcement data in WasteLAN and CERCLIS.

A graphic representation of the flow of events and activities at a site, called a site map, can be generated using Links. The site map shows the relationship of events and activities at the site and indicates whether the event/activity is completed, planned or ongoing. The first step in drawing a site map is to obtain a CERCLIS report that contains site specific event and activity information with start and completion dates (i.e., SCAP-1, SCAP-2, SITE-3, and SITE-5). From the report, the sequence and relationship of events and activities can be determined by examining the dates for different events and activities. If the completion date of one event or activity is the same or close to the start date of another event or activity, there may be a relationship between the two. HQ has designed special forms to help draw site maps. Assistance in the development of site maps can also be obtained from HQ.

Once the sequence and relationship of events and activities has been determined, they are linked using the Links rules. Following are general Links rules that cover routine activities and events at all phases of response activity:

- Links apply to NPL and non-NPL sites.
- Link trees begin with only one activity or event, generally the discovery date for the site. Link trees cannot begin with a project support activity.
- When incorporating settlements, links must be established between the settlement and its outcome (i.e., a CD for RD and RA must be linked to both the RD and the RA).
- Litigation activities are linked to the resulting settlement, NOT to events or activities covered by the litigation. However, failed negotiations are linked to the resulting events because the Fund-lead event is the outcome of failed negotiations and the continuum of response activities is maintained.

- Section 104(e) letters and Section 104 litigation is typically associated with and linked from the PRP search, RI/FS negotiations or RD/RA negotiations. Section 106/107 litigation is associated with and linked from the RD/RA negotiations and to a CD or judgment. Section 107 litigation is also associated with and linked from the RD/RA negotiations and to a CD or judgment.

- Administrative/voluntary cost recovery can occur at any time and is linked chronologically.

- Pipeline events/activities are coded programmatically rather than chronologically.

- Remedial Action Master Plans (RAMPs) are coded as major pipeline events and linked from the PRP search to the RI/FS.

- Project support activities/events are linked from the supported event/activity. For example, the AR compilation is linked from the removal or RI/FS. The AR is not linked to any other event.

- Removal events/activities that are site wide or start the chain of events at a site are linked as a pipeline event/activity. However, if a removal is performed in support of remedial work at a specific OU, then the removal events/activities are coded as a project support event/activity.

- Removal assessments should be linked off the most recent site assessment event. Subsequent removal assessments should be linked from the first assessment. If a removal assessment results in a removal, it should be linked from the assessment.

- De minimis and mixed funding cash out settlements are linked from the preceding negotiations and do not link to any other event/activity.

- Remedial sites fall into five categories: sites without enforcement activity, sites where negotiations result in settlement, sites where negotiations fail or lead to litigation, sites where negotiations result in settlement for one OU and litigation for another; and Federal Facility sites. Exhibit V-13 is a site map for sites where negotiations result in successful settlement. Exhibit V-14 is a site map for sites where RI/FS and RD/RA negotiations fail to lead to settlements. Sites without enforcement activities are linked as shown in Exhibits V-13 and V-14 without the links to or from the enforcement activities. A graphic representation of Federal Facility sites is shown in Exhibit V-15. Exhibit V-16 shows a site with and without settlement.

Events and activities and the appropriate links are entered as the site is planned. If an activity or event does not occur as planned, then those activities/events must be modified and the related link record deleted and updated as appropriate. For additional information on the Links module and OUs, please refer to the Links Coding Guidance.

TBD Sites

Under certain circumstances, Regions may not be able to identify all the sites necessary to meet SCAP targets. This may occur for the following activities:

- Removals;

Exhibit V-13

REMEDIAL AND ENFORCEMENT LINKS - SITES WITH SETTLEMENTS

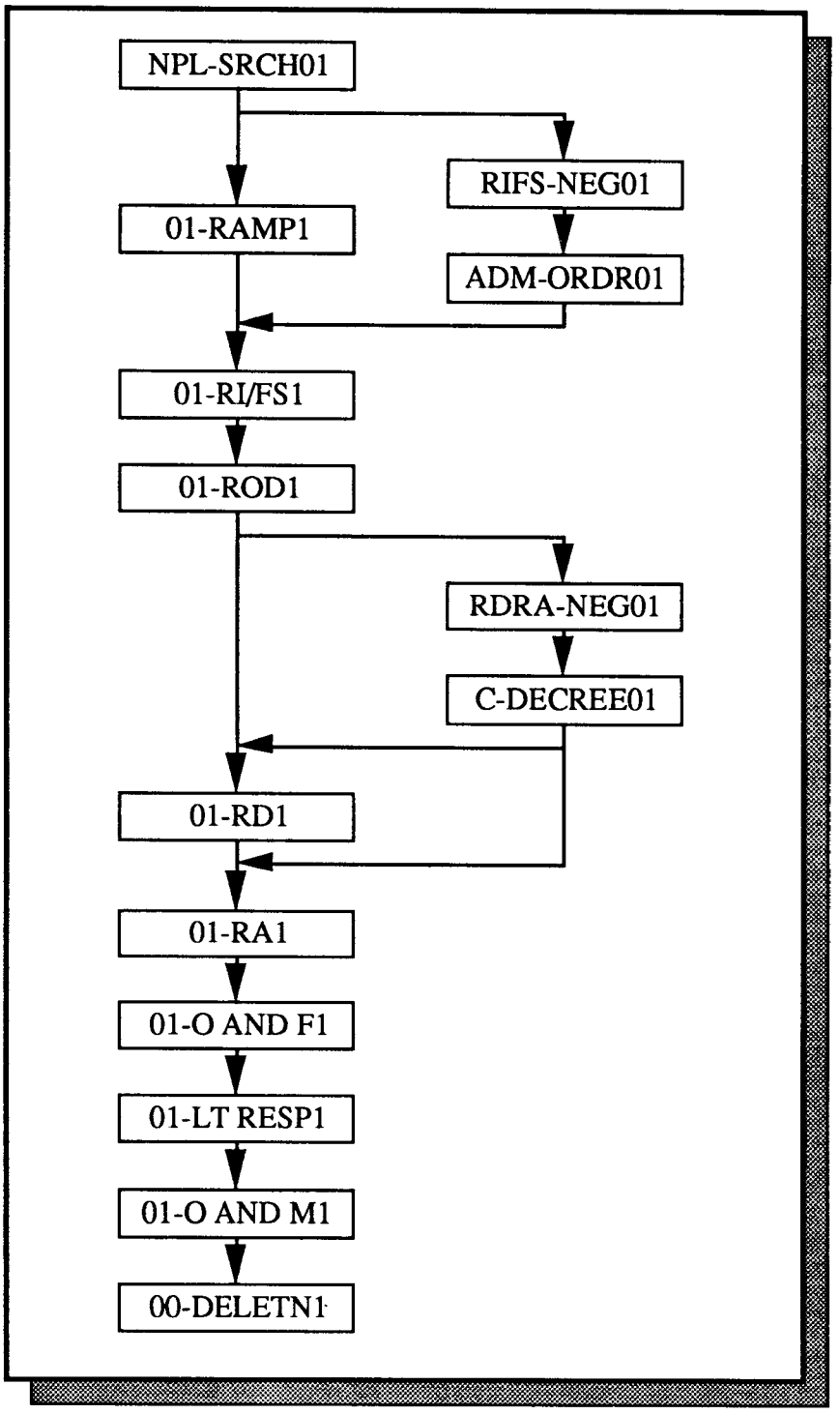


Exhibit V-14

REMEDIAL AND ENFORCEMENT LINKS - SITES WITHOUT SETTLEMENTS

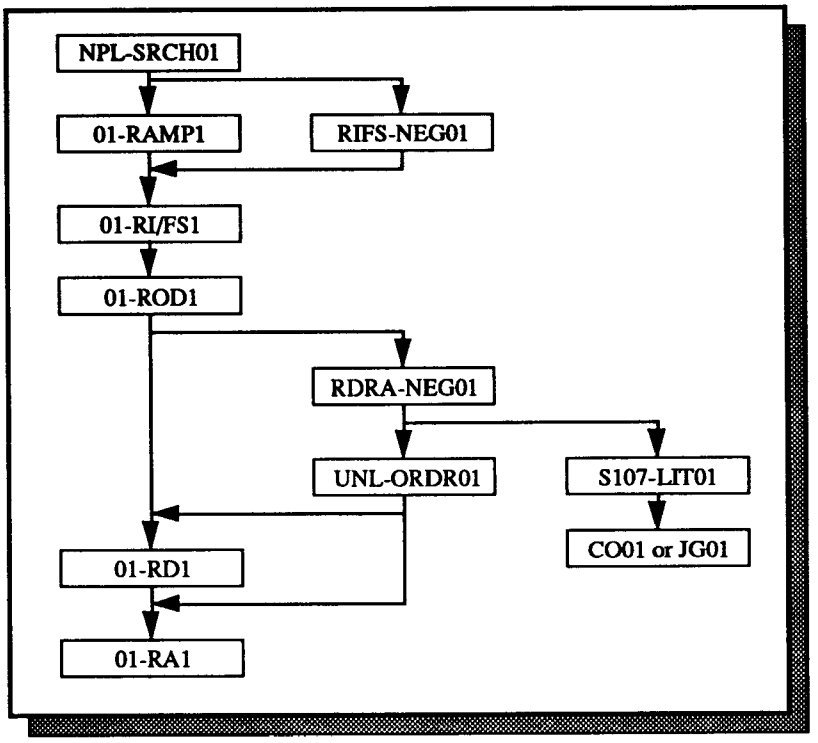


Exhibit V-15

REMEDIAL AND ENFORCEMENT LINKS AT FEDERAL FACILITIES

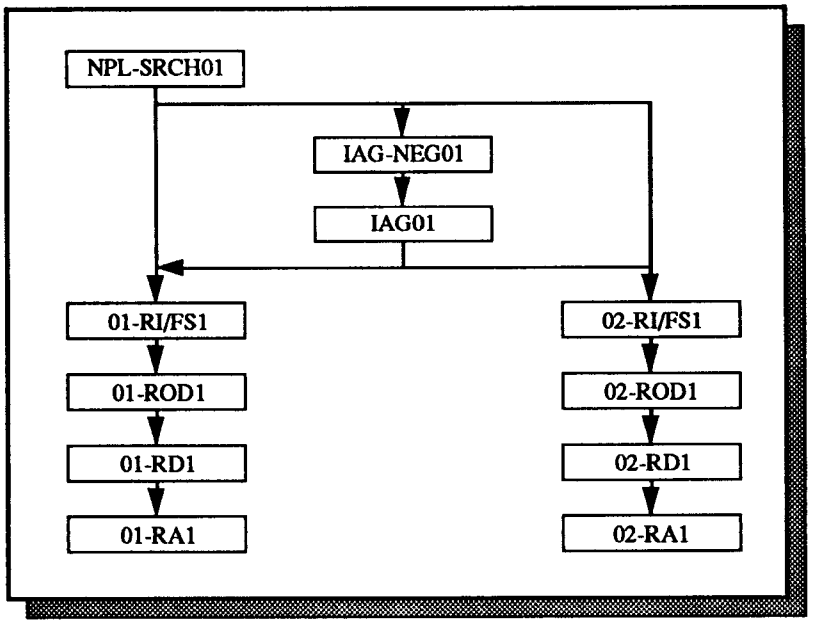
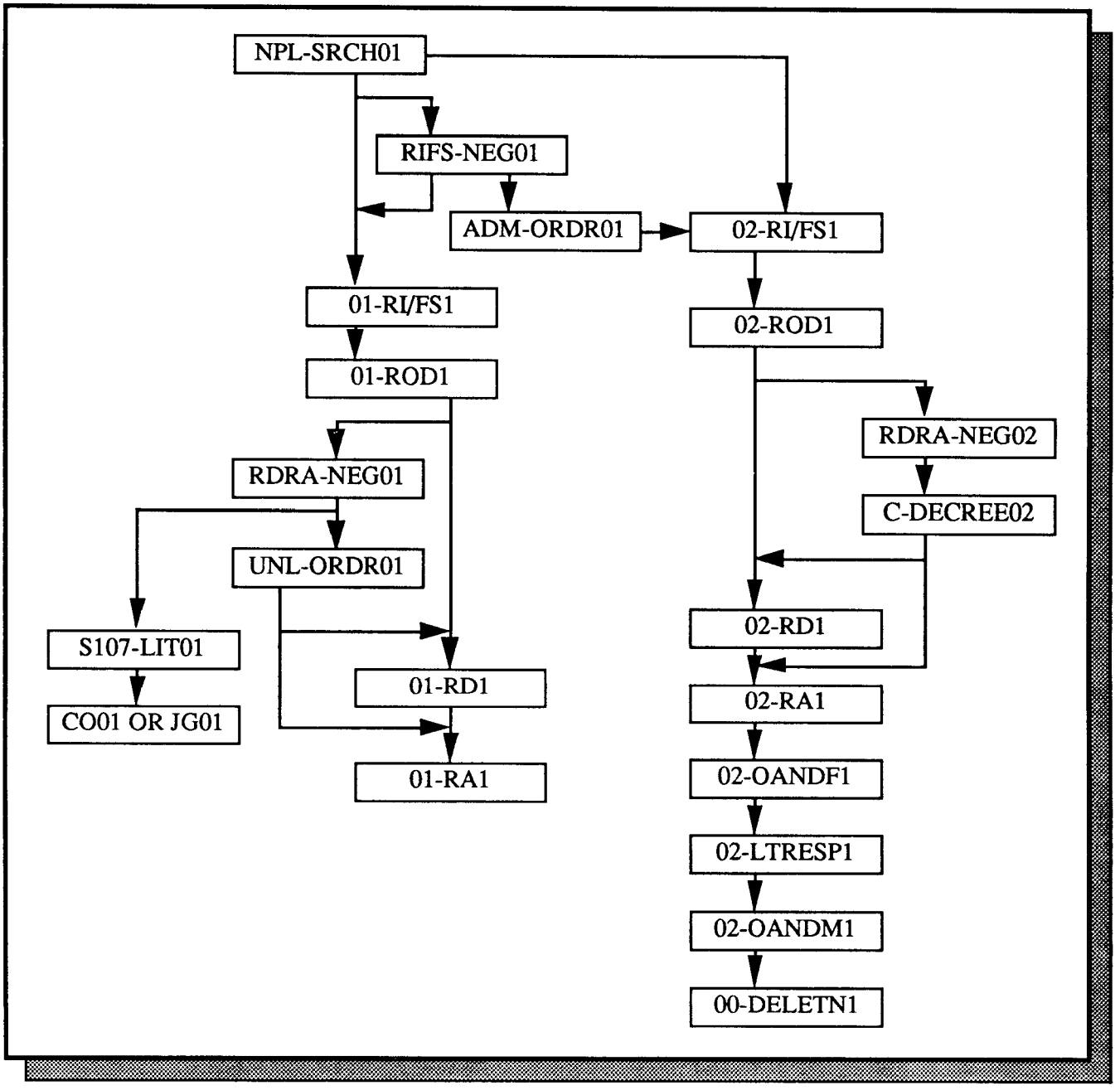


Exhibit V-16

REMEDIAL AND ENFORCEMENT LINKS - SITES WITH AND WITHOUT SETTLEMENT



- First RI/FS starts;
- Administrative cost recovery settlements; and
- Small case cost recovery referrals.

In such cases, Regions may enter planning data into TBD site records. CERCLIS provides the capability, through the use of a pseudo-EPA ID, to set up temporary site records as TBDs until the actual site is identified. Following are procedures for handling SCAP TBD sites and associated planning data in CERCLIS.

The key data field for all CERCLIS site and related records is the EPA ID. This number is twelve characters in length with the first two characters identifying the State in which the site is located. The remaining digits uniquely identify a site within the State. The method of handling TBD sites in CERCLIS must be consistent with guidance for assigning EPA IDs to valid Superfund sites.

The procedure for assigning pseudo numbers is as follows. Each SCAP TBD site to be entered into CERCLIS will be assigned a unique 12-character EPA ID which is constructed from Regionally assigned State codes and numbers. The pseudo State codes shown in Exhibit V-17 for each Region would be used in the first two positions of the pseudo ID.

Exhibit V-17

PSEUDO STATE CODES

Region	Pseudo State Code
1	ZA
2	ZB
3	ZC
4	ZD
5	ZE
6	ZF
7	ZG
8	ZH
9	ZJ
10	ZK

The third position of the code will always be "T" which further identifies the site as being a "TBD" site. The remaining nine digits will be selected from the 1000 numbers purchased from Dun & Bradstreet by HQ and allocated to each Region.

An example of the use of the code is as follows. Region I has three TBD sites for RI/FS starts to be entered into CERCLIS. EPA IDs to be used for the three sites are as follows:

TBD site #1 - ZAT982565053
TBD site #2 - ZAT982565061
TBD site #3 - ZAT982565079

At the time a real site is determined for TBD site #1, the site and associated data for EPA ID ZAT982565053 are deleted from the CERCLIS data base. Subsequently, the appropriate planning data are added to the real site in the CERCLIS data base. The pseudo number, ZAT982565053, is then recycled for future use.

Regions may not use TBDs in planning subsequent RI/FS starts. When multiple OUs at a site are involved, Regions should schedule the subsequent starts and associated core activities when planning the first RI/FS start at the site to the maximum extent possible. Subsequent starts should be scheduled even if they are not planned to begin in FY 92. Even though TBDs are being used for target setting purposes, Regions must have real sites in CERCLIS which can be substituted at a later date for the pseudo sites.

Standard Timeframes

When identifying sites for RI/FS starts, Regions must provide schedules for the remedial and enforcement activities contained in the Integrated Timeline for site management (see Chapter I). The Agency is currently developing additional guidance on the preparation of SMP. **The timeframes should only be used if more accurate estimates are not available. When better planning data and schedules are developed, CERCLIS must be revised to reflect these schedules.** Beginning in FY 91, planned start and completion dates should be entered into CERCLIS in the FY/Q and MM/DD/YY format. Exhibit V-18 provides a summary of the timeframes for the steps in the Integrated Timeline plus other critical activities. Exhibits V-19 and V-20 take the timeframes and show how to schedule events and activities in CERCLIS.

Exhibit V-18

STANDARD TIMEFRAMES

ACTIVITY	DURATIONS (In Quarters)
Removal PRP Searches	1-2
Removal Negotiations	1
Removals	1-2
NPL PRP Searches*	13
(Phase I)	(3)
(Follow-up)	(10)
RI/FS Negotiations*	3
Federal Facility Negotiations	1-2
Fund RI/FS or FF/PRP RI/FS Oversight*	8
(FS to Public)	(6)
(ROD)	(2)
RD/RA Negotiations (post ROD)*	2
Case Development (ends in referral)	2
Sec. 106 or 106/107 RD/RA Referrals without Settlement or Cost Recovery Referrals (ongoing cases referred to DOJ until conclusion)	14
CD Referral, Lodging & Entry	2
Fund RD or FF/PRP RD Oversight*	4
Fund RA or FF/PRP RA Oversight*	6
RA Contract Award	2 (post RA start)

*Core Activities/Events

Exhibit V-19

EXAMPLE SITE SCHEDULE (FUND-FINANCED)

EVENT/ SUBEVENT/ ACTIVITY CODE	EVENT/ SUBEVENT/ ACTIVITY DESCRIPTION	PLANNED START	PLANNED COMPLE-TION	COMMENTS
NS	PRP SEARCH	89/1	89/4	Phase I started at LSI stage - Duration 3 QTRS
FN	RI/FS NEGOTIATIONS	89/4	90/2	Started after completion of PRP search - Duration 3 QTRS (max)
CO	RI/FS	90/2	92/2	Started after completion of negotiations - Duration 8 QTRS (total)
CF	RI/FS TO PUBLIC		91/4	Occurs 6 QTRS after the start of the RI/FS
RO	ROD		92/2	Occurs 2 QTRS after RI/FS to public. Must match RI/FS completion date
AN	RD/RA NEGOTIATIONS	92/2	93/1	RD/RA negotiations begin about the time the ROD is signed - Duration 2 QTRS
UA	UAO		93/1	Issued if there are viable/liable PRPs prior to funding the RD
RD	RD	93/1	94/1	Started after completion of negotiations - Duration 4 QTRS
RA	RA	94/1	95/3	Duration 6 QTRS
AC	RA CONTRACT AWARD		94/3	Awarded 2 QTRS after RA start
RO	RA ON-SITE CONSTRUCTION			Placed in CERCLIS when the RA contract is awarded
OM	O&M	95/3	25/3	Initiated after the remedy has achieved the RA objectives and remediation goals in the ROD and is determined to be operational and functional
SV	SECTION 107 COST RECOVERY REFERRAL	94/3	98/1	Initiated after RA CONTRACT AWARD - Duration 14 QTRS

Exhibit V-20

EXAMPLE SITE SCHEDULE (RP-LEAD)

EVENT/ SUBEVENT/ ACTIVITY CODE	EVENT/ SUBEVENT/ ACTIVITY DESCRIPTION	PLANNED START	PLANNED COMPLE-TION	COMMENTS
NS1	PRP SEARCH	89/1	89/4	Phase I started at ESI stage - Duration 3 QTRS
NS2	PRP SEARCH	89/4	92/2	Phase II follow-up - Duration 10 QTRS
FN	RI/FS NEGOTIATIONS	89/4	90/2	Started after completion of PRP search - Duration 3 QTRS (max)
CO	RI/FS	90/2	92/2	Started after completion of negotiations - Duration 8 QTRS (total)
CF	RI/FS TO PUBLIC		91/4	Occurs 6 QTRS after the start of the RI/FS
RO	ROD		92/2	Occurs 2 QTRS after RI/FS to public. Must match RI/FS completion date
AN	RD/RA NEGOTIATIONS	92/2	92/4	Begins about the time the ROD is signed - Duration 2 QTRS
CD	CONSENT DECREE	92/4	93/2	Started after negotiations are complete. CD referral, lodging and entry - Duration 2 QTRS
RD	RD	93/2	94/2	Begins 2 QTRS after the CD is referred - Duration 4 QTRS
RA	RA	94/2	95/4	Duration 6 QTRS
AC	RA CONTRACT AWARD		95/4	Awarded 2 QTRS after RA start
LR	LONG TERM RESPONSE ACTION	95/4	01/3	Response actions for the purpose of restoring ground or surface water
OM	O&M	01/3	04/3	Begins after LTRA - Duration is the time specified in the ROD

Identifying core activities and providing planned obligation estimates are important due to the impacts these projects, especially RAs, have on outyear budgets for the program areas. The cost of RA projects makes it imperative that scheduled start dates and planned obligations are known well in advance of the beginning of the FY. In essence, dollars associated with RA project starts are locked in during budget formulation eighteen months prior to the beginning of the FY. At any given juncture during a FY, this information may be pulled from CERCLIS to support development of the Superfund budget. While every attempt will be made to contact the Region when this occurs, there may be instances when this cannot be done. As a result, as better information becomes available on project costs, dollar estimates, and project schedules, the core activity plans should be updated and kept current in CERCLIS.

Records of Decisions

The ROD is the document prepared after completion of the public comment period on the RI/FS. It identifies the Agency's selected remedy for a site or OU. After a ROD is signed, new information may be generated that could affect the remedy selected. Three types of changes could occur:

- A non-significant or minor change;
- A significant change to a component of the remedy; or
- A fundamental change to the overall remedy.

Each of these categories is discussed in the following sections.

Non-Significant Changes

Non-significant changes fall within the normal scope of changes occurring during the RD/RA. These changes typically result from value engineering conducted during the RD and RA. This may cause minor changes in the type/cost of materials, equipment, facilities, services, and supplies. When such changes do not significantly affect the scope, performance, or cost of the remedy, they are considered minor or non-significant.

Minor changes should be documented in the post-ROD files. The documentation should not be part of the AR file for the ROD.

Significant Changes to a Component of a Remedy

Significant changes to a component of a remedy generally are incremental changes to the hazardous waste approach selected for the site (i.e., a change in timing, cost, or implementation). These changes do not fundamentally alter the overall approach intended by a remedy. When significant changes are made to a component of a remedy, an ESD should be prepared.

The ESD is made available to the public and placed in the AR. A formal public comment period, public meeting and responsiveness summary are not required. While the ESD is being prepared and made available to the public, response activities should continue. An ESD is not a new ROD and should not be coded as such in CERCLIS. It should be entered as a subevent to the ROD.

Fundamental Changes to the ROD

When the hazardous waste management approach selected in the ROD is reconsidered, it is a fundamental change. For example, the innovative technology originally selected in the ROD did not perform satisfactorily during the RD pilot scale testing and a decision is made to switch to another remedy. This would represent a fundamental change. If, as a result of PRP negotiations, the remedy in the ROD is changed from incineration to bioremediation, this also represents a fundamental change. When such fundamental changes or amendments are made to a remedy, the ROD process (revised proposed plan, public comment period, public meeting, responsiveness summary, and amended ROD) should be repeated. The amended ROD must be placed in the AR. A fundamental change to the ROD should be recorded as a new ROD in CERCLIS. Regions will receive SCAP/STARS credit for amended RODs.

A HQ/Regional workgroup is being developed to determine how ROD changes should be recorded in CERCLIS. Additional guidance will be prepared and addenda to the Manual may be issued. Further information on ROD changes can be found in "Interim Final Guidance on Preparing Superfund Decision Documents," OSWER Directive 9355.3-02. Copies of all RODs and amended RODs should be sent to HSCD and CED.

Planning for Response Mega-Sites

FY 92 Regional requests in CERCLIS for RI/FS starts should be limited to an average of $750,000 per project, and all ongoing Fund-financed and PRP RI/FS should be fully funded. The $750,000 limit and full funding requirement do not pertain to response mega-sites (sites with total RI/FS projects in excess of or expected to exceed $3 million). There are over 20 sites nationally that currently come under the mega-site definition. In light of increased stress on the Superfund budget, a national initiative is being undertaken to scrutinize the management plans for these sites. The mega-site management plan should characterize site problems and management options. Mega-site management plans require joint development by response and enforcement personnel including ORC. The purpose of the plan is to document the Region's approach for managing the site, to identify coordination options, and to project total resource requirements for the site. Mega-site management plans are to be completed annually and submitted to HSCD by January 31, 1992, so funding issues can be resolved prior to the development of the operating plan for FY 93. All mega-site plans will be reviewed with respect to the following three criteria:

- Enforcement strategy and approach—Has a comprehensive PRP search been conducted? If PRPs were found, was general and/or special notice with a model AOC issued? Were negotiations conducted? Were actions taken (e.g., NBARs, de minimis settlements) to maximize PRP participation?

- Financial obligations—Is the schedule for obligations and outlays of funds clearly defined? Does the timing of these optimize the use of funds in the context of the overall site strategy?

- Technical approach—Is the technical approach employed at the site consistent with technical guidance and policy? Does the technical approach optimize use of Fund money in the context of the overall site strategy? Decisions on funding multi-source ground water sites will be based on technical guidance.

The relative priority of the RI/FS, based on the Region's RI/FS priority setting evaluation, and the degree of risk reduction that may be achieved will also be factors during the review of the plans and in the funding decisions.

HQ will provide feedback to the Regions on their mega-site plans. Technical assistance on mega-site plans can be obtained from HSCD Remedial Operations and Guidance Branch.

Treatability Study Planning

The performance of treatability studies during the RI/FS is a priority for the remedial and enforcement programs. Separate identification of this work allows the program to determine and explain the impact of treatability studies on RI/FS and RD costs and schedules. Since funds for treatability studies are not included in the $750,000 per OU and $1.1 million per site RI/FS cost, or the $250,000 for enforcement oversight costs, it is necessary to establish treatability studies as a separate event code ("TS") in CERCLIS. Funds should be planned site specifically and planned and actual start and completion dates are required.

Superfund Innovative Technology Evaluation Program

The purpose of the SITE program is to assess new technologies for the treatment of hazardous waste in order to develop permanent technologies. The SITE demonstration program sponsors pilot and full scale treatability studies at Superfund sites. The participating developers mobilize and operate their equipment during the test period. The EPA Office of Research and Development (ORD) develops the test plan, provides for site preparation, funds sampling and analysis, and prepares the documentation.

Technologies enter the program through an annual solicitation. Proposals are reviewed for their technical merit and applicability to Superfund problems. Approximately 37 developers are currently in the program and approximately 10 new developers are added each year. Once new technologies are accepted, it is necessary to find demonstration sites. A memorandum is sent to the Regional Division Directors requesting the nomination of potential locations for testing the technologies. All projects should be considered regardless of the entity performing response activities at the site. Special consideration is given to selecting sites where the data will provide useful information for the ROD or RD.

As a result of a recent Office of the Inspector General (OIG) audit of the SITE program, a reporting measure was added to STARS — RI/FS Projects Nominated for the SITE Program. When a site is nominated by the Region for a SITE technology, the Region should enter an EP-lead (in-house) treatability study (TS) with an "A" (alternative) Activity/Event Planning Status (C2110) into CERCLIS. The date of the memorandum nominating the site for the program should be recorded in the plan start data field (C2130). When the site is accepted by HQ and matched with a technology, the actual start date should be entered and the Activity/Event Planning Status (C2110) should be changed to a "P" (primary). (See Exhibit V-21 for an example of the coding of sites.) The definition of the start and completion of this measure can be found in Appendix D. IMCs should work with the SITE coordinators in the Regions to determine when information needs to be added to CERCLIS.

Project Support Activities

Regions are not required to plan or report the start or completion of project support activities (CR, technical assistance, support agency management assistance, etc.). Because of workload model impacts, this does not apply to treatability studies, O&M or LTRA. During the

Exhibit V-21

SITE PROGRAM CODING

Site Nominated

OU (C1101)	EVENT (C2101)	LD (C2117)	EVENT PLANNING STATUS (C2110)	PLAN START (C2130)	ACTUAL START (C2140)	PLAN COMPLETE (C2131)	ACTUAL COMPLETE (C2141)
01	TS	EP	A	7/25/90			

Site Matched with Technology

OU (C1101)	EVENT (C2101)	LD (C2117)	EVENT PLANNING STATUS (C2110)	PLAN START (C2130)	ACTUAL START (C2140)	PLAN COMPLETE (C2131)	ACTUAL COMPLETE (C2141)
01	TS	EP	P	7/25/90	10/13/90	5/20/91	

development of the budget, funding needs can be planned site specifically or non-site specifically by event type in CERHELP. During the operating year, activities needing funds in the upcoming quarter must either be planned site specifically in CERCLIS prior to generation of the CERCLIS AOA report or a quarterly breakout (by activity) of the annual funding need must be provided in CERHELP.

If the Regional project support budget is established non-site specifically then, regardless of whether the quarterly planning is site or non-site specific, the total annual project support budget must be reduced by the quarterly funding needs prior to HQ placement of the AOA in CERHELP. If a Region plans project support activities non-site specifically, the planned funding amount in CERHELP must be reduced as the site specific funding documents are processed (See Chapter VI on handling financial data in CERCLIS). Failure to make these adjustments could cause the Region to exceed its annual budget and result in approval of their AOA being withheld.

Regions should also plan the conduct of aerial surveys and topographical mapping by the Environmental Management System Laboratories (EMSL) in CERCLIS. Prior to the August FY 92 target and budget negotiations, EMSL will contact each Region to determine Regional needs for aerial surveys and topographical mapping. Based on Regional response, HQ and EMSL will generate a list of sites and funding needs. This information will be forwarded to the Regions in the June call memorandum. Regions should review the sites and funding requirements in the call memorandum and verify their accuracy by recording site specific topographic mapping (C2101="TO") and/or aerial surveys (C2101="AS"), the FY/Q planned obligation and funding amount in CERCLIS. A funding status (C3225) of "APR" (approved) and a HQ budget source code (C3229="D" or "M") should be used for the funds needed at the sites identified in the

memorandum. HQ will set aside a budget for EMSL, off the top of the national budget, based on the funding needs identified for these sites. If a Region has a need for EMSL's services at sites that were not on the list, it should identify the need in CERCLIS. However, these sites/needs must be funded from the Region's annual budget.

Funds from the Regional allowance can be obligated through a Procurement Request (PR) transferred to EMSL or through the change request procedures. The change request would keep the funds under TFAY9A and show the Allowance Holder as 60. The purpose should be shown as Aerial Surveillance. Regions must be sure to change the budget source in CERCLIS to a HQ account after the change request is processed. (See Chapter VI for additional information on budget source codes and change request procedures.) If a change request is used or the services were funded from the HQ account, Regions should follow up with a letter to EMSL detailing the site names and/or specific instructions.

A Region may also request technical assistance from another entity within EPA (i.e., ORD). To the maximum extent practicable, the necessary funding should be planned in CERCLIS prior to the FY. Funds may be transferred to the other entity through a PR or an AOA change request. The AOA change request is the preferred method. In either situation, an SOW should be prepared before the paperwork is processed. The SOW should clearly identify the tasks that will be performed, any deliverables that are required, the timeframes for performance, and the funds that will be transferred.

The lead code for project support activities should be the entity that is funding the work. For example, the lead for Fund-financed CR at a RP-lead RI/FS should be F.

Technical Assistance Grants

The Region should budget TAG funds at Fund or PRP-lead sites based on their knowledge of which communities may request such grants. Since many communities may decline to apply for various reasons, the Region should not assume that every NPL site will require a TAG. Funds for TAGs at Fund-financed or RP-lead sites are in the response budget. TAGs at Federal Facilities are funded by the Federal Facility budget. Regions should negotiate reimbursement of TAG costs at the Federal Facility during IAG discussions. The Regions are to administer the TAGs at Federal Facilities.

Assignment of Remedial Response and Oversight Work

Nationally there are four primary entities available for assignment of Fund-financed remedial activities. They are the State, ARCS contractors, USACE, and BUREC. Each of these entities has the capacity to do a certain amount of Superfund work. It is essential that the assignment of work be balanced with the capabilities of the various entities.

If EPA and the State decide that EPA will take the lead for remedial activities, the following must be considered when making a decision on who will perform the work:

- ARCS contractors should receive a significant number of new remedial projects in FY 92;
- ARCS should be tasked to provide oversight of PRP projects if the project will continue beyond FY 93;
- USACE should conduct the RD and RA for all projects with an estimated RA cost of over $15 million;

- USACE should conduct the RA projects with an estimated RA cost between $5 and $15 million, USACE or ARCS contractors can perform the RD. If an ARCS contractor is selected to do the RD, the USACE should provide technical assistance review of the RD to assure its quality;

- RAs with a construction value of less than $5 million may be performed by USACE or the ARCS contractors;

- USACE may be tasked to review RI/FS projects or provide oversight of PRP RI/FS projects;

- USACE may be tasked to review PRP RDs and provide oversight of PRP RAs. Assignments to USACE for oversight of PRP RD or RA projects should be accompanied by a start up period of training and Regional orientation; and

- USACE should always receive PRP oversight assignments where USACE performed the RD and the PRP took over the RA.

As a reminder, when RD and RA assignments are planned for different entities, a smooth transition is necessary. This can be easily achieved by giving a technical assistance assignment to the entity that will be performing the RA during the RD. The purpose of the assignment would be to review the plans and specifications for biddability, constructability, operability, and claims prevention. The entity that performed the RD should also be retained during the RA in a technical assistance role for design clarification, change order review, etc.

In-house RI/FS

The Superfund Management Review recommended all Regions initiate in-house RI/FS projects. The objectives of the in-house RI/FS are to:

- Increase the RPM's awareness of available in-house resources;

- Enhance the RPM's project management skills;

- Reduce RI/FS costs by reducing contractor involvement; and

- Improve the training of junior RPMs.

Two approaches are being used for the in-house RI/FS process:

- A seasoned RPM manages the project and performs many of the tasks that, for other RI/FS projects, are routinely performed by contractors; or

- For each RI/FS, an RPM team is established to perform most of the required tasks. The team consists of a seasoned RPM (group leader and mentor) and junior RPMs. Matching new and experienced RPMs provides the new RPMs with the needed experience at the same time that it ensures reasonable cost control and quality of the project.

The general theme for either approach is the same, use non-contractor resources to accomplish most, if not all, of the standard RI/FS tasks. (Non-contractor resources include EPA Regional staff and personnel from other EPA offices or other Federal agencies.) Initial project

planning should assume that the RPM team will be directly involved in every task. As planning progresses, the Region is responsible for determining the mix of contractor and non-contractor resources most appropriate for a particular task. However, if the team approach is used, the group leader/mentor should ensure that each team member is exposed to as many RI/FS tasks as possible.

All Regions were requested to undertake an in-house RI/FS in FY 91 and the program is expected to continue in FY 92. Each in-house RI/FS will receive 150 percent of the normal FTE and as much as $400,000, primarily for contractor drilling support or tasks that cannot be performed in-house. The decision to perform an in-house RI/FS is the Region's and is dependent on the sites or projects in the Region where the RI/FS has not started. Selecting an appropriate site for an in-house RI/FS will increase the probability of successfully completing a project and meeting the objectives of the in-house RI/FS initiative. As a general rule, smaller, less complex sites should be chosen. At the same time, sites should be complex enough that a wide assortment of RI/FS tasks/skills will be required. A second important consideration is the proximity of the site to the Regional office. Lastly, selecting sites for which the Region has previous experience may allow for a more streamlined and focused study.

ARCS Coding

The ARCS was developed in response to the need for additional competition and the desire for more contractors in the remedial contracting program. The strategy builds on the concept of rewarding good performance on the part of the contractors by assigning more work to good performers.

Each Region or group of Regions has a set of contractors to which remedial planning, design, and construction management work may be assigned. Each contract has a small base quantity of work and many options for additional work. With ARCS, Regions will have complete responsibility for contract management.

It is essential to the integrity of the ARCS concept that the work be distributed evenly to all contractors during start up. This will ensure a sound basis for evaluation and decisions regarding future assignment of work. It is also important for Regions to establish systems for monitoring, analyzing and projecting program management costs which will become part of the SCAP negotiations.

In order to convey ARCS contract information to HQ, the five character Financial Vehicle data element in CERCLIS (C3239) will be used to identify the type of contract, the Region, and the name of the ARCS contractor. If an entity other than the ARCS contractor will perform the work, the first three positions of the five character Financial Vehicle element are used to identify the type of contract and the last two characters should be blank. For example, if the activity is assigned to the USACE, the Financial Vehicle entered should be "COE" ("BUR" for Bureau of Reclamation projects). If the activity is assigned to ARCS, the first three characters of the Financial Vehicle data element should be "ARC." The fourth and fifth characters identify the particular ARCS contractor. Exhibit V-22 contains the codes to be placed in characters four and five based on the existing ARCS contractors. If new contractors are awarded contracts, the Region should contact HQ and a new code will be reserved for that contractor. During event/activity planning stages, work that will be assigned to the ARCS contractors should be identified by placing "ARC" in the Financial Vehicle. The name of the ARCS contractor should be placed in CERCLIS when inputting the actual obligation data. The Region should place the funds needed for ARCS program management in the CERHELP data base by contractor.

Exhibit V-22

ARCS CONTRACTOR CODES

CONTRACTOR	CODE
Arthur D. Little	00
Bechtel	01
Black & Veatch	02
CDM	03
CH2M Hill	04
Donohue & Associates	05
EBASCO	06
Ecology & Environment	07
Fluor Daniel	08
ICF	09
Jacobs Engineering	10
Malcolm-Pirnie	11
Metcalf & Eddy	12
Morrison & Knudson	13
NUS Corporation	14
PRC Environmental	15
Sverdrup	16
TAMS Consultants	17
Tetra-Tech	18
TRC Environmental	19
URS Corp	20
Roy F. Weston	21
WW Engineering	22

If Regions are planning to use ARCS contractors and pay for them through the Case Budget, the same codes should be used.

ENFORCEMENT PLANNING AND REPORTING REQUIREMENTS

Mixed Funding Settlements and Cash outs

The term "mixed funding" is used generically to refer to three types of settlements:

- Preauthorization (MR lead);
- Mixed work (two or more OUs or phases, RP and F or S lead); and
- Cash outs (F, S, MR, or RP lead).

Preauthorization occurs where PRPs reach a settlement with EPA whereby they agree to perform a share of the response actions, and the Agency agrees to reimburse some part of their

expenses. These are coded in CERCLIS (C2117) as 'MR' lead events. Mixed work occurs where PRPs and EPA agree to jointly work on a project or where work may be divided between the parties. No reimbursement to the PRPs occurs. Mixed work should be shown as separate OUs or phases in CERCLIS. OUs or phases where the PRPs are performing the work should have 'RP' lead (C2117) events. The lead for events at the OUs or phases where Fund-financed activities are being performed should be 'F' or 'S'. Funds for mixed funding settlements and preauthorization must be planned and are part of the Region's response budget.

A cash out is money received by EPA, a State, or another PRP under the terms of a settlement agreement that is intended to pay, in whole or in part, the future costs for a response action that is to be implemented at a specific Superfund site. EPA strongly prefers that PRPs agree to perform the response action. The two primary circumstances when cash outs may be acceptable are de minimis settlements and settlements with PRPs (i.e., owners/operators) that lack resources to perform the response. In other very limited circumstances, cash outs with major parties may be acceptable. (See "Evaluating Mixed Funding Settlements Under CERCLA," OSWER Directive 9834.9, March 14, 1988.)

The terms and conditions of the cash out settlement should be documented in an AO or CD. The AO or CD must address the disposition of the monies. The two major considerations are 1) whether all or part of the funds are for future expenses or past costs, and 2) whether it is expected that other PRPs or EPA will perform the work. It may also include future cost provisions for any portion of the cost for the expected remediation efforts at the site and premium payments.

The response work at these sites may be performed by EPA, the State or other PRPs using cash out funds. In situations where EPA or the State will be performing the work, response events in CERCLIS (C2117) should be coded 'F' or 'S'. In a mixed funding situation, where the Fund and PRPs contribute to the cleanup but the PRPs conduct the work, an 'MR' lead (C2117) should be assigned. If the PRPs, both de minimis and non-de minimis, assume funding and oversight responsibility for the site, response events should have a lead (C2117) of 'RP'. Chapter VI contains information on the financial aspects of a cash out settlement.

Planning for Enforcement Mega-Sites/Projects

An enforcement mega-site is a Superfund site that contains unusual characteristics that separate it from a typical site or project. These sites have projects that require more than twice the average level of extramural resources to be managed. The characteristics of the sites or projects include, but are not limited to:

- Large geographic area defining a site (e.g., Clark Fork);
- Sites that are part of an area wide problem (e.g., San Gabriel);
- Sites that have an unusual level of community involvement requiring an above average level of attention (e.g., Love Canal);
- Sites with a large number of PRPs that refuse to form a coalition, thereby making the negotiation and settlement process difficult (e.g., Maxey Flats);
- Sites receiving national attention (e.g., Times Beach/Ellisville); and
- Complex litigation issues (e.g., Hardage).

Regions should be aware that the response definition for mega-sites is sites where the total RI/FS costs exceed or are expected to exceed $3 million. Instructions for planning response mega-sites are found earlier in this Chapter in the section titled Planning for Response Mega-Sites.

Resources are set aside in the Case Budget to address enforcement mega-sites. Regions are required to submit mega-site management plans to HQ by June 30, 1991. The methodology for the distribution of resources for enforcement mega-sites is defined in the Case Budget section of Chapter VI.

PRP Removal

For non-NPL sites, PRP searches should be initiated as soon as a removal candidate has been identified. Before most time critical and non-time critical removals are initiated, the baseline phase of the search should be completed and the follow up phase started. This allows for timely negotiations for AOs (unilateral or on consent) to begin before the start of the removal. PRP searches also support possible cost recovery actions. Regions are required to report:

- PRP search start and completion dates, and outcome;
- AO completion date, compliance status, removal remedy, value of removal;
- Removal start and completion dates, and lead; and
- Other technical data required by the removal program.

Notice letters to owners, operators and other identified PRPs should be sent and negotiations conducted before the removal is initiated, time permitting. Oral notice, followed by written notice, should be given in emergency situations. For certain non-time critical removals that are major response actions, the special notice procedures of Section 122(e) should be employed. Where special notice is not employed, written notice under Section 122(a) must be given.

Regions should issue AOs (unilateral or consent) at every removal action where viable PRPs have been identified. Unless time is a factor, an AOC is sent to the PRPs before a UAO is issued. Factors which may justify Fund financing without an order include technical difficulty in defining the steps to be taken; unique technical complexity; inappropriateness of allowing a particular PRP to do the work; and insofar as resources are constrained, very low cost of remedy. In some cases, a UAO can be converted to an AOC, but this should be done without delaying PRP response. Oversight costs should be taken into account in negotiations, particularly for large removals.

Action memoranda should be issued at all sites prior to initiation of the removal regardless of who is performing the response. It is particularly critical where PRPs are performing removals, to provide for sufficient documentation and guard against subsequent 106(b) petitions for reimbursement, especially if a UAO is issued.

Once RP-lead removals have begun, EPA will have an active oversight role, including on-scene presence. Contractor assistance is available if needed. Where PRPs are not complying with the order, they should be notified in writing what the deficiencies are and when they occurred. Regions should be prepared to enforce the terms of the order via stipulated penalties,

statutory penalties, or other sanctions when the PRPs have violated some terms of the order but are in compliance with other terms. When UAOs are issued and the PRPs are out of compliance and not performing the response action, treble damages should be sought during cost recovery where possible. Due to the time-critical nature of the removal program, Regions should be prepared to quickly move forward with a Fund-financed response if the PRPs do not comply with the order.

Regions should use judicial action to seek preliminary relief only in exceptional circumstances. Regions should track the PRP's compliance status in CERCLIS. Regions must also develop ARs to accompany their actions at removal sites. The date the AR is compiled and available at the local repository must be recorded in CERCLIS. In addition, a 'V' must be recorded in the Event Qualifier field (C2103) to indicate that the AR is for a removal activity.

Pre-RI/FS Enforcement Activity (PRP Search/Negotiations)

For sites likely to be added to the NPL, PRP searches should start concurrent with the ESI or, at the latest, the initiation of the listing process. The PRP search should be managed — including follow up, civil investigator assistance, and ORC review — to assure that: (1) PRPs, particularly generators, are identified early, (2) general notice is issued well before RI/FS special notice to enable PRPs to organize, (3) information related to PRPs is obtained months before the RI/FS special notice, and (4) special notice is issued at least 120 days before the planned RI/FS obligation date. Information requests should be followed up to assure they are as comprehensive as possible. If there is non-compliance with the information request, Regions should issue a 104(e) referral to compel response. To the extent available, information required for special notice should be presented to PRPs before the actual special notice is issued. Regions are required to record dates associated with general notices, SNLs, and information request letters in CERCLIS. Copies of notice letters should be sent to the Program Management Support Office (PMSO) in OWPE so information can be recorded in the Superfund Enforcement Tracking System (SETS).

PRP searches should be completed prior to negotiations when possible and should be planned in advance to avoid delaying a scheduled RI/FS start date. Upon completion of the first phase of the PRP search Regions are required to record the outcome in CERCLIS. A decision on the outcome should be made based on existing information and the Region's best judgment. This outcome code should be updated as better information becomes available. Valid outcome codes (C1719) are:

- NV - Search complete, no viable PRPs, orphan site;
- VC - Viable PRPs cannot do the work; and
- VP - Search complete, viable PRPs.

Regions should be prepared to move quickly through the negotiation process. This can be accomplished through:

- Developing a SMP and negotiation strategy in conjunction with the State and ORC. Guidance on SMPs is currently under development;
- Using a model order;
- Scoping the RI/FS;

- Providing a draft of the model order and statement of work for the RI/FS with the special notice; and

- Establishing interim milestones to judge whether real progress is being made. Milestones should be shared with the negotiating parties.

The Regions have the option of starting discussions with PRPs before, as well as during the initial 60-day moratorium period. In addition, costs for ongoing or completed response actions, such as removals should be documented in advance and included for cost recovery in RI/FS negotiations.

The PRPs who receive special notice have 60 days to submit a proposal to undertake or finance the RI/FS. During this 60 day period, EPA may not initiate the RI/FS. Additional studies or investigations authorized under Section 104 may be initiated and nothing precludes EPA's authority to undertake response or enforcement activities regarding a significant threat to public health or the environment. The Regions may initiate a scope of work or a negotiations support document which should be funded by Case Budget. These activities are to be funded under RI/FS negotiations. The scope of work or negotiations support document should be provided to the PRPs when notice is given so they can prepare an adequate proposal.

RI/FS Settlement and Oversight

Settlements with PRPs for RI/FS are typically accomplished through an AOC or in rare circumstances by CD or UAO. AOCs are preferred. In any case, the settlement document should include either a workplan prepared by EPA using Case Budget funds or a detailed SOW with a workplan to be developed according to EPA guidance manuals. A well-defined schedule that lists deliverables and milestones should also be included. If a Region settles through a CD, a copy of the CD should be sent to the Chief of Compliance Branch, CED in OWPE.

EPA is required to use third party assistance in oversight of RP-lead RI/FS through the TES contract, ARCS, other Federal agencies (e.g., USACE) or States. Regions should constrain the use of TES beginning in FY 92 because of the implementation of LTCS and TES contract close-out. Oversight resources are obtained through the Case Budget. At the time of settlement a detailed oversight plan should be developed identifying intramural and extramural resource needs. Oversight should include active field oversight as well as desktop review of engineering reports and other deliverables. **Oversight must be tracked and billed to PRPs. Collection of oversight funds should be tracked.** In addition, Regions must ensure compliance with the cleanup standards in Section 121. RPMs must keep up with the progress of RP-lead RI/FS as if it were an EPA contractor performing the work. Where delays or inadequacies are noted, prompt action, including assessment of penalties, should be taken. Regions must maintain the PRP compliance status code (C1725) in CERCLIS.

Pre-RD/RA Enforcement Activity — RD/RA Negotiations and Oversight

Prior to completion of the draft FS, Regions should undertake considerable planning, including: (1) developing an enforcement strategy that includes activities, responsibilities and dates; (2) reviewing PRP search information for completeness; (3) considering settlement options, mixed funding and de minimis and discussions with PRPs before the special notice; (4) documenting past costs (e.g., RI/FS) to include in RD/RA negotiations; (5) preparing SNL and accompanying draft CD. To assist the Regions, a model CD was developed and should be used as needed.

SNLs for RD/RA should be planned and issued about the time of ROD signature. PRPs have 60 days in which to submit a GFO after receiving notices. If a GFO is submitted in that timeframe, another 60-day period follows for negotiations. If a GFO is not submitted, negotiations should be terminated. Ideally, RD/RA negotiations should not last longer than two quarters post ROD signature. The moratoriums established in the SNL should be honored. Negotiations should be completed and settlement reached within the timeframes or a UAO should be issued to viable and liable PRPs. PRPs have 30 days to provide notice of intent to comply. Negotiations are completed when the CD or referral without settlement is sent to HQ or DOJ, a UAO is issued, a trial is started or the RD is funded. During the moratorium, EPA may not initiate RA. However, additional studies authorized under Section 104 and 122 may be initiated during the negotiation period. Initiation of RD during the moratorium period will only occur in exceptional circumstances and must have advance concurrence from HQ.

In order to proceed through negotiations expeditiously, a coordinated team effort involving the program, ORC, DOJ, the State, and HQ is required. This begins with the drafting of a SMP/Case Management Plan and development of a negotiation strategy and pre-referral package. The negotiation team should identify potential settlement issues up-front and be prepared to address them. Every attempt should be made to complete negotiations within 120 days. However, in accordance with the streamlined settlement guidance, Regional Administrators may extend the negotiation period for up to 30 days. Further extensions require the approval of the OWPE Office Director.

If it appears negotiations will be extending beyond the 120 day negotiation moratorium, RPMs should notify and coordinate with the OWPE Compliance Branch Regional Coordinators. At least one week prior to the end of the Regional Administrator's extension, the Region should send their additional 30 day negotiation extension request to the AA SWER. A copy of this request should be faxed or mailed directly to their Regional Coordinator. The extension request should contain the following:

- Brief background summary;
- Status of negotiations;
- Likelihood of settlement;
- Information on whether the Region has begun drafting a UAO;
- A specific date when the UAO will be issued; and
- An indication of the extent to which both ORC and DOJ concur in the proposed approach to resolving negotiations.

Regions are urged to use UAOs when negotiations are protracted. In addition, where the negotiations do not produce agreement and there are viable and clearly liable PRPs, UAOs should be considered to obtain treble damages or as a step prior to referral. Regions are required to consult with HQ prior to making a decision not to issue a UAO to liable and viable PRPs and fund the RD.

When negotiating settlements for RD/RA, Regions should consider using the model CD and including a provision in the CD allowing PRPs to begin the RD prior to lodging or entry. AOCs for RA are not permitted. Regions should send a copy of the CD and the 10 point referral document to the Chief of Compliance Branch, CED in OWPE and to OE.

Oversight of PRP lead RD/RA is performed primarily through ARCS and USACE, although some TES oversight capacity exists if the project will be ending before FY 93. Regions should seek payment of oversight costs in all settlements, as well as past costs of RI/FS and other removal response costs. Where a partial settlement occurs, Regions should aggressively pursue non-settlers. This may include the use of Section 104(e) information enforcement, as well as 106 litigation and 107 cost recovery. The status of the PRP's compliance with the UAO or CD must be updated monthly in CERCLIS.

Section 106 Injunctive Referrals and Administrative Activity

Section 106 injunctive referrals for RD/RA without settlement are a major enforcement tool for Superfund. At the end of negotiations, if the decision is made to proceed with a Fund-financed RD, monies will be available. However, funds for RAs may be constrained. If RA funds are not available, Regions should reconsider issuing a UAO or pursuing Section 106 litigation if there are viable PRPs at the site. (The decisions on which sites will be funded will be based on the environmental priority setting factors. See Chapter I.)

The administrative authority under Section 106 should be used at all sites that meet the criteria outlined in OWPE guidance ("Guidance on CERCLA 106(a) Unilateral Administrative Orders for Remedial Design and Remedial Actions," OSWER Directive 9833.0-1(a), March 7, 1990), to bring PRP negotiations to a close or compel PRP response at the site. A UAO should be issued if a GFO is not submitted within the negotiation timeframes identified or a settlement is not reached at the end of the moratorium and the PRPs are liable and viable.

In most cases, Regions should plan that RP-lead RI/FS projects without settlement, funding, or compliance with a UAO for RD/RA will be candidates for referral as Section 106/ 107 judicial actions. Section 106/107 actions are expected to become easier, given review of remedial decisions on the AR, and the general success in motions for summary judgments on liability.

CERCLIS should be updated monthly with actual dates of referrals or orders issued, response remedy sought/obtained, compliance status, milestones, dollars sought (in case of a Section 106/107 referral), value of RP work to be performed, and dollars recovered.

Cost Recovery

Cost recovery actions are one of the highest Enforcement program priorities in FY 92. Consistent with the priorities matrix, Section 107 SOL referrals are the highest priority, followed by non-SOL referrals. Sites ripe for cost recovery include non-SOL sites with completed removal, completed RI/FS, and each RA where on-site construction has started. Regions should have a completed PRP search and information about the liability and viability of the PRPs; totals for funds obligated/expended; removal, RI/FS and RD completion dates; RA and RA on-site construction start dates; and SOL dates. The following is a list of cost recovery programmatic strategies:

- Where there are viable PRPs, costs should be documented and a demand letter sent prior to or concurrent with cost recovery actions. The date the demand letter is issued should be recorded in CERCLIS;

- Where there is a partial settlement, an action against viable non-settlers should be pursued promptly (before the response begins) and treble damages should be pursued if a UAO was issued;

- Treble damages should be sought in the referral where UAOs are violated;

- Each Region should issue demand letters and pursue administrative settlement for response activities less than $200,000, if resources are available. The use of ADR is encouraged. EPA will refer some cases where the PRPs did not respond to the demand letter; and

- Cost recovery decision documents should be initiated for all cases when a decision not to pursue some or all costs has been made. Prior to making this decision, particularly for large RAs, the PRP search is to be reviewed by a civil investigator and supplemented as necessary (PRP search follow-up phase). As soon as a preliminary decision is reached, the date of the cost recovery decision document and the funds that will not be recovered should be entered into CERCLIS. If the decision is preliminary, a planned date should be entered into CERCLIS for the final decision document.

The following is a list of possible SOL issues and methods for recording data in CERCLIS:

- Referrals for all removals greater than $200,000 must be planned in order to be filed in court within one year of completion of the removal, if resources are available. In no event should the referral be later than three years from the date of completion of the removal, unless there was a Section 104(c)(1)(C) waiver or there clearly will be physical initiation of on-site construction of the RA within three years. It generally takes three to six months from referral to filing, but may take longer for complex sites;

- Referrals for RI/FS and RD should be planned to be filed within two years from completion of the RI/FS or RD unless there is physical on-site construction of the RA within three years;

- If an RA on-site construction is started within 3 years of a removal completion, RI/FS completion or RD completion, the SOL date for that component is 6 years from the on-site construction date;

- Referrals for remedial activities should be planned within a year of the RA start, if resources are available. If a RI/FS referral was conducted separately or there are no unreimbursed past costs, a referral should be initiated when RA funds have been expended unless special circumstances exist (i.e., non-settlers); and

- For cost recovery referrals and administrative settlements, CERCLIS data requirements are the following:

  - Plan/actual start and completions;

  - Value of referral/settlement;

  - Remedy; and

  - Activity level indicator flag for settlement.

Negotiation of IAGs or other Federal agency compliance agreements should include a provision for recovery of past Fund expenditures, including EPA oversight costs.

As part of cost recovery management and preparation for civil referrals, Regions should plan supplementing PRP searches, assembly of ARs, cost documentation, and demand letters. In addition, planning for RI/FS and RD/RA negotiations should include cost documentation of past removal and RI/FS costs. Finally, oversight cost recovery and accounts receivable must be managed.

State Enforcement

Regions are required to report progress on State Enforcement lead sites as they would any other site. This universe includes work financed by the PRP under a State order or other comparable State enforcement document with PRP oversight paid for or conducted by EPA (PS-lead), and work financed by the PRP under a State order or other comparable State enforcement document and no EPA oversight support or money is provided (SR). While this information is sometimes difficult to obtain, Regions should make reasonable efforts to get and report these data in CERCLIS. HQ will be tracking State orders and other comparable State enforcement documents through the SCAP reporting measures - State CDs for RD/RA issued and State orders for RI/FS issued.

By definition, SR-lead activities/events should have no planned obligations. Funds for State oversight are awarded through CAs. Funds for oversight of PS-lead RI/FS projects are provided by the Case Budget. Funds for RD/RA oversight are provided by the response budget.

FEDERAL FACILITIES

Federal Facilities may be tracked in CERCLIS as one site/incident or as multiple sites in the case of complex facilities. In most cases when a Federal Facility is included on the NPL, the entire facility is addressed. Within CERCLIS, an OU at a Federal Facility will generally address a grouping of waste release areas that have similar characteristics or that are in close proximity. EPA has issued detailed guidance for coding events and enforcement activities at Federal Facilities, which is contained in Appendix I.

In FY 92, the focus of the Federal Facility program will be to implement completed IAGs at all NPL facilities, to establish priorities for quick response actions at facilities posing the greatest risk to human health, and to stress efficiency through streamlining and multi-media enforcement and program integration. OFFE will be taking initiatives to streamline program activities, to focus enforcement actions, and to coordinate and communicate closely with other Federal agencies and multiple media programs to implement an effective multi-media enforcement approach. For example, reduced oversight at facilities that have demonstrated consistently high performance in field activities, self-auditing, compliance, and response will be examined as a means to maximize the benefits from available Government resources.

EPA's policy is to enter into Section 120 IAGs with all Federal Facilities proposed to or on the NPL. The scope of these IAGs includes the RI/FS phase as well as the RD/RA phase. Where appropriate, and in conjunction with the RCRA program offices, these IAGs can be used to satisfy RCRA corrective action requirements. The concept is to use CERCLA to satisfy RCRA so that only one set of requirements is applied to avoid redundant and duplicative efforts. In some cases, however, a combined RCRA/CERCLA permit/IAG approach may be taken when the situation warrants such an approach, e.g., at Department of Energy (DOE) weapons complex

facilities, or when the State or EPA RCRA program has compelling interests at units on a facility. Pre-planning, coordination among appropriate offices, and definitive "scoping" of a Federal Facility are necessary factors for successful IAG execution and site remediation.

Regions should follow the Federal Facility negotiation policy for addressing Federal Facilities. In essence, the policy is as follows:

- Establish 90 day IAG negotiation periods. Schedules for all ongoing or planned negotiations are to be forwarded to HQ two weeks prior to each quarter;
- Address the RCRA/CERCLA issues prior to the negotiation period in conjunction with the State and RCRA program offices;
- Issue a Federal Facility notice letter to the facility establishing the negotiation time frame;
- Conduct three-party negotiations. The 90 day period may be extended 30 days if settlement is close; and
- If issues still remain after the 90/120 day period, the IAG is to be elevated to HQ for dispute resolution. Along with the elevation, the Region should recommend either a Section 106 AO or two-party agreement in the event that the HQ resolution fails. If a settlement is not reached, either the Section 106 AO will be referred to DOJ or the Region will enter into a two-party agreement, depending on which is appropriate.

In situations where a Federal agency is a PRP at a private site, the agency is to be treated the same as a private party. Cash outs with premiums with the Federal agency may expedite RI/FS and RD/RA negotiations. Similarly, at formerly-owned sites with multiple PRPs, the Federal agency is to be treated the same as a private party. At formerly-owned sites where the Federal agency is taking sole responsibility for the RI/FS and RD/RA, the Regions may use a Section 120 IAG approach.

CHAPTER VI

FINANCIAL PLANNING AND MANAGEMENT

CHAPTER VI- FINANCIAL PLANNING AND MANAGEMENT

ONE MINUTE PROGRAM MANAGER RULES

Following are the actions Regional managers must take to comply with the requirements described in this Chapter. In order to acquire a more in-depth understanding of these requirements, the Chapter itself should be read.

- Regions are required to plan their obligations within the program specific budget allocations given to the Regions prior to the July update.
- Funding needs within the budget allocation should have a funding priority status of "Approved." Funding needs above the budget allocation should have a funding priority status of "Alternate." HQ will not initiate negotiations with a Region until the "Approved" funds requested are within the budget allocations.
- Regions are required to operate within their final negotiated annual operating budget and quarterly AOA.
- RA projects ready to begin in the first two quarters will be funded on a first ready, first funded basis. These decisions will be re-evaluated at mid-year and throughout the third and fourth quarters.
- RI/FS costs should be reduced to a national average of $750,000 per operable unit and $1.1 million per site with the exception of mega-sites. RI/FS budgets will be developed based on these averages.
- No monies will be issued to the Region through the AOA process unless the appropriate project specific obligation and commitment data are reflected in CERCLIS.
- Regions must pull an AOA/Budget Control report from CERHELP and enter the AOA amounts for the upcoming quarter found in that report into the Integrated Financial Management System (IFMS) before the end of each quarter.
- Planned and actual obligations and open commitments in CERCLIS cannot exceed the annual Regional budgets or the AOA will not be approved.

CHAPTER VI- FINANCIAL PLANNING AND MANAGEMENT (continued)

ONE MINUTE PROGRAM MANAGER RULES

- HQ approval is not required to shift funds between projects within the other response, RI/FS, RD, removal, enforcement or Federal Facility AOA.
- CERCLIS must be revised to reflect change requests/SCAP amendments. HQ will not approve a SCAP amendment request or a change request until CERCLIS reflects the proposed revisions.
- Regions will not receive funds for an RA in their AOA unless the RA remedy technology type has been entered into CERCLIS.
- A Region will not receive funds above its annual Regional budget unless CERCLIS is revised and a SCAP amendment/change request has been approved by HQ.
- A Regional contingency account can "hold" remedial response funds (except RAs) made available as a result of PRP takeovers, RD bids coming in under projected amounts or when actual obligations were less than planned obligations.
- The contingency account must be reduced when the Region identifies uses for these funds.
- In the event of a funding shortfall, the Regional contingency account will be tapped as a first source of additional monies.
- **If a Region receives funds in their AOA which were not obligated during the quarter, the relevant planned obligation data in CERCLIS must be revised** or the amount placed in the contingency account. Failure to make this change in CERCLIS may cause a reduction in the next quarter AOA.
- Regions will receive their percentage of the annual removal budget if they have updated quarterly plans for those amounts in CERCLIS by the AOA pull date.
- Regions will not receive their third quarter AOA for a specific response category unless the commitment/obligation rate is 50% or greater in that AOA category during the first and second quarter.

CHAPTER VI- FINANCIAL PLANNING AND MANAGEMENT (continued)

ONE MINUTE PROGRAM MANAGER RULES

- Enforcement mega-site and litigation contingency funding needs must be coded in CERCLIS and formally requested from HQ.
- The enforcement AOA is issued based on the planned obligation in CERCLIS.
- Technical Enforcement Support (TES) work assignments are entered into CERCLIS.
- Site specific spending plans for the third and fourth quarters are required if the Region's unobligated enforcement allowance is greater than 30% at the beginning of the third quarter.
- Review the financial status of all contracts, IAGs and cooperative agreements regularly. If the required activities have been completed and there are funds outstanding, the outstanding funds should be deobligated immediately. Copies of deobligation documentation should be sent to the HQ Program Development and Budget Staff.
- When a funding document has been processed by the Region, the planned finanical data in CERCLIS must be deleted, and the commitment or obligation entered. Failure to make this change may cause a reduction or withholding of the AOA for subsequent quarters.
- **Regions will not receive their FY 92 second quarter AOA until the FY 91 financial data in CERCLIS and IFMS agree.**

CHAPTER VI - FINANCIAL PLANNING AND MANAGEMENT

This chapter discusses the impact of the SCAP process on the Regional operating budget and AOA and outlines Superfund financial management responsibilities.

In FY 89, the Agency began implementation of the new IFMS. IFMS is still in the developmental stages. As a result, many of the financial management systems decisions have not been made and the information in this Chapter may need to be revised. Addenda to the Manual may be issued later in the FY.

DEVELOPMENT OF THE FY 92 NATIONAL BUDGET

In FY 92 there are insufficient resources for all ongoing activities plus the new activities the Regions planned to begin. As a result, resource decisions were made based on the following program priorities and consistent with the integrated Priority Setting Matrix:

- Handle classic emergencies first;
- Make funding decisions, where resources are constrained, based on the worst problems first strategy;
- Support ongoing work to completion;
- Use enforcement tools to encourage PRP action;
- Fund response actions if enforcement cannot be used;
- Maximize cost recovery;
- Move sites to cleanup;
- Initiate new work to keep the pipeline full;
- Support long term goals via site assessment, removal, enforcement and State programs; and
- Maintain essential program management elements within the limited budgets.

Using these criteria, the response and enforcement programs made specific budget decisions. The budgets for these programs and the decisions that were made are discussed in the following sections.

Response Budget

The OMB pass back of the FY 92 response budget contains $896 million for direct cleanup activities, including RI/FS, RD, RA, removals, treatability studies, and laboratory support for response actions. An additional $34 million is available to support other response actions, policy support, information management, laboratory analysis for site assessment activities, the Technical Assistance Team (TAT), FIT and Mitre. In light of this, resources will be provided for:

- Removals at historical rates and within the budget constraints;
- Oversight of all RP-lead RD and RA projects;
- Ongoing RI/FS projects started as part of the "full funding strategy";
- All RD starts;
- The most threatening sites within the constraints of the RA budget; and
- PA and SI activities and RCRA EPI commitments.

To the greatest extent possible the following activities will be supported:

- New first and subsequent RI/FS projects;
- Listing of new sites on the NPL; and
- Support activities, such as the laboratory support resources.

Regions will not receive remedial funds for new or on-going projects at non-NPL sites.

Enforcement Budget

The enforcement budget for FY 92 is approximately $64 million. The budget provides support for PRP removals, PRP RI/FS starts, response negotiations, referrals, administrative and judicial cost recovery actions and project support activities. As with the response budget, decisions on which activities will be funded are based on the integrated Priority Setting Matrix. Within the matrix, the following activities are priorities:

- Maintaining ongoing PRP oversight and compliance enforcement;
- Maintaining ongoing litigation for response and cost recovery;
- Referring SOL removal and remedial cost recovery cases; and
- Negotiating PRP RD/RA response.

SCAP'S RELATIONSHIP TO ANNUAL REGIONAL BUDGET

The SCAP process is the planning mechanism used by the Superfund program to identify site assessment, remedial, removal, enforcement and Federal Facility funding needs for the FY. The planned obligations included in the second quarter SCAP update (February) form the basis for the Regional budgets for the next FY. The final annual Regional operating plan, and the associated budget, are a result of the August HQ and Regional negotiations on the proposed outputs and program budgets. Though Regions are required to operate within their final negotiated annual operating budget (except for RAs, which are funded in accordance with the RA funding strategy), adjustments within this budget can be made during the FY.

The actual allocation of funds is done through the Agency's Phase III Operating Plan. This plan is submitted to OMB prior to the start of the FY for apportionment of funds. After

OMB review and concurrence, the Operating Plan is submitted to the Congress for approval of significant reprogramming of funds. At this time, Congress may also modify the Operating Plan based on Gramm-Rudman requirements, shifts in emphasis among different environmental programs, etc. Changes made by Congress may affect the Regional budget negotiated in August.

Prior to the beginning of the FY, each Region will be given a proposed budget allocation for the site assessment, remedial, removal, enforcement and Federal Facility programs. The budget allocations are developed using the program/activity specific criteria discussed later in this section. Regions are required to plan their obligations within the program specific allocations; they are not required to plan obligations within the activity specific criteria. Final budgets will be developed upon completion of the fourth quarter negotiations between HQ and the Regions. Planned obligations for Regional activities (except RA) must fall within the total identified budget levels, and should be shown by entering "approved" ('APR') in the Funding Priority Status data field (C3225). Funding needs above the HQ proposed total budget level must be designated as "alternate" ('ALT'). This will allow HQ to see the Regional funding priorities, what activities will not be performed as a result of lack of funds, and provide the information needed for any supplemental funding requests. HQ will not initiate negotiations with a Region until the "approved" funds requested (except RA) are within the proposed total Regional budget levels. Planned obligations for RAs should be shown in CERCLIS using the criteria in Chapter I, Exhibit I-5. Fourth quarter FY 91 RA projects that will not be funded because of budget constraints should also be coded with an Event Planning flag of "Q" (queued) and a Funding Priority Status of "ALT" (Alternate). During fourth quarter negotiations, the planned start date for these projects should be changed to FY 92.

Following is an explanation of the criteria used to develop the Regional budgets.

Site Assessment Annual Regional Budget

The proposed Regional site assessment budgets were established based on the number of EPA and State-lead PA/SI completions, PA completions under EPI, ESI, , SI prioritization, NPL package development, Federal Facility PAs and Federal Facility NPL package development targeted in the March negotiations. PAs are priced at 120 Level of Effort (LOE) hours and $6,840, SIs at 400 LOE hours and $22,800 and ESIs at 1000 hours and $57,000 each. Management assistance or other forms of State assistance should be funded as project support or Core Program Cooperative Agreement (CPCA) funds.

Remedial Annual Regional Budget

Funding for RAs will be distributed to the Regions based on a combination of a first ready/first funded basis and the RA environmental priority setting approach presented in Chapter I. Once a project is ranked, it will be funded in order of relative priority until funds are exhausted. Based on the final national RA budget, a "funding line" will be established. Once an RA project has been placed in the funding queue and is above the "funding line," the funds necessary will be provided. Since the Regional RA budget is not developed prior to the FY, Regions have the flexibility to modify their RA funding request during the year based on updated information. The RA funding strategy will be reevaluated at mid-year and throughout the third and fourth quarters.

The criteria used to develop the other major portions of the Regional remedial budgets are shown in Exhibit VI-1 on the following page.

Exhibit VI-1

CRITERIA FOR PROPOSED REGIONAL RESPONSE BUDGET DEVELOPMENT

ACTIVITY	CRITERIA
RI/FS	• Negotiate mega-sites. • $750,000 per new start. • Other ongoing RI/FS based on number of projects and funds obligated in previous FYs.
RD	• $700,000 for each Fund-financed RD start targeted in the March negotiations.
RA	• Based on dollars and schedules in CERCLIS and in accordance with the RA environmental funding strategy.
PROJECT SUPPORT	• Based on each Region's share of remedial targets negotiated in March.
TREATABILITY STUDIES	• Funds were allocated in proportion to each Region's Fund-financed RI/FS starts.
TAG	• Based on the number of NPL sites with remedial work ongoing in FY 92.
CPCA	• Based on actual and planned CPCA obligations in FY 91.
PRP RD/RA OVERSIGHT	• Based on the Region's PRP RD and RA projects priced at $37,500 per quarter.
ARCS MANAGEMENT	• Based on the number of ARCS contracts in each Region multiplied by pricing factors for new or ongoing contracts. Funds are allocated to Regions that have ARCS project officers.

Fund-Financed RI/FS Funding Strategy

Successful implementation of the Fund-financed RI/FS full funding strategy requires meeting the RI/FS cost reduction goals initiated in FY 89. This requires that RI/FS costs be reduced to a national average of $750,000 per OU and $1.1 million per site. Both the OU and site goals are important. The OU goal primarily affects year-to-year funding limits. The site goal is needed for long term cost management and to eliminate the incentive a Region may have to break sites into OUs to increase its annual budget. A Region's RI/FS budget is developed based on the full funding strategy.

Treatability studies are not included in the cost goals. These activities are funded as a separate event.

Removal Annual Regional Budget (Fund-Financed)

The removal annual Regional budget consists of removal actions and removal support dollars. The FY 92 removal action Regional budget allocations will be based on 90 percent of the FY 91 initial Regional budget allocation. The balance of the FY 92 removal budget will be held in reserve at HQ.

FY 92 removal support dollars will be the sum of the program management costs in each Region's ERCS contracts.

Enforcement Case Budget - Annual Regional Budget

The Case Budget refers to the extramural financial resources necessary to pay for the enforcement support provided by contractors, other Federal agencies, and the States. The majority of the Case Budget is used to pay for contractor support. Following are the Case Budget funded categories:

- PRP removal program;
- PRP searches and RI/FS negotiations;
- PRP RI/FS oversight;
- Litigation support;
- State enforcement; and
- Program implementation.

Additional information on the allocation of the Case Budget can be found later in this Chapter in the OWPE Case Budget section.

ADVICE OF ALLOWANCE PROCEDURES AND FINANCIAL REPORTING REQUIREMENTS

The planned obligations identified through the SCAP process are the basis for the AOA approved by the OC and AA SWER. **No monies will be issued to the Regions through the AOA process unless the appropriate project specific obligation and open commitment data are reflected in CERCLIS.**

Regional Allowances

In FY 92, the OC will issue seven allowances to the Regions. They are:

- RA (site specific "site" allowance);
- RD (non-site specific "site" allowance);
- RI/FS (non-site specific "site" allowance);
- Removal (non-site specific "site" allowance);
- Other response (non-site specific "regular" allowance);
- Enforcement (non-site specific "regular" allowance); and
- Federal Facility (non-site specific "regular" allowance).

The "site" allowance is an event specific allowance. It includes funding for removal actions, RI/FS, RD, and RA projects and is issued on a site or non-site specific basis. The "regular" allowance includes site and non-site specific events or activities and is issued non-site specifically. The other response allowance contains funds for site assessments, removal and remedial project support, response program support, five year reviews, treatability studies, pollution liability insurance payments, ARCS program management funds and oversight of RP-lead RDs and/or RAs. The following sections explain how these allowances are developed and the flexibility available in the AOA structure.

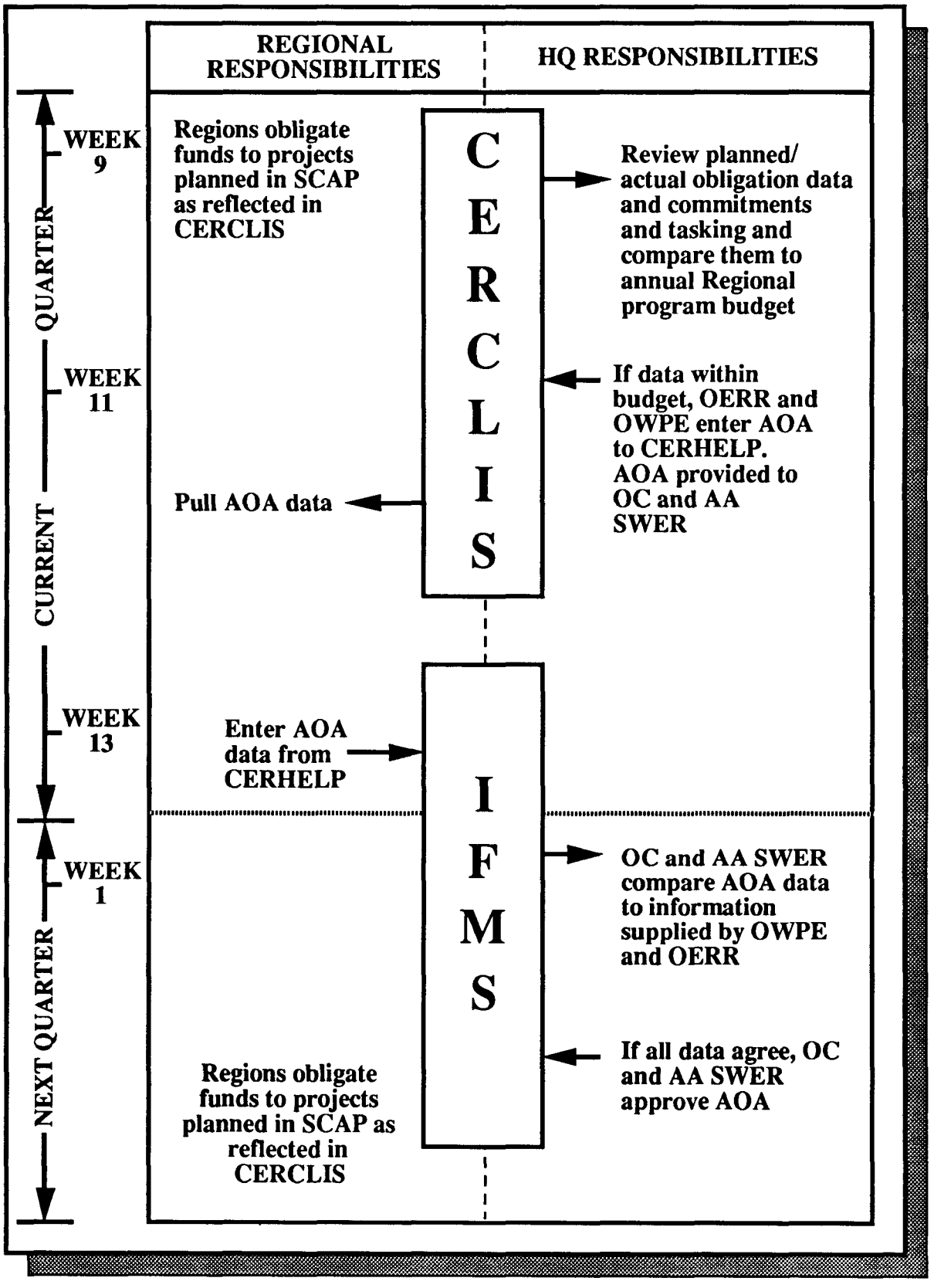
The AOA Process

The AOA is based on the Phase III Operating Plan which identifies projected obligations for each quarter of the FY. The Phase III Operating Plan for FY 92 is based on the final SCAP plans developed in the fourth quarter of FY 91. Funds available for obligation, however, are limited to projected needs for the upcoming quarter. The AOA process was revised with the implementation of IFMS. Regions enter the quarterly AOA into IFMS. The AA SWER and the OC review the funding levels entered by the Region and compare them to the AOA amounts generated by the HQ program offices. If the two agree, within three working days after the start of the quarter, the HQ OC Budget Division and the AA SWER approve the AOA in IFMS and the funds are available for obligation.

Approximately four weeks before the end of each quarter, HQ will generate an AOA report (SCAP-4 and SCAP-4E) that reflect the approved planned obligations in CERCLIS. After discussions with the Regions to clarify questions or issues, HQ will enter the AOAs into the CERHELP BC/AOA system two weeks before the end of the quarter. Regions must pull the reports from CERHELP and enter these amounts into IFMS. If the planned and actual obligations and commitments in CERCLIS exceed the Regional budget, the Region will be contacted, the AOA will not be entered into CERHELP and the AOA in IFMS will not be approved until CERCLIS is revised. If the AOA entered by the Regions does not agree with the AOA in CERHELP, IFMS will not be approved and the Automated Document Control Register (ADCR) will not work. Only projects planned in CERCLIS can be funded by the AOA. Exhibit VI-2 illustrates the AOA process. Regional IMCs should work closely with their Regional finance office on the entry of the correct AOA into IFMS.

Exhibit VI-2

THE ADVICE OF ALLOWANCE PROCESS



The HQ OC Budget Division monitors obligations against the AOA weekly. If a Region exceeds any of the allowances or a site specific RA allocation, the HQ OC Budget Division will notify the Region and request resolution of the overcommitment/overobligation. The Region then has until the end of the current month to rectify the overcommitment/overobligation or shut down procedures will be initiated. If the Region does not submit a change request, decommit or deobligate funds, or effect corrections in IFMS as necessary, the HQ Budget Division will initiate reprogramming from the Region's regular allowance. Repeated violations for site or allowance allocations may result in partial or total withdrawal of the Region's site allowance.

As is standard Agency policy, if a Region exceeds either the regular or site allowance, the HQ OC Budget Division will withdraw obligation authority in accordance with existing procedures. During the last quarter of the year, the HQ OC Budget Division will work with the Regions, OSWER and OE as necessary to ensure that all allowances and obligations are aligned prior to year-end closing.

In the past, the AOA obligation rate through the first two quarters of the FY has been low. As a result, **Regions will not receive their third quarter AOA for a specific response category unless the commitment/obligation rate is 50 percent or greater in that AOA category.** If the commitment/obligation rate for one response allowance (i.e., RDs) is 35 percent while the rate for another (i.e., removals) is 65 percent, the third quarter removal AOA would be issued but the RD AOA would not be issued. For those Regions that continue to have a low rate of commitment/obligation, OSWER will renegotiate the Regions' operating plan for the remainder of the year during June.

The Enforcement program has also developed rules for utilization of Case Budget funds. See the HQ/Regional Adjustment sub-section of the OWPE Case Budget section later in this Chapter.

Based on a decision to continue to manually enter financial data into CERCLIS (See IFMS to CERCLIS Data transfer in this Chapter) it is especially important that Regions reconcile IFMS and CERCLIS data at a minimum on a quarterly basis. Regions will not receive their FY 92 second quarter AOA until the FY 91 financial data in CERCLIS and IFMS agree.

AOA Flexibility

Flexibility exists within the AOA structure to shift funds both within and between allowances. However, funds cannot be shifted into or out of the Federal Facility allowance. Shifting funds between projects within the other response, RI/FS, RD, removal, enforcement, or Federal Facility allowance is a SCAP adjustment. It does not require HQ approval or a change request. CERCLIS must be revised to reflect the shift. Shifts between allowances is also a SCAP adjustment, however, HQ approval of a change request is required. The change must be reflected in CERCLIS prior to HQ approval. Based on Regional priorities, funds may also be reprogrammed between response and enforcement. These shifts require a change request and Congressional notification if the funds proposed for reprogramming exceed $500,000. Federal Facility funds cannot be reprogrammed.

RA Allowance

The potential shortage of RA funds, the implementation of the RA priority setting criteria, and the dollar value for RAs will reduce the Regions' ability to redirect RA funds. Approval from the AA for Administration and Resources Management (ARM) and AA SWER is required for the redirection of RA funds to other program areas. Given the

constraints in RA funding, HQ approval is highly unlikely. Funding for ongoing projects, mixed funding settlements, LTRA, and O&M, however, may be reprogrammed by the Regions. RA funds made available as a result of bids coming in below expected amounts will be returned to HQ for funding of other priority RA projects. In some cases, HQ may recommend that the Region retain the funds to support unanticipated RA cost escalations. In situations where the PRPs settle after the AOA is issued, Regions may retain the funds needed for oversight. The remaining funds in the AOA must be sent back to HQ through a change request. If the PRPs take over the RA after funds are obligated, Regions should retain the funds needed for oversight and deobligate the rest. The RA funds that are deobligated will be returned to HQ.

Non-site Specific Funding Flexibility

Regions may redirect funds within the other response, removal, RI/FS, RD, enforcement, and Federal Facility allowances to meet site or activity priorities. It is important to note that, generally, funds cannot be shifted out of the removal allowance because Congress specifically added resources to this area. Regions may shift funds more easily into the removal allowance from other non-site specific allowances. In most cases, the Region may not exceed the Fund ceiling by shifting resources into the RI/FS allowance. The ceiling may be increased in some instances to augment PRP contribution(s) or to fulfill citizen requests for further technical work.

Funds saved within the RI/FS and RD accounts as a result of a settlement or where actual costs are lower than estimated will generally stay within the Region. These funds may be used within the allowance for other RI/FS or RD projects, respectively. In addition, Regions may retain and redirect non-RA response funds made available as a result of the following actions:

- PRP takeovers or settlements;
- RI/FS or RD bids that are less than planned amounts; and
- Actual obligations less than planned obligations.

HQ approval will generally be given for the redirection of unused funds to the following priorities:

- Classic emergencies;
- Removal actions to make NPL sites safe;
- Ongoing RA projects; and
- Funds necessary to oversee PRP activities.

Regions may redirect RD funds when a CD is referred to HQ or DOJ for lodging or when PRPs indicate they will comply with a UAO.

A change request must be approved by HQ before funds can be redirected to activities outside the allowance.

Special non-site contingency accounts have been created in the CERHELP data base to provide each Region with a means to "hold" and track the amount of funds made avail-

able through the actions described above. As Regions identify uses for these funds, the contingency account should be reduced. If the funds will be used for an activity supported by a different allowance, a change request must be approved prior to obligation.

Response funds may be used to address deficient PRP projects. Regions are allowed to redirect funds to accommodate this need. Funds for PRP projects that will require substantial Fund involvement should be transferred to the appropriate response AOA category. For projects requiring limited Fund involvement, funds should be transferred to the enforcement AOA. Again, a change request will be necessary for transfers between AOA categories.

AOA Change Request Procedures

Regions are required to operate within their quarterly AOA and their annual Regional budget. Each Region will receive an RA budget based on the schedule for the RA and/or the priority ranking of the scheduled RAs. Once an RA ranks above the funding line or is approved for funding, the funds needed to conduct the RA will be provided. Regions are responsible for managing the funds issued in the AOA and for operating within budget ceilings, floors and other restrictions. Consistent with the flexible funding initiatives discussed earlier in this chapter, Regions may:

- Shift funds between projects within the other response, RI/FS, RD, removal, Federal Facility or enforcement allowances. HQ approval is not required

- Shift existing funds between allowances. HQ approval of a change request is required. Note, funds cannot be shifted into the Federal Facility allowance. Funds cannot be shifted out of the Federal Facility allowance to a response or enforcement allowance; and

- Move future planned obligations to the current quarter (increase total allowance after issuance within the annual budget). HQ approval of a change request/SCAP amendment is required.

In some situations, a change request is required as a result of Regional changes to the SCAP. Chapter III identifies SCAP amendments and adjustments and when a change request is needed. Exhibit VI-3 discusses the flexible funding and other situations where an AOA change request is required. Exhibit VI-4 describes the procedures to be followed in each of these situations. HQ will not approve a change request unless CERCLIS is revised to reflect the change.

Under IFMS, change requests are electronically transferred to HQ. The following information should be provided for a change request:

- Purpose/justification;

- Amount;

- Site name and S/S ID if allowance is issued site specifically;

- Program element(s) (TGB - enforcement, TFA - response or TYP - Federal Facility); and

- Allowance that is being increased and/or allowance that is being decreased.

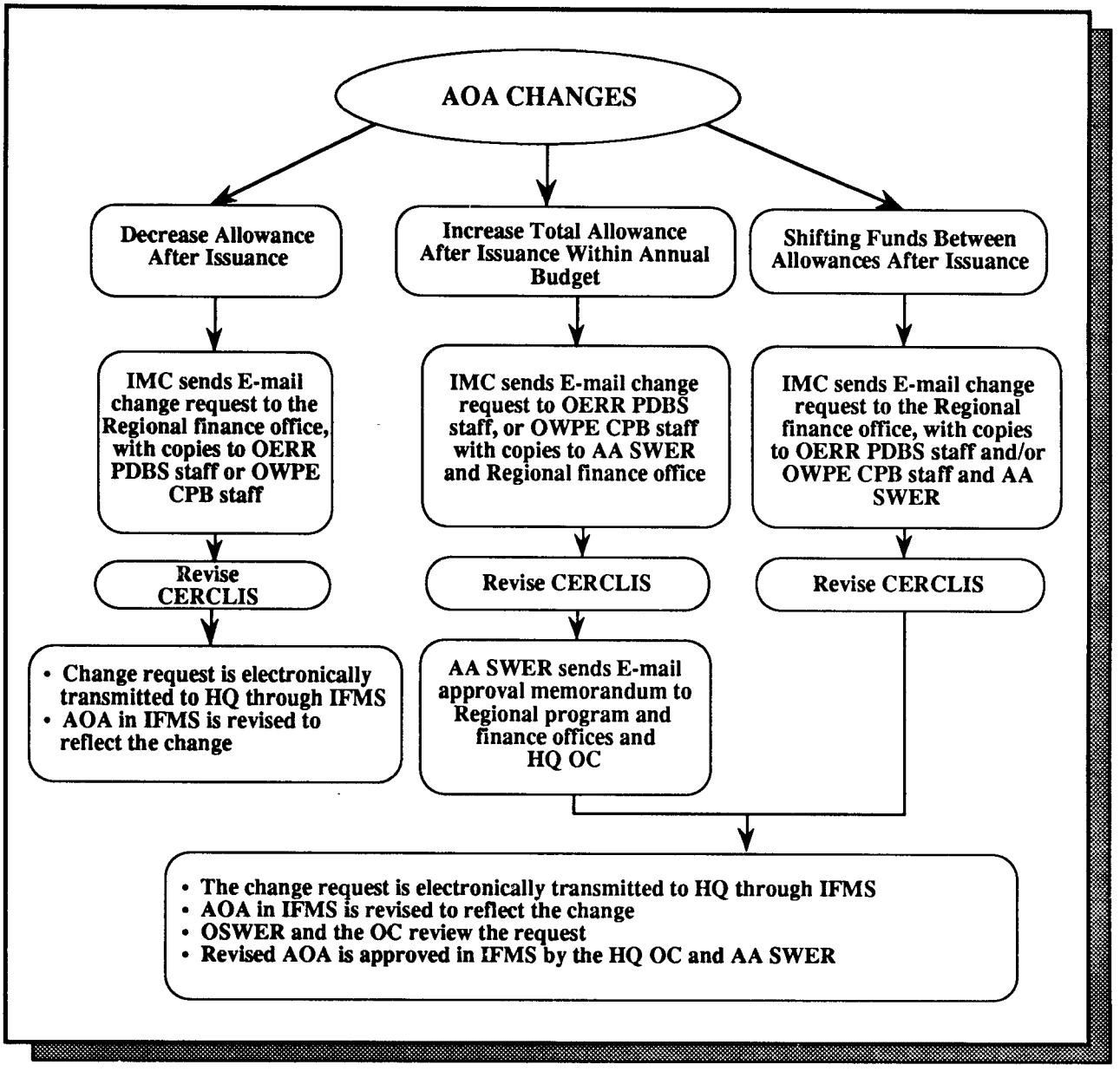
Exhibit VI-3

CHANGE REQUEST REQUIRED

CHANGE REQUEST SITUATION	PROCEDURES IN EXHIBIT VI-4 TO BE FOLLOWED:
ALLOCATION TRANSFER IAGs	DECREASE ALLOWANCE AFTER ISSUANCE
TRANSFER FUNDS TO EMSL OR OTHER ENTITY WITHIN EPA	DECREASE ALLOWANCE AFTER ISSUANCE
SHIFTING FUNDS BETWEEN ALLOWANCES AFTER ISSUANCE	SHIFTING FUNDS BETWEEN ALLOWANCES AFTER ISSUANCE
INCREASE TOTAL QUARTERLY ALLOWANCE AFTER ISSUANCE (WITHIN ANNUAL BUDGET)	INCREASE TOTAL ALLOWANCE AFTER ISSUANCE WITHIN ANNUAL BUDGET
DECREASE TOTAL QUARTERLY ALLOWANCE AFTER ISSUANCE	DECREASE ALLOWANCE AFTER ISSUANCE
INCREASE RA FUNDING AFTER ALLOWANCE IS ISSUED	INCREASE TOTAL ALLOWANCE AFTER ISSUANCE WITHIN ANNUAL BUDGET
DECREASE RA FUNDING AFTER ALLOWANCE IS ISSUED	DECREASE ALLOWANCE AFTER ISSUANCE
DECREASE RA FUNDING AS A RESULT OF PRP TAKEOVER	DECREASE ALLOWANCE AFTER ISSUANCE

Exhibit VI-4

AOA CHANGE PROCESS



If the change request is a reprogramming of funds between allowances, the net change should equal zero. The change request must be transmitted by authorized personnel in the Region's financial office. The site specific record in CERCLIS should be revised at the time the change request is transmitted. Regions should not initiate any obligations against the change until the OC and AA SWER approves the revised AOA.

Since the AOA is updated daily, change requests transmitted to HQ can be processed and a revised allowance approved immediately.

Congressional Reporting Requirements

In 1989, Congress imposed reporting requirements on the response program element. The agreement originally stated that the Agency would budget and report financial information in the following eight categories:

- Pre-Remedial;
- RI/FS;
- RD;
- RA;
- Removal actions;
- Response support;
- Remedial support; and
- Removal support.

After further discussion, Congress determined that the response program must report on four of these categories:

- RI/FS;
- RD;
- RA; and
- Removal actions.

Within 30 days following the end of the quarter, the Agency will report the status of the current operating plan compared to the original operating plan. Immediate Congressional notification is required if the cumulative changes in a single category exceed any of the funding levels by $2 million or more. The RA threshold is $10 million. Since the reporting requirements are after the fact they will have no impact on the flexible funding policy. The OC will monitor the Congressional reporting requirement through the AOA. The Financial Summary Report (SCAP-4) will be used to manage the monitoring and reporting requirements.

Exhibit VI-5

SITE VS. NON-SITE SPECIFIC PLANNED OBLIGATIONS

Site Specific

Admin. Cost Recovery
Administrative Record**
CR**
Cost Document Preparation
Design Assistance**
Endangerment Assessment
Federal Facility Oversight
Forward Planning
Litigation Support
LTRA
Management Assistance**
Negotiations:
— Removal**
— IAG
— RD/RA**
— RI/FS**
— Cost Recovery
Non-Binding Allocation of Responsibility (NBAR)**
O&M**
Other**
Oversight of PRP:
— RI/FS**
— RD
— RA
— O&M; LTRA
— Removals**
PRP Search
— NPL**
— Non-NPL**
RA
RD
RI/FS
Referrals
— 104(e)
— 106
— 106/107**
— 107**
— Bankruptcy Claims
Removals
Technical Assistance**
TAGs**
Treatability Study

Non-Site Specific*

ARCS Contractor Management
Aerial Surveys**
Contract or Program Management
CPCA
ERCS Management
Geophysical Support/ Topographical Mapping**
Information Management
Multi-site CA
PA/SI
Preliminary Natural Resource Surveys (PNRS)
Records Management
Senior Environmental Employee Program
State Enforcement Management Assistance
TES 5+ Contractor Management
Training

* For these activities, Regions must enter the number of sites involved and the contract vehicle.

** These activites may be planned site specifically or non-site specifically.

SCAP'S RELATIONSHIP TO THE AOA

Within the SCAP process, obligations are planned either site, project and OU specifically or non-site specifically. That is, some planned obligations are associated with specific site activities while other planned obligations are estimates of total funding required for an activity within a Region. The CERCLIS data bases have been designed to accommodate site and non-site specific planning. Exhibit VI-5 lists the events and enforcement activities for which obligations are planned on a site, OU and project vs. non-site basis.

CERCLIS tracks only extramural funding needs. Therefore, Regions should be certain all their extramural funding needs are reflected in CERCLIS such that there is a crosswalk between the CERCLIS planned financial data and the Regional AOA.

In addition to the site and non-site specific planning, obligations are also planned and budgets developed on a program specific basis. The Budget Source field (C3229 and C2918) in CERCLIS identifies which program pays for the planned events/activities. Exhibit VI-6 presents the budget source codes associated with each program. It is important that Regions accurately identify the budget source since each program develops an annual budget and each program has a separate AOA process. It is also important that the Regions maintain this budget source code to eliminate potential impacts on the Regional AOA.

Exhibit VI-6

BUDGET SOURCE CODES

E	=	Enforcement	**M**	=	HQ Removal
V	=	Removal	**D**	=	HQ Remedial
R	=	Remedial	**L**	=	Federal Facility

Exhibit VI-7 identifies the major events/activities and the appropriate budget source codes, depending on the project/event lead, for planned obligations. Funds for temporary or permanent relocations conducted by FEMA should be given a budget source of "M" or "D" after the IAG is signed and funds are transferred to HQ through the change request procedures. Funds for aerial surveys or topographical mapping at sites on the HQ/EMSL list should be given a budget source of "M" or "D." Funds for aerial surveys and topographical mapping at sites not on the HQ/EMSL list and other intra-agency assistance are allocated in the Regional budget. Once the change request transferring the funds to the other entity is processed, the budget source code in CERCLIS should be changed to an HQ budget source code.

As stated in Chapter V, beginning in FY 92 the lead for project support activities will not be coded based on national rules but left to the Regions' discretion. As a result of this change, the budget source code becomes even more important. For example, EPA funded CR at an RP-lead RI/FS should have a budget source code of "E" (Enforcement). Funds for some project support activities (i.e., aerial surveys, topographical mapping, geophysical support, etc.) at RP-lead RI/FS projects should be included in the RI/FS oversight request.

Exhibit VI-7

WHO PAYS FOR WHAT

EVENT/ACTIVITY	EVENT/ACTIVITY CODES		CERCLIS LEAD	BUDGET SOURCE
	CERCLIS	CERHELP		
ARCS Management		AC, PM*	—	R
Administrative Cost Recovery	AV		FE	E
CPCA		SC	—	R,V
ERA*	ER		F	R
ERA Oversight*	ER	ER	RP	E
			FF	L
ERCS Management				
Zone		EZ	—	V
Regional		RE	—	V
ESI	ES		S,F	R
Litigation Referrals and Ongoing Support				
Section 106	SX	SX	FE	E
Section 107	SV	SV	FE	E
Section 106/107	CL	CL	FE	E
Section 104(e)	SF		FE	E
Bankruptcy Claims	CB		FE	E
LTRA	LR		F,S,EP,MR	R
LTRA Oversight	LR		RP,PS,MR	R
Negotiations (including development of site workplans)				
Removal	RN	RN	FE	E
RI/FS	FN	FN	FE, SE	E
RD/RA	AN	AN	FE, SE	E
Cost Recovery	NE		FE	E
IAG	IN		FE	L
IAG (formerly owned Federal Facilities)	IN		FE	E
NBAR	NB	NB	FE	E
PA/SI		PA	—	R
PRP Searches				
NPL	NS	PS	FE	E
Non-NPL	RP	RP	FE	E
Prepare Cost Documentation Package	PC		FE	E
Remedial/Enforcement Project Support:**				
Aerial Surveys	AS	AS	ALL***	R, D, V, M
Administrative Record	AR	AR	—	R, E, V
			FF	L
Contract Program Management	—	PM	—	R, E, L
TES 5+ Program Management		TM	—	E, L
CR	CR	CR	—	R, E, V
Design Assistance	DA	DA	ALL	R
Endangerment Assessment	ED		—	R, E
Federal Facility Docket		FD	FF	L

* - Designates Historical Ongoing Only

*** - ALL = F, S, EP, FE*, SE, RP, PS

** - Guidance on assigning leads for project support activities is found in Chapter V.

Exhibit VI-7 (continued)

WHO PAYS FOR WHAT

EVENT/ACTIVITY	EVENT/ACTIVITY CODES		CERCLIS LEAD	BUDGET SOURCE
	CERCLIS	CERHELP		
Remedial/Enforcement Project Support (continued):				
Forward Planning/Mgmnt. Asst	FP		ALL	R
Geophysical Support	GS	HG	ALL	R
Information Management		IM	—	E, L, R
Management Assistance	MA	MA	—	R, E
			FF	L
Multi-Site Cooperative Agreement	—	MS	—	R,E
O&M	OM	OM	ALL	R
Other (Specify)	OH	OH	—	E,L
PNRS		PN	—	E,L
Records Management		RM	—	R,E,L
Senior Environmental Employee Program		SE	—	E
State Enforcement Management Assistance		EM	—	E
			FF	L
Technical Assistance	TA	TA	—	R, E
			FF	L
TAGs	TG	CT	ALL	R
Treatability Studies	TS		—	R, E
Topographical Mapping	TO	TO	ALL	R, D, V, M
Training		TR	—	E
Removal Actions:				
Removal	RV,UR*,IR*,PR*	RC	F	V
			FF	L
Removal Contingency	—	NP	—	V
NPL	—	NA	—	V
Non-NPL	—	RC	—	V
Oversight of PRP Removal	RV,UR*,IR*,PR*		RP, MR	E
Removal Support:				
Administrative Record	AR	AR	ALL	V
Aerial Survey	—	AU	—	V
Evacuation	EV	—	F	V
Investigations	—	RS	F	V
Removal Community Relations	RC	—	F	V, E
		—	FF	L
Temporary Relocation	TR		F	V
RI/FS	RI,FS,CO		F, S, EP	R
RI/FS Oversight	RI,FS,CO	RI	RP, MR, PS	E
			FF	L
RD	RD	RD	F, S, MR	R
RD Oversight	RD	RD	RP, PS, MR	R
			FF	L
RA	RA	RA	F, S, MR	R
RA Oversight	RA	RA	RP, PS, MR	R
			FF	L

* - Designates Historical Ongoing Only

*** - ALL = F, S, EP, FE*, SE*, RP, PS

** - Guidance on assigning leads for project support activities is found in Chapter V.

The obligation authorities for mixed funding rests in the Regions. Funds needed for these agreements are to be planned in advance and become part of the Region's budget.

Remedial Financial Planning for AOA

The AOA for the remedial program is issued by the OC on a site and non-site specific basis and is broken down into the following categories:

- RI/FS;
- RD;
- RA (site specific); and
- Other response.

Site specific planned obligations are entered directly into CERCLIS in the appropriate event record for the site. The planned obligation date, amount, contract vehicle, budget source and priority funding status are to be entered. Those remedial events at NPL sites that have the greatest likelihood of requiring funding during the FY that are within the Region's budget allocation should be identified by placing "APR" (approved) in the Funding Priority Status field (C3225 and C2909) in CERCLIS. The RI/FS, RD and other response AOAs are the total of the approved site specific or non-site specific planned obligations at NPL sites in CERCLIS with a budget source code of "R." CERCLIS financial reports (SCAP-4 and SCAP-21) provide a total for the site specific and non-site specific planned obligations for the purpose of developing and issuing the AOA.

The AOA for RAs is pulled directly from the approved site specific planned obligation in CERCLIS and is issued by site name, S/S ID and dollar amount. Regions must be sure the planned obligation date, contractor vehicle, budget source, priority funding status and remedy technology type (Technology Information Qualifier (C3402)) are entered into CERCLIS. Regions will not receive RA funds in their AOA unless the remedy technology type has been entered into CERCLIS. In addition, in order to be approved for funding, the RA project must be approved on a first ready/first funded basis or placed in the funding queue, either automatically or through the RA priority setting process, and rank above the RA "funding line." (See Chapter I for additional information.)

A Region will not receive funds above its annual Regional budget unless a SCAP amendment/change request has been approved by HQ. **Each quarter the actual and approved planned obligations and actual commitments must be less than or equal to the annual Regional budget or the AOA will not be approved.**

In FY 90, HQ established a non-site specific remedial contingency account in CERHELP. The remedial contingency account cannot be used for developing Regional budgets. It can only be used during the operating year for "holding" remedial response funds (except RAs) made available: 1) as a result of PRP takeovers; 2) by RD bids coming in under projected amounts; or 3) in situations where the actual obligations were less than planned obligations.

As the Region identifies uses for these funds, the contingency account must be reduced and the site specific planned/actual obligations entered into CERCLIS. The funds in the contingency account will be reviewed by HQ at mid-year and throughout the third and fourth quarters.

If a Region has a funding request during the year that was unplanned, the following approach should be followed in identifying funding sources:

- As a first step, Regions should determine if funds are available in the contingency accounts that can be redirected within or between allowances to perform the action;

- If no contingency funds are available, funds planned for obligation in future quarters (within the Region's annual budget) that will not be used as originally planned should be tapped;

- After mid-year, funds made available within the annual Regional budget as a result of the mid-year or third/fourth quarter adjustment process should be used; and

- If necessary, Regions may request an increase in their annual budget through the redirection of funds made available as a result of mid-year or third/fourth quarter adjustments in other Regions.

If a Region receives funds in their AOA which were not obligated during the quarter received, the relevant planned obligation data in CERCLIS must be changed or the amount placed in the contingency account. At the end of each quarter HQ will review the AOA funds remaining, commitments and obligations made, the contingency account, and planned obligation data. If AOA funds were not committed or obligated and the planned obligation data were not changed, HQ will take the following actions:

- Reduce the next quarter's AOA for other response, RI/FS or RD funds by the amount that was not committed or obligated; or

- Request that Regions follow the OC's change request procedures to return RA funds to HQ.

The Financial Report (SCAP-4) and the Budget Control Report (SCAP-21) will be used to evaluate the status of the RI/FS, other response, RD, RA and removal allowances.

To the maximum extent possible, Regions should plan for mixed funding requirements prior to the development of the annual Regional budget. However, if a request for preauthorization is received and funds are required during the current FY, Regions must identify the source of the requested funds from within their annual budget.

Removal Financial Planning for AOA

Each Region's removal annual budget will be established in August. The Regional AOA will be distributed as follows: 30 percent of the annual budget in the first quarter, 20 percent in the second quarter and 30 percent in the third quarter, as long as updated quarterly plans for those amounts are in CERCLIS by the specified pull dates. These plans may be adjusted, as needed, anytime after the pull date. HQ and the Regions will negotiate the fourth quarter allocation in order to ensure that all removal funds are being used to the best advantage. If at any time a Region needs additional funding, CERCLIS should be updated to show the proposed spending plan with a funding priority status of "Alternate." A change request/SCAP amendment should be sent to the Response Operation Branch. When the change has been approved, the funding priority status code in CERCLIS should be revised.

Enforcement Financial Planning for AOA

In FY 92, the Case Budget AOA allocation will be displayed by OWPE distribution model categories. For additional information see Final Case Budget Distribution in the OWPE Case Budget Process section which follows.

OWPE CASE BUDGET PROCESS

This section provides an overview of the Case Budget process, including a discussion of SCAP targeted and non-targeted activities needing Case Budget funding, financial planning and tracking requirements and responsibilities, budget allocation and AOA distribution, contract mechanisms, activities and their pricing factors, and CERCLIS Case Budget reports. In addition, a brief summary of Regional/HQ responsibilities during the Case Budget process is included.

There are five basic components to the Case Budget process. These are 1) preliminary Case Budget allocation and distribution; 2) Regional planning against the preliminary budget; 3) HQ/Regional negotiations; 4) final Case Budget distribution; and 5) budget execution. Each of these five steps is fully detailed in the following sections.

Preliminary Case Budget Allocation and Distribution

A Region's Case Budget allocation contains the Region's share of available extramural resources used to support enforcement activities. This includes the following:

- PRP removal program;
- PRP searches and RI/FS negotiations;
- PRP RI/FS oversight;
- Litigation support;
- State enforcement; and
- Program implementation.

To allow Regions to make one request for litigation, the three budget categories of RD/RA referral and negotiations, cost recovery, and ongoing litigation support have been collapsed into the general category of litigation support. One request, therefore, may be made for both the quarter in which the litigation is referred and for the subsequent ongoing quarters.

The Case Budget is formulated as follows:

- Initial allocation is based on the technical enforcement model;
- Three percent (3%) of the total budget ($64 million) will be held back for mega-sites. Requests for mega-site funding are made in July with distribution occurring in the first quarter of the operating year;
- $1 million from the litigation support category will be held at HQ for litigation contingency funding. (Regional holdback will be based proportionally on each Regions share of nationally available funds.) To request litigation contingency

funding, Regions should code requests into CERCLIS with an "ALT" funding status and notify HQ of the funding requirement. Funds will be distributed on an as needed basis periodically throughout the FY;

- Preliminary budgets are sent to the Regions in June/July. Regions plan their obligations for the upcoming FY against this budget. Prior to August SCAP negotiations, the Regional plans are pulled from CERCLIS. During negotiations, each Region's plan is generally reviewed to determine if the Region can utilize its budget or needs additional funding; and

- Each Region's request is reviewed and a final budget/AOA for the Region is developed in early September. For example, if a Region receives a preliminary budget of $10 million in June and their site and non-site specific planned obligations in August total $8 million, $2 million will be reallocated to Regions with a demonstrated need above their preliminary budget.

Litigation Support

To request litigation support contingency funding, the Region should send a letter to the Division Director of CED addressing the following points:

- What the funds will be used for;
- Why the litigation support can not be funded out of the current budget;
- If it is an NBAR or de minimis settlement;
- Any extraordinary circumstances surrounding the case;
- Viability of PRPs;
- Type of settlement; and
- National precedence issues.

In FY 91, a workgroup is reviewing current extramural allocation procedures. Regions should expect some changes to these procedures in FY 92. Guidance will be issued outlining the new procedures.

Regional Planning Against Preliminary Budget

The goal of the FY 92 Case Budget process is to increase effectiveness, allow greater flexibility and provide financial accountability through CERCLIS. Regions should plan their budget site specifically or use a combination of site specific and non-site specific planning where actual sites are undetermined prior to the start of the fiscal quarter. Non-site specific plans should be replaced with site-specific plans when sites are identified.

Regions should indicate their FY 92 Case Budget plans in CERCLIS by the August pull date. (Details on how to code Case Budget plans in CERCLIS are presented in Appendix E.) It is important that Regions plan their Case Budget needs and requests against specific sites and projects where possible. This will enable both the Regions and HQ to identify Regional priorities and budget needs that exceed the proposed allocation. Such detail is crucial to any attempt by HQ to seek supplemental funding. Without site specific or project justification, HQ will not

consider requests in excess of the proposed allocation. In addition, throughout the FY, Regions should ensure that CERCLIS plans are updated to accurately reflect funding requirements against the available budget.

Because the Case Budget is FY specific, all funding requests should be limited to only the amount needed during FY 92 except in rare circumstances, which should be discussed with HQ, or when requesting funds for RI/FS oversight. In the case of annually priced activities, it is expected that the funding provided in one FY will support the activity through completion and that additional funds will not be requested in subsequent FYs.

Exhibit VI-8 displays all the activities and events eligible for funding in FY 92 within specific budget categories. Case Budget dollars planned against other activities will not be accommodated. It is important to note that any activity or event not listed in Exhibit VI-9 will not be included on the standard reports (SCAP-4E, SCAP-21E, and ENFR-47). The Case Budget no longer pays for many supporting activities (e.g., O&M, design assistance, geophysical support, etc.). These activities are funded through the Response budget. Regions should refer to Exhibit VI-7 for a complete listing of which budget supports specific activities and events.

Since the Case Budget is to be managed at the overall or bottom line level, Regions must consider both their actual allocation and funding priorities when planning their budgets. In addition, average pricing factors and budget categories should be considered when determining site and Regional funding requirements. For example, if a Region's total request is within the allocated budget, requests for PRP RI/FS oversight do not have to match the proposed allocation for the PRP RI/FS oversight budget category. Therefore, Regions are not required to request dollars within budget category pricing.

It is recognized that Regions may have to shift funds among budget categories in order to fund priority activities or events. The Funding Status field (C3225 and C2909) should be used to indicate both requests within and above Regional allocations. This status should be reviewed and monitored on a regular basis to ensure the availability of funds and identification of supplemental needs.

To determine the proper funding status code (C3225 and C2909), the activity/event must be identified as a primary or alternate target/project (Activity/Event Planning Status - C2110). If it is an alternate target/project, the entire funding request should be coded as "ALT." To determine the funding status for primary targets/projects, the total of all the requests must be considered. If the total request does <u>not</u> exceed the available budget the funding status codes may be "APR." If, however, the budget is exceeded, the planned obligation should be coded as "ALT" (alternate). The approved plans must <u>not</u> exceed Regional allocations. AOAs will not be distributed to Regions with approved planned dollars totalling more than the available budget.

Potential funding requirements, such as potential PRP takeovers, should be coded with "CON" as the funding status (C3225 and C2909).

<u>Enforcement Mega-Sites</u>

To distribute the resources for mega-sites, Regions should employ the following methodology:

1) Determine the Case Budget financial needs at typical projects and code them as "Approved" (APR) in the financial status field (C3225 and

Exhibit VI-8

FY 92 CASE BUDGET FUNDED ACTIVITIES REQUIRED TO ACHIEVE PROGRAM OUTPUTS

OWPE DISTRIBUTION MODEL CATEGORIES	ASSOCIATED CASE BUDGET FUNDED ACTIVITIES (Target = *)	CERCLIS CODES	CERHELP CODES	VALID LEADS FOR SITE-SPECIFIC PLANS	$K AVG. PRICING FACTOR		AVG. DURATION IN QUARTERS	TOTAL AVG. COST
					ANNUAL	QRTRLY		
REMOVAL PROGRAM	- Non-NPL PRP Search	RP	RP	FE	15.0		1	15.0
	- Removal Negotiation Starts	RN	RN	FE				
	- RP Oversight (PRP removals starts)*	RV	RC,NA,NP	RP, MR	50.0		1	50.0
PRP SEARCHES AND RI/FS NEGOTIATIONS	- NPL PRP Search (Phase I)	NS	PS	FE	25.0		4	25.0
	- NPL PRP Search (Phase II)	NS	PS	FE		6.0	12	72.0
	- RI/FS Negotiation Starts	FN	FN	FE, SE	50.0			50.0
PRP RI/FS OVERSIGHT	- PRP RI/FS Oversight*	RI, FS, CO	RI	RP, MR	250.0		10	250.0
	-Treatabilility Study Oversight	TS		RP,MR	20.0		2	20.0
	-Endangerment Assessment Oversight	ED		RP,MR	20.0		2	20.0
LITIGATION SUPPORT	- Cost Recovery Negotiation	NE		FE				
	- Prepare Cost Documentation Pkg.	PC		FE				
	- Administrative Cost Recovery	AV		FE	7.0		1	7.0
	- RD/RA Negotiation Starts*	AN	AN	FE, SE	24.0		3	24.0
	- NBAR	NB	NB	FE				
	- IAG Negotiations (formerly owned Federal Facilities)	IN		FE				
	- Referral Development*							
	Section 106, 106/107	SX,CL	SX,CL	FE	15.0		3	15.0
	Section 107 Removal	SV	SV	FE	14.0		2	14.0
	Section 107 Remedial	SV	SV	FE	21.0		3	21.0
	Section 104 (e)	SF		FE	10.0		1	10.0
	- Claims in Bankruptcy	CB		FE	10.0			
	- Ongoing Support							
	Section 106, 106/107	SX,CL	SX,CL	FE		20.0		
	Section 107	SV	SV	FE		10.0		
STATE ENFORCEMENT	- PS RI/FS Oversight*	RI, FS, CO	RI	PS	150.0		10	150.0
PROGRAM IMPLEMENTATION	- TES 5+ Program Management		TM					
	- Contract Program Management		PM					
	- Administrative Record	AR	AR	F				
	- Records Management		RM					
	- CRs	CR,RC	CR	F				
	- State Enforcement Management Assistance		EM					
	- Information Management		IM					
	- ERA Oversight (ongoing)	ER		F				
	- Management Assistance	MA	MA	F				
	- PNRS		PN					
	- Technical Assistance	TA	TA	F				
	- Multi-site CA		MS					
	- Training		TR					
	- Other	OH	OH					
	- Senior Environmental Employee Program	SE						

Exhibit VI-9

CASE BUDGET AOA LIMITS

FISCAL QUARTER	LIMITS
1st QUARTER	Total approved planned obligations must equal negotiated budget **(no carryover funds).** First quarter planned obligations must not exceed **35%** of annual budget.
2nd QUARTER	Total used funds and approved planned obligations must equal negotiated budget **plus carryover funds.** Sum quarter 1 used and quarter 2 planned obligations must not exceed **50%** of annual budget plus carryover funds.
3rd QUARTER	Total used funds and approved planned obligations must equal negotiated budget **plus carryover funds.** Sum quarter 1 and 2 used and quarter 3 planned obligations must not exceed **75%** of annual budget plus carryover funds.
4th QUARTER	Total used funds and approved planned obligations must equal negotiated budget **plus carryover funds.** Sum quarter 1, 2, and 3 used and quarter 4 planned obligations must not exceed **100%** of annual budget plus carryover funds.

C2909). This will be a combination of estimates and standard pricing factors;

2) Determine the Case Budget non-site specific needs;

3) Determine financial needs for mega-sites/projects;

4) Total the dollars in steps 1-3. If this amount is greater than the Region's Case Budget, adjust the dollar values between "APR" and "ALT" status to meet the Region's allocation. "ALT" dollars should be applied to the mega-site activities. The Region should then submit a formal request for mega-site funding to OWPE CPB.

5) If the total amount of steps 1-3 is less than or equal to the Region's Case Budget allocation, all dollars should be "Approved." There is no need for the Region to submit a formal request for mega-site funding.

If there are sufficient funds for all mega-site requests, HQ will allocate mega-site dollars to the Regions. However, if the budget cannot support mega-site needs, a HQ/Regional workgroup will review the mega-site funding requests and allocate dollars to the Regions during the third and fourth quarter FY 91. Regions are required to submit enforcement mega-site management jplans to CED by June 30, 1991.

Final Case Budget Distribution

Approximately fifteen days prior to the beginning of the quarter, HQ will indicate the approved quarterly budget levels in CERHELP. AOAs will be displayed as approved amounts by quarter. HQ will not send out a memorandum containing the approved amounts. A Region's "APR" planned obligations must not exceed their approved budget for the upcoming quarter. In order to receive its allowance, a Region must have updated quarterly planned obligations for those amounts in CERCLIS by the specified pull date.

CERHELP lists the AOA by quarter and also according to OWPE distribution model categories. Prior year TES obligated and untasked funds (i.e., carryover funds) are also shown. These amounts appear on the SCAP-4E and SCAP-21E reports.

Quarterly AOAs will be issued based on Regional quarterly plans recorded in CERCLIS and identified on the SCAP-4E report. **Regions should plan on obligating approximately 35 percent of their Case Budget in the first quarter, 15 percent in the second, and 25 percent in the third and fourth quarters. This distribution is based on historical budget utilization.** Regions may receive a higher percentage of funds in a quarter only after discussions with HQ.

It is also recognized that Regions will have TES obligated untasked funds (carryover) from one FY to the next. This amount will be determined and agreed upon with the Regions by November 1. These amounts will be placed in CERHELP by contract vehicle in early November. They will be displayed on the SCAP-4E report under the Contract Use and Regional Allowance sections.

Since these funds represent tasking authority, the use and planned use of funds will exceed the annual Regional budget. To ensure that the budget is balanced and that AOA funds requested do not exceed quarterly allocation percentages, the limits displayed in Exhibit VI-9 should be adhered to.

The purpose of the allocation strategy is to allow more accurate planning of resources and ensure the availability of resources when they are needed. As budget utilization (TES tasking and non-TES commitments and obligations) will be measured against quarterly plans, Regions should request Case Budget funds the quarter in which they will be utilized.

Budget Execution

Ensuring the availability of funds when they are needed is crucial to the success of the Enforcement program. While it is understood that the volatility of the program may inhibit the planning process, Regions should do their best to use Case Budget funds in the quarters in which they are planned.

To offer a credible argument for supplemental funds, it is imperative that the Regions show adequate utilization of available resources. Close monitoring and management of the Case Budget is, therefore, essential. Outlined below are the major steps of the budget execution processes that must be followed to manage Case Budget resources.

TES Contract Obligations

Once quarterly AOAs are received by the Region at the beginning of the fiscal quarter, the contract obligations may be initiated. Obligations are made to contracts when the Contracting Officer (CO) signs the contract or modification of the contract to include the new funds. Regional Project Officers (RPOs) make sure that the PRs are committed by their FMOs in the Automated Document Control Register (ADCR) before sending them to the CO.

RPOs will submit three types of obligations for the TES 5 + contracts:

- Program management obligations;
- Generic obligations to cover TES tasking; and
- Buy-in obligations.

Detailed instructions for coding all types of obligations are included in Appendix E.

Program Management Obligations

A program management obligation is the amount of the Regional management Work Assignment (WA). RPOs will send PRs to the COs to obligate funds to cover the Regional management WAs. The IMCs, or their designees, will enter the PR commitment amounts in CERHELP as "Contract Program Management" using the coding reference guide and data entry instructions included in Appendix E. If required by Regional procedures, the RPOs will provide copies of the PRs and CERCLIS coding forms to the IMCs.

Generic Obligations to Cover TES Tasking

The generic PR or obligation provides funds to the contract to cover the value of Enforcement program WAs. This type of obligation, however, is not activity or site specific. The obligated dollars are used to fund anticipated WAs not initiated or approved under previous obligations. Obligations must precede approved WAs and, therefore, any actual work in the Region. **These PRs create non-site specific obligations that will be charged to the site specific WAs when the contractors' invoices are processed by EPA. RPOs must ensure that enough money is obligated to cover the total value of**

the WAs outstanding at any given time in each FY. Again, if Regional procedures require, RPOs should provide copies of PRs with coding forms to the IMCs for the commitments/obligations to be recorded in CERHELP as 'OH' for other.

Buy-in Obligations

The third type of obligation is for TES WAs that are submitted with their own funding PRs. These WAs are generally referred to as buy-ins. The most common form of a buy-in is when "TFA" (remedial or removal funds) or "TYP" (Federal Facility) funds are used to support the TES contractor's performance of non-enforcement work at the site. To properly account for these funds RPOs must record the PR Account Number (AN) in the Technical Enforcement Support Work Assignment Tracking System (TESWATS) in the "funding account" field. Additionally, Superfund site specific buy-ins will have to be properly coded in CERCLIS using the EPA ID, OU number, event or enforcement activity type, funding AN, and Document Control Number (DCN). RPOs should provide copies of PRs, properly coded WA forms, or CERCLIS coding forms to the IMCs for the information to be entered in the appropriate site records.

Obligations for Other Financial Vehicles

Regions may utilize other financial vehicles (ARCS, IAGs or CAs) to perform enforcement related work. To access the ARCS contracts, the Region must write a PR committing funds to the contract. The commitment initiates the process of obligating funds. The PR is written for a specific activity or event to be performed at the site and upon approval of the CO, the contractor may begin the proposed work. Case Budget funds ("TGB") obligated to one of the non-TES contracts represents an enforcement buy-in to a non-TES contract vehicle.

If the State or another Federal agency will be performing the work, a CA or IAG, respectively, is required. Like the PR, the IAG or CA is written for a specific activity or event to be performed at the site. A CA requires the preparation of a Commitment Notice (CN) and the CA funding document. Funds are obligated and available for use by the State when the CA is signed by the Regional Administrator or his/her designee. An IAG requires the preparation of a CN and the IAG funding document which is signed by the decision official (Regional Administrator or his/her designee) in the Regional office. The funds are committed when the IAG is signed by the Regional decision official and obligated when signed by the other agency.

TES WA Tasking Against Generic Obligations

Once the TES generic commitment/obligation is initiated, the process of approving WAs, also referred to as tasking, may begin. WAs are initiated in the Region and sent to the CO in the Procurement and Contracts Management Division (PCMD). When the CO approves and signs the WA, the value of the assignment represents the amount tasked against the generic obligation. Tasking amounts are not obligations but they do show how the AOA is going to be used to support site activities or events.

TES WA amounts need to go into CERCLIS to show the actual costs of tasking the contractors when planned activities have started. **RPOs need to make sure that every TES 5+ WA and amendment has an accurate CERCLIS event or enforcement activity.** The event or activity codes will relate to the appropriate site targets being supported, including the relevant sequence numbers. If a TES WA is for multiple events, activities, or OUs, the funding split must be shown in the comment field.

It is critical that RPOs put accurate CERCLIS codes for EPA ID number (C101), OU number (C1101), either Enforcement Activity Type (C1701), Event Type (C2101), or Non-Site Incident (C402) and Account Number (C3204) in TESWATS. RPOs can obtain this CERCLIS information from the RPMs, Enforcement Program Managers, or IMCs since they routinely use it to prepare site specific plans. IMCs should provide RPOs with CERCLIS reports showing planned funding, by site, for the current year (SCAP-4E or SCAP-21E, for example) so that RPOs will know what WAs have an approved funding plan when RPMs request contract work. CERCLIS planning reports also show the CERCLIS data that RPOs need to enter into TESWATS. The TESWATS transaction report will be available for RPOs to use to review tasking data prior to entry into CERCLIS.

IMCs should ensure that data from TES WAs are entered correctly into CERCLIS. A "Q" financial type (amount requested) may be entered into CERCLIS/WasteLAN for TES WAs that have been signed by the RPO and are awaiting signature by the CO. "Q" financial records should only be entered for positive WA amounts. There is no financial type for negative WAs awaiting CO signature.

Once the COs approve a WA or an amendment to an existing WA, the amount can be entered with the financial type (C2602 or C3202) of "H," (TES WA Amount (tasking)). The "H" financial record must match the "Q" record with the same contract vehicle, WA number, and amendment number. This will allow only the "H" record to appear on SCAP-4E once the CO has signed the WA. Reductions in WA amounts (detasking) can be entered with the code "W." RPOs should provide copies of properly coded WA forms or CERCLIS SIFs to the IMCs for the amounts to be recorded in the appropriate site records.

TES WA Tasking for Buy-Ins

TES buy-ins (generally using "TFA" or "TYP" funds) require a separate commitment/ obligation as well as a WA. Two financial records must, therefore, be created in CERCLIS. The first financial record indicates the commitment/obligation of funds into the contract. Instructions for entering this record are listed above. The second type of financial record that is required is the tasked amount. The procedures for entering these data are identical to other tasking data with the exception that the budget source code should indicate "R" for Remedial, "V" for Removal, or "L" for Federal Facilities.

AOA Utilization

The initial measure of AOA utilization is the commitment/obligation of funds into the TES and non-TES financial vehicles. The total of the TES and non-TES commitments/obligations represents the amount of the AOA which has been put into the financial vehicles to fund work to be performed at the site. The total of commitments and obligations, therefore, should not exceed the AOA issued to date. Regions should review planned contract usage and apportion funds to the contracts accordingly.

Budget Utilization

To examine overall budget utilization a more detailed analysis of TES contract usage is required. The value of WAs approved by the CO further indicates TES contract usage. It is important, therefore, that once commitments/obligations are made to the TES 5+ contracts, that WA tasking occurs as planned. For the non-TES financial vehicles, commitments/obligations will be used as the measure of utilization as no corresponding tasking exists for these vehicles.

The sum total of tasked amounts in the TES contracts and commitments/obligations in the non-TES financial vehicles indicates the level of budget utilization.

CERCLIS is used to track and measure AOA and budget utilization through the SCAP-4E and SCAP-21E reports. Regions are responsible, therefore, for entering the following data into CERCLIS:

- "APR," "ALT," and "CON" plans (C3225 and C2909);
- Non-TES ("TGB") commitments/decommitments and obligations/deobligations;
- TES generic obligations/deobligations;
- Program management commitments/decommitments and obligations/ deobligations; and
- TES tasked and de-tasked amounts.

Distinct codes exist for obligations and WA amounts to separately portray progress made on obligating funds and tasking assignments to the TES 5+ contracts. The separation of obligations and tasking amounts accurately reflect budget and AOA utilization and prevent double counting WA amounts as obligations. The SCAP-4E and SCAP-21E reports indicate TES contract generic obligations, TES tasked amounts, non-TES commitments/obligations, and "APR" planned amounts. Actual TES WA tasking amounts (rather than commitments and obligations) will be compared to TES planned amounts to show the balance of funds available for remaining TES plans. Case Budget management through CERCLIS enables both the Regions and HQ to readily determine the status of the following:

- Contract obligations;
- TES tasked amounts against generic obligations;
- Plans vs. tasked amounts;
- Total level of AOA and budget utilization; and
- Carryover funds from previous fiscal quarters (obligated, untasked funds)

Regions, as the allowance holders, are responsible for fully managing Case Budget data in CERCLIS. The strategy to accomplish this requires close monitoring of planning, obligation, and tasking data. "Approved" (APR) planned obligations in present or future quarters will indicate requests not yet used (tasked in TES or committed/obligated in non-TES). For past quarters, only TES tasking or non-TES commitments/obligations will be shown on SCAP-4E and SCAP-21E. Regions, therefore, must closely monitor planning data and actual usage. **If planned obligations are not "used" by the end of the quarter, they should be moved to a subsequent quarter for the same or different site. If funds are "used" the planning record <u>or</u> the "APR" flag may be deleted.** Either of these options will prevent current quarter tasked or committed funds from showing on standard reports. Regions should, however, be consistent in either deleting the planned record or the "APR" flag.

Disbursements

Although TES tasked amounts and non-TES commitments/obligations will be used to measure budget utilization, disbursements will also be reviewed as a further measure of budget utilization. It is important that contractor invoices are received and processed in a timely manner. The current disbursement tracking procedures for the TES and non-TES financial vehicles are different in IFMS. Non-TES disbursements are directly linked to the site and work being performed and may be compared with the planned amounts or requests. TES disbursements are linked to the contract but are not directly linked to the specific WA for which the contractor is being paid. When a TES disbursement is made, the generic contract obligation is reduced and a site specific obligation (not WA specific) and outlay occurs.

HQ/Regional Adjustment

Throughout the FY, Regions must show adequate utilization of their Case Budget. Prior to requesting additional funds, Regions should ask the following questions:

- Have all the funds from the generic WA been tasked?
- Have all the funds in the current AOA been obligated?
- Can funds be deobligated and recertified to the Region's AOA? Can funds be detasked and retasked within the WA?
- Can funds planned for obligation in future quarters that will not be used as originally planned be moved to current quarters?
- Can activities be partially funded?

HQ must know that the Region is fully using its AOA before it can entertain additional Case Budget requests. Consequently, it is imperative that CERCLIS consistently reflect obligations and work assignment tasked amounts. Additional requests for HQ held contingency funding will be reviewed on the basis of need, other Regions' needs, and the amount of dollars available.

The Case Budget will be reviewed during the mid-year SCAP negotiations. There will also be a round of negotiations in June for the fourth quarter AOA. A Region may carry unused funds in its AOA to subsequent quarters, however, Regions that have not been using their allowance risk the loss of their entire third and fourth quarter AOA. If a Region has an excessive unused allowance (greater than thirty percent) at the beginning of the third quarter, it will be required to produce a site specific spending plan in CERCLIS for both the third and fourth quarters by mid-May in order to retain its entire fourth quarter AOA.

Responsibilities

To manage the Case Budget it is essential that Regional IMCs and TES RPOs responsibilities are well coordinated. RPOs must incorporate CERCLIS information in TESWATS and report enforcement obligations and work assignments to the IMCs. IMCs, in turn, must provide Case Budget planning reports to RPOs and ensure accurate data entry into CERCLIS. CERCLIS will be the only place where AOA funding, obligations, and WA tasking amounts will be shown together. A more detailed description of the interrelated roles and re-

sponsibilities is described in Appendix E. Exhibit VI-10 summarizes RPO and IMC responsibilities, while Exhibit VI-11 describes general Regional and HQ responsibilities.

Enforcement Financial Reports

Enforcement activities requiring Case Budget funds must be coded accurately. To enhance financial planning data quality, several Enforcement financial reports have been developed for both Regional and HQ use. On the main CERCLIS menu, under "SCAP" for the Enforcement menu, are two Enforcement financial planning and management reports. The user is prompted for a Region, sort criteria, and FY when selecting one of these reports. Following is a description of these reports:

- SCAP-4E indicates all current or future plans, TES commitments/obligations, TES tasking, and non-TES commitments/obligations. This report is the standard report to be used in balancing the Enforcement Budget.

- SCAP-21E shows budget utilization and remaining planned obligations vs. the Regions' annual budget. This report supplements the SCAP-4E.

A comprehensive Enforcement financial audit report, AUDIT 40, is also available on the CERCLIS menu. This report lists those records with data quality problems and identifies the specific error. AUDIT 40 should be used in conjunction with SCAP-4E and SCAP-21E reports to ensure accurate budget balancing.

Contract Management

Contract Management Delegation

In FY 92 eight TES contracts are available for Regions to support their Enforcement programs. These contracts are referred to collectively as TES 5+. Both the Regions and HQ have management responsibilities for these contracts. RPOs provide programmatic oversight and technical direction for contractor performance from a Regional perspective. HQ Zone Project Officers (ZPOs) provide guidance and technical assistance to the RPO for contract management.

Long Term Contracting Strategy

To support Superfund enforcement efforts, the LTCS creates small, regionally based contracts designed to provide specialized services such as PRP searches and litigation and negotiation support. Under the LTCS, these contracts are known as Enforcement Support Contracts.

OWPE has prepared a draft National Implementation Plan for phasing in these Enforcement Support Contracts and for monitoring the award and administration of these contracts. A joint HQ and Regional Quality Action Team (QAT) is being established. The QAT will be responsible for reviewing the Implementation Plan, providing input during the development of the final detailed plan, and monitoring progress in plan implementation.

Another recommendation of the LTCS is the shifting of enforcement oversight support, currently provided under TES 5+, to the ARCS contracts no later than December 1993.

Exhibit VI-10

CASE BUDGET RESPONSIBILITIES

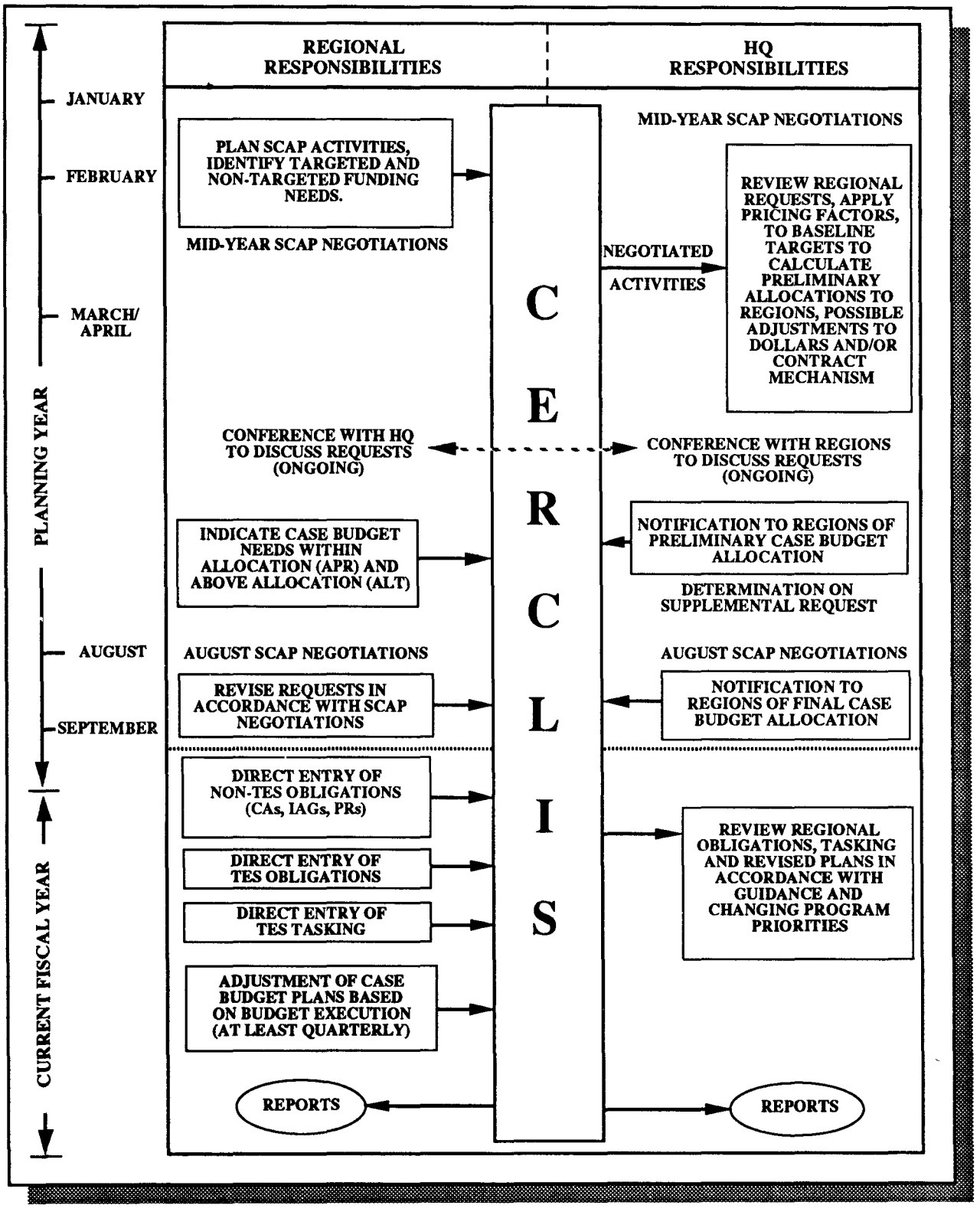


Exhibit VI-11

REGIONAL/HQ CASE BUDGET RESPONSIBILITIES

	REGIONAL RESPONSIBILITIES	HQ RESPONSIBILITIES
PLANNING YEAR	Negotiate activity targets with HQ at the mid-year SCAP negotiations in February. Submit Case Budget requests (through CERCLIS) in response to Regional allocations calculated by HQ by mid-March. Identify approved, alternate, and mega-site funding needs. Negotiate revisions to targeted activities, Case Budget dollars, and mega-site funding at August SCAP negotiations.	Calculate Regional allocations for activities planned by the Regions following the mid-year SCAP negotiations in February. Allocations are made for: — targeted enforcement activities (based on pricing factors); and — non-targeted enforcement activities (based on a combination of pricing factors and priorities identified by the Regions during negotiations). Review Regional Case Budget requests submitted through CERCLIS in response to allocations (March through June). Assess mega-site issues and initial need for supplemental funding request. Confer with Region as necessary. Proceed, if necessary, with supplemental funding request. Determine final allocations at August SCAP negotiations.
CURRENT FY	Receive Case Budget AOAs. Manage Case Budget within the approved bottom-line allocation. Enter contract obligations and work assignment tasking amounts into CERCLIS as they occur. Negotiate mid-year adjustments.	Distribute AOA to the Regions. AOAs consist of dollars for non-TES financial vehicles and TES 5+ contractors. Negotiate mid-year adjustments. Review Regional budget execution against allocations. Generate CERCLIS reports in response to Case Budget management needs.

Regions should begin transferring assignments or giving new work to the ARCS contracts, especially those assignments that will exceed the TES 5+ period of performance.

Interagency Agreements

Regions have responsibility for developing Regional IAGs in FY 92 with the following agencies: Department of the Interior (DOI), National Oceanic and Atmospheric Administration (NOAA), USACE, U.S. Geological Survey (USGS) and U.S. Fish and Wildlife Service (USFWS). HQ will maintain the national IAG with the DOJ in FY 92. OSWER Directive 9295.0-01 "Regional Interagency Agreements Handbook" provides detailed procedures for initiating and obtaining the assistance needed from these Federal agencies. Technical assistance from another Federal agency must be planned site specifically in CERCLIS. The contract vehicle (C2608/C3239) must be coded "IAG."

Department of Justice

EPA HQ maintains the national IAG with the DOJ/Environment and Natural Resources Division (ENRD) to provide legal representation and associated support services on behalf of EPA for all matters arising from or related to CERCLA and SARA. Support services are defined as expert witness and automated litigation support. DOJ/ENRD maintains a base level budget for legal representation services. The DOJ IAG allows the Regions and DOJ to establish a case strategy/management plan. This management plan encourages forward planning between the DOJ attorney, ORC and a Regional program person. Case management plans will be prepared by DOJ/ENRD for each case by the date of filing of the complaint and updated quarterly. This forward planning process allows DOJ and the Regions to efficiently utilize the IAG resources and to accommodate case needs or unforeseen changing priorities that may arise.

DOJ will provide expert witness support for referred cases. The Regions may also obtain expert witnesses through the TES 5+ contracts. The Regions will coordinate the planning for expert witnesses with the ORC and DOJ/ENRD. The Region should plan for the experts under the appropriate enforcement activity (i.e., Section 106, Section 107). The funding vehicle would be IAG, "EW" (expert witness) must be posted in the financial notes field.

8(a) Contracts

Regions are encouraged to use 8(a) minority contractors whenever alternatives to TES or non-TES financial support is needed. Under the TES 5+ contracts each prime contractor submitted plans to the PCMD for utilizing 8(a) minority contractors for a certain percentage of the TES 5+ work. Historically, 8(a) contractors have been used primarily for PRP searches. They can, however, be used for oversight support, records management, sampling and other activities and be procured through TES 5+. Use of 8(a) contractors is not limited to any particular type of activity.

Funding for 8(a) requests will be included in the Regional AOA. Requests for 8(a) contract dollars should be made through the usual SCAP process; i.e., they should be entered into CERCLIS site specifically using 8(a) contract spending, though requests should fall within the appropriate activity pricing factors.

MANAGEMENT OF CASH OUTS

A cash out is money received by EPA, a State or another PRP from PRPs under the terms of a settlement agreement that is intended to pay in whole or in part for the future costs of a response action to be implemented at a specific Superfund site. Draft guidance on managing cash outs was issued April 4, 1990, by OWPE and OERR (OSWER Directive 9832.16). This section contains the cash out funding management policies and procedures that are outlined in the draft guidance. If the procedures are revised, changes may be made in this Manual.

In order to maintain accountability for cash out funds deposited for credit to the Superfund program, the Agency will establish and maintain "special accounts" for each cash out within a dedicated program element. It is critical that the case management team carefully evaluate the circumstances at the site before deciding that a "special account" is the best management procedure for handling a cash out. Other management procedures include:

- When short term fund accessibility is not necessary, the dollars should be deposited for credit to the Trust Fund for later appropriation to the Agency. These funds are interest bearing. However, neither the principal or the interest is available for site work without a Congressional appropriation.

- At State-lead sites, the dollars can be deposited to a State managed escrow account or trust fund, where safeguards exist that ensure that the money will be used for the specific site response.

- When a global settlement is expected, the dollars may be temporarily deposited to a court managed escrow account for future distribution to major settlers. Court managed accounts should not be utilized for long term funds management.

- When global settlements are reached and non-de minimis parties receive cash out dollars directly from de minimis parties, the dollars can be deposited to a PRP established and managed trust fund or escrow account that is approved by EPA.

When EPA will be responsible for implementing the response action or will be transferring funds to other settlers and short term fund accessibility is essential, the dollars should be deposited in the Treasury for credit to the Superfund program's appropriation and be managed as a "special account." These funds do not accrue interest but are available to the Agency without Congressional appropriation. OMB apportionment is required. The OC will issue an AOA to the Region for the use of the funds.

Cash out deposits to the Treasury will be credited to the Superfund program and line item managed by the OC as site specific "special accounts" in program element RUBY9H. These accounts provide EPA with immediate access to monies received from cash outs and serve to assure the settler(s) that the funds will be used for the purposes established in the settlement document. Once a reimbursable allowance is issued for these funds, the allowance holder may use the funds for site response in accordance with the terms of the agreement.

During each budget submission, EPA will request an appropriation equivalent to the interest that would have accrued had the unexpended funds been invested in the Trust Fund. Appropriated interest will be allocated to the "special account" to be used to implement the response action. In addition, OSWER will request reimbursable FTE to manage the implementation of the response action being funded by the "special account" for the site. When entering

into settlement agreements that include cash outs, it is important to take into consideration the fact that Congress may choose not to appropriate the interest.

Cash out monies can be used according to any implementation plan EPA may have for the site. These funds can be used to support EPA's intramural and extramural costs associated with the site. Unless otherwise specified in the settlement document, unused funds (including premium payments) will be transferred from the "special account" to the Trust Fund and treated as cost recovery to be used at other sites after being appropriated by Congress.

Following are the procedures the program and resources management staff must follow in processing cash out monies:

- The settlement agreement must contain directions to the PRP on the remittance of funds to EPA. It also must be made clear to the PRPs that the settlement agreement is not valid until the cash out monies have been received. The Agency is not required to seek remittance by issuing a demand (invoice) for payment. The agreement must instruct the PRP to send the funds to the appropriate "lockbox" bank for the Regional office. The PRP must make the check payable to the "EPA Hazardous Substance Superfund." The PRP must also transmit a letter or other document along with the check that clearly identifies the site to which the funds apply.

- A copy of the settlement agreement must be sent to the Region's Servicing Finance Office (SFO) with a memorandum to the FMO that clearly summarizes the terms and conditions of the settlement. The memorandum must be forwarded to the finance office within 10 working days of the date of the settlement. Mandatory information to be included in the transmittal memo are:

  - Names and addresses of settling PRPs;
  - Site name;
  - S/S ID;
  - If the settlement includes recovery of past costs, the exact amount of the past cost component including interest (where appropriate);
  - Amount of the future cost component;
  - Amount of any premium payment;
  - Information concerning the OU and response activities;
  - If the settlement is de minimis and whether payment to major settlers is anticipated; and
  - The RPM and attorney assigned to the site, including telephone numbers and addresses.

- The SFO will establish a suspense file on the cash out. When the check arrives, the finance staff will match the check with the agreement and promptly notify the program staff or attorneys that payment has been received.

- Upon receipt of the PRP's check, the Regional FMO will record the funds in IFMS. Any portion intended to reimburse the Agency for past costs (cost recovery) will be deposited to the Trust Fund. The balance will be credited to a Regional suspense account to be transferred promptly to the EPA Financial Management Center in Cincinnati (FMC-Ci). The Regional office will also send FMC-Ci a copy of the settlement agreement. FMC-Ci is EPA's SFO for "reimbursable" agreements, of which cash outs are one type. FMC-Ci will account for the cash out portion of the funds as an "advance" to the Agency's Superfund appropriation and will manage the funds on a site specific basis. **These funds cannot be used for work at the site until an AOA for use of the funds is issued.**

- The Regional OC is responsible for sending a copy of the settlement agreement, deposit ticket and check to the HQ OC Budget Division with a request for a "reimbursable allowance." The reimbursable allowance would typically be enough for the estimated current year use of these funds. The remainder would remain controlled in IFMS in a site specific advance account for later work at the site. FMC-Ci has primary responsibility to account for these funds within IFMS, including liquidation of the funds as they are used.

- The Regional OC is responsible for notifying the Regional program office that the AOA has been issued for use at the site. The Regional OC will request the FMC-Ci set up a site specific reimbursable account in IFMS against which the program can charge contractual services, salaries or whatever other costs are appropriate under the agreement.

- If work at the site is being supplemented with Fund monies, the program office will be responsible for determining the funding source(s) for any particular segment of the work. The program office must also be sure that invoices or other payment documents clearly indicate what account is to be charged. The financial activity codes for response work being charged to "special accounts" are the same as those used by all Superfund programs. As EPA makes payments against the cash out balances, the IFMS reimbursable accounts will be reduced accordingly.

- The OC and OSWER Resource Management staff will monitor the "special account" balances and balances of cash outs deposited for investment in the Trust Fund. The items that will be monitored include:

  - Amount of initial deposit;

  - Principal balance;

  - Interest deposited to the account based on amounts appropriated by Congress; and

  - Amount disbursed.

- After notification from the program office that a project has been closed out, and after all payments have been made, the FMC-Ci office will credit any remaining cash out balances to the Trust Fund as a cost recovery.

SUPERFUND FINANCIAL MANAGEMENT

The purpose of the following section is to assist Regional program offices in carrying out their financial management responsibilities.

Federal Facilities

The OMB A-106 Pollution Abatement Planning Process represents EPA's evaluation of each Federal agency's environmental plan for the next budget year. The focus of this process has been on an annual report to OMB. In order to prepare the report, EPA's review considered:

- All Federal Facilities;
- All environmental statutory requirements;
- Compliance status of facilities;
- Compliance dates;
- Specific projects to be conducted;
- Project adequacy;
- Environmental priority assessment; and
- Estimated cost.

T he estimated project cost was used by the other Federal agency to prepare a budget request.

In the past the A-106 process has had limited effectiveness for a number of reasons. However, it does have the potential for establishing a reactive role for EPA in evaluating agencies' expenditures on environmental programs during and after budget execution.

In FY 92, OFFE will be modifying the A-106 process to implement new requirements established by OMB. These changes will result in a coordinated effort by EPA HQ, Regions, and other Federal agencies to track information on funding authority, appropriations, obligations, and actual outlays for environmental projects at Federal Facilities. In the future, updated budget information may be obtained annually to enable EPA to compare and evaluate need and actual expenditure by the Federal agency. This information will be used to facilitate both planning and enforcement actions. OFFE will issue program guidance on these requirements later in the year and will coordinate with Regions and other agencies throughout its development.

Regional Financial Management Responsibilities

Due to the complexity of the Superfund program, numerous organizational units within the Regional EPA offices have responsibility for Superfund financial management. These organizations and their responsibilities are detailed below.

Regional Administrator

Regional Administrators have the authority to:

- Approve removal actions up to $2 million per site;
- Award CAs;
- Award IAGs;
- Enter into SSCs;
- Initiate remedial planning activities;
- Grant States credit against their cost share; and
- Award TAGs.

All of these authorities may be re-delegated with the exception of 1) removal actions deemed to be "nationally significant" and 2) TAGs.

Regional Program Office

Regional program office financial responsibilities include:

- Providing technical support to the CO in contracts management;
- Reviewing vouchers and/or financial reports;
- Managing CA and IAGs;
- Preparing CN and PRs;
- Developing SSCs;
- Negotiating CAs with States, political subdivisions and Indian Tribal governments;
- Either issuing S/S ID or requesting that they be issued by the Regional Management Division;
- Managing the Region's allowances;
- Approving RFPs or Requests for Bids and contracts developed by the States; and
- Participating in pre-award financial management system reviews.

Within the Regional program offices, the following staff have specific Superfund financial management responsibilities:

- OSC — The Regional OSC is an employee of EPA or of the U.S. Coast Guard (USCG). This employee reacts to hazardous substances spills and releases, or threats of release, by initiating and managing the removal process. The OSC's financial management responsibilities include preparing site budgets and contract action requests; completing Action Memoranda; preparing delivery orders and PRs for contracts; establishing and maintaining official removal site files; review-

ing and approving the removal cleanup contractors' charges on a daily basis; tracking site costs against the established site ceiling; and approving removal contractors' invoices. The OSC must be aware of, in control of, and responsible for all removal site charges and for ensuring that costs are reasonable and necessary.

- Ordering Officer — All Ordering Officers must have a written "Delegation of Procurement Authority" signed by a Senior Procurement Manager prior to performing their duties. The Ordering Officer, who typically is an OSC, may initially obligate up to a maximum of $250,000 for removals at a specific site by issuing a Delivery Order under an existing contract. This person also develops the statement of work and cost ceiling for removals.

- RPM — The RPM, in coordination with State program personnel, is responsible for managing remedial and enforcement costs and activities on a site specific basis, for reviewing remedial contractor invoices and financial reports, and for establishing and maintaining the official site files. Like the OSC, the RPM must be aware of, in control of, and responsible for remedial site charges and for ensuring that costs are reasonable and necessary.

- RPO/Deputy Project Officer (DPO) — The RPO is responsible for overall remedial and enforcement contract management functions, including identification of Regional and site specific contract requirements, reviewing invoices, and financial monitoring of the contract. The DPO is responsible for overall removal and general site support contract management functions. The RPO/DPO evaluate and designate contractor award fees; monitor contractors' activities; and review monthly contractor reports and site specific attachments.

  The RPM or the RPO may initiate WAs, CAs, IAGs and contracts, and approve site specific IAG invoices.

- Administrative Support Unit (ASU) — ASUs may be established in each Regional program office. The purpose of these ASUs is to assist the OSC/RPM in performing their administrative duties, thus allowing the OSC/RPM to concentrate their efforts on technical site management activities. These units are designed to perform at least four important functions:

  — Provide administrative support to the OSC/RPM on site;

  — Provide the OSC/RPM with administrative support in the Regional program offices;

  — Provide liaison between the OSC/RPM and other groups involved in administrative matters; and

  — Provide support to the Regional remedial and removal program management.

  Specific examples of the kind of administrative and financial management support the ASUs may provide to the OSC/RPM are as follows:

— Assist in developing removal site budgets and preparing Action Memoranda;

— Assist in daily cost monitoring via daily contractor reports;

— Maintain the Removal Cost Management System (RCMS);

— Set up and maintain active remedial and removal site files;

— Complete PRs and CNs; and

— Request and review reports generated by IFMS and the Management Reporting System for purposes of monitoring site costs.

The ASUs may be staffed with EPA staff or the non-government functions may be contracted out. Additional information on the model of an ASU is found in the Report of the Workgroup on Management Support for Superfund's On-Scene Coordinators, dated March 1987.

Regional Management Division

For the purposes of this document, the Regional Management Division is the organization in which financial management, budgetary, accounting, planning, and assistance agreements administration functions are carried out. The Regional SFO and the COs for ARCS and ERCS are considered to be a part of this division. In most Regions, the Regional Management Division:

- Assigns AN and DCN to all Regional commitment and obligating documents;
- Controls the Regional allowance, maintains the ADCR, and reconciles transactions;
- Generally issues S/S IDs for non-USCG-lead sites;
- Sets up Regional account numbers in IFMS (new obligational authority only);
- Processes all PRs for national contracts and enters commitments into the IFMS;
- Processes CNs for IAGs and enters commitments into IFMS;
- Processes CAs, assigns CA identification numbers, enters CA commitments, obligations and drawdowns into IFMS;
- Assists the Regional program office in the negotiation or pre-application phases of the CA development;
- Review EPA-Automated Clearing House (EPA-ACH) Payment System payment requests;
- Receives and reviews financial reports required by the CAs;

- Maintains Superfund original and site specific document files on all Regional costs and supports the Regional program offices in preparing cost summaries and documentation for cost recovery purposes;
- Maintains accounts receivable for cost recovery, cash outs, and SSC cost share, and maintains billing and collection system;
- Provides Regional program office with financial data;
- Obligates contracts and modifications for the ARCS and Regional ERCS contracts; and
- Reviews invoices and monthly financial reports for the ARCS and Regional ERCS contracts.

HQ Financial Management Responsibilities

Selected Superfund financial management responsibilities which the Regional program office may come in contact are highlighted below.

Financial Management Division (FMD)/OC

This Office, which monitors the financial aspects of the Superfund program through four of its branches, performs many Superfund-related functions, including the following:

- Collects HQ's Superfund cost documentation for cost recovery;
- Oversees annual site specific reporting processes;
- Issues financial policies and procedures;
- Provides general accounting support;
- Records transfer allocations;
- Notifies Trust Fund to invest cost recoveries, fines and penalties; and
- Establishes Superfund account numbers in IFMS.

PDBS/OERR

PDBS provides financial management and accounting support and guidance to OERR and the Regional program offices. As one of HQ's Superfund allowance holders, PDBS's responsibilities include the following:

- Maintains the OERR ADCR and controls the HQ allowances;
- Commits funds for HQ OERR contracts and IAGs;
- Assigns accounting data to monthly site specific invoices; and
- Processes and monitors HQ OERR IAGs.

PDBS's responsibilities in relation to the Regional program office are as follows:

- Maintains the central S/S ID system and assigns S/S IDs to USCG-lead removal sites;
- Approves Regional allowances and processes change requests;
- Provides liaison with Regional program offices regarding OERR financial issues; and
- Provides financial policies to Regional program offices.

Contracts and Planning Branch (CPB)/OWPE

Like PBDS, the CPB provides financial management and accounting support and guidance to OWPE and the Regional program offices. Responsibilities include:

- Initiate the procurement of the TES contracts;
- Process and monitor WAs in TESWATS;
- Process and monitor OWPE IAGs;
- Process invoices for TES contracts;
- Coordinate issuance of Regional allowances and initiate change requests;
- Provide liaison with Regional program offices on OWPE financial issues; and
- Provide OWPE financial policies to Regional program offices.

PCMD/Office of Administration

PCMD conducts the Superfund contracting program. This involves negotiating, awarding, monitoring, modifying, and terminating contracts and providing technical guidance on contract administration. PCMD also provides cost and price analysis for Superfund contracts.

Grants Administration Division (GAD)/Office of Administration

GAD issues policy, regulations and guidance for the processing, award and administrative management of financial assistance agreements and IAGs; issues identification numbers for all IAGs; and processes and awards HQ IAGs.

Budget Division/OC

This division allocates the Superfund allowances among the HQ and Regional offices; approves Regional allowances; monitors obligations against regular and site allowances on a weekly basis; processes transfer allocations; processes change requests, and reprograms allowances, as necessary.

FMC-Ci

The SFO in Cincinnati is responsible for providing accounting support for all Superfund IAGs. The SFO processes disbursement requests from other agencies, processes the billing for reimbursable activities and enters IAG obligations and disbursements into IFMS.

Research Triangle Park (RTP)/Office of Administration

This SFO is responsible for providing accounting support for all Superfund contracts. The SFO enters contract award data and obligations into IFMS, processes contractor invoices, and enters payments into IFMS via the Contract Payment System.

Financial Management Tools and Systems

IFMS

The IFMS is the Agency's official automated accounting, funds control and monitoring system. It encompasses all of the Agency's financial systems for planning, budget formulation and execution, program and administrative accounting, and audit. IFMS is maintained by the Administrative Systems Division of the Office of Information Resources Management. The Financial Systems Branch of the FMD, OC, provides IFMS user support. IFMS is fairly new to EPA and not all the changes which will result from the implementation of IFMS are currently known. Addenda to this Manual may be issued during the year as more information is received.

- Management and Accounting Reporting System (MARS)— Through IFMS's MARS, formerly Superfund Package for Unique Reports (SPUR), an IFMS user will be able to run specialized reports from IFMS, showing only the information selected. REPORTER will be able to select any data elements maintained in IFMS, arrange those elements in any desired format, and print a report. The Regional program office staff will be able to request REPORTER reports from the Regional SFO. These reports are especially useful for determining the status of commitments, obligations and payments for a given site.

- Regional IFMS responsibility — Though each Region is organized somewhat differently, in most Regions the SFO enters commitments into IFMS for contracts and IAGs. For CAs, the SFO enters not only commitments, but obligations and drawdowns as well. At the request of the Regional program office, the SFO sets up Regional account numbers in IFMS. Since the Agency does not officially recognize commitments or obligations until they appear in IFMS, it is imperative that the Regional program office forward all commitment and obligating documents to the SFO as expeditiously as possible for entry into IFMS. The Regional finance office is also responsible for entering the quarterly AOA into IFMS.

AN

To manage the Superfund program effectively, and to recover cleanup costs, EPA must carefully document and record its direct and indirect costs for each cleanup action and track the costs through IFMS. The IFMS will use 10 digits to identify costs associated with a specific site and activity.

DCN

The DCN is a six digit number assigned by the Regional SFO to PRs and CNs as a control number. This same number is carried over from the PR or CN to the obligating document.

ADCR

The ADCR is the allowance holder's mechanism for maintaining a running balance of all funds available to the allowance holder. The ADCR is generally maintained in the SFO.

Checking the ADCR's balance is part of the Funds Certifying Officer's (FCO) certification of funds availability. Once the FCO certifies that funds are available and that the appropriate funds are being used, the FCO assigns a DCN to the action and records it in the ADCR. This number uniquely identifies the spending action in the Agency's IFMS, just as a check number identifies a check.

S/S IDs

S/S IDs are used to identify costs associated with a specific site. S/S IDs are established by the Regional offices, with the exception of USCG responses which are provided through the OERR PDBS. Each Regional office has one or more persons responsible for assigning S/S IDs and communicating updated S/S ID information to HQ. This is usually done by calling or sending an updated copy of the Regional S/S ID list to the S/S ID contact in HQ.

Before assigning an S/S ID, an EPA ID must exist in the CERCLIS data base. The EPA ID is a 12-character unique identifier which is used to identify a hazardous waste site or release in the CERCLIS inventory. This ID is based on FINDS. An EPA ID must be established prior to assignment of an S/S ID. Each site should have a single EPA ID. In addition, there can only be one S/S ID for each EPA ID.

Before establishing a new S/S ID, a thorough check should be made to ensure that the site/release is not already listed under another name. Removal actions should receive identifiers as soon as it appears that more than approximately $5,000 will be spent on removal work at the site. Remedial sites should receive identifiers when the HRS score for the site indicates it will be proposed for the NPL and an AN is needed for the obligation of funds. Dioxin sites do not have to be on the NPL in order to establish an ID. Enforcement sites receive identifiers when costs for an enforcement activity are expected to exceed 24 workhours per pay period, and when a cost recovery action is likely.

Instructions for the assignment of three-digit S/S IDs will be forthcoming.

Financial Management and Funding Processes

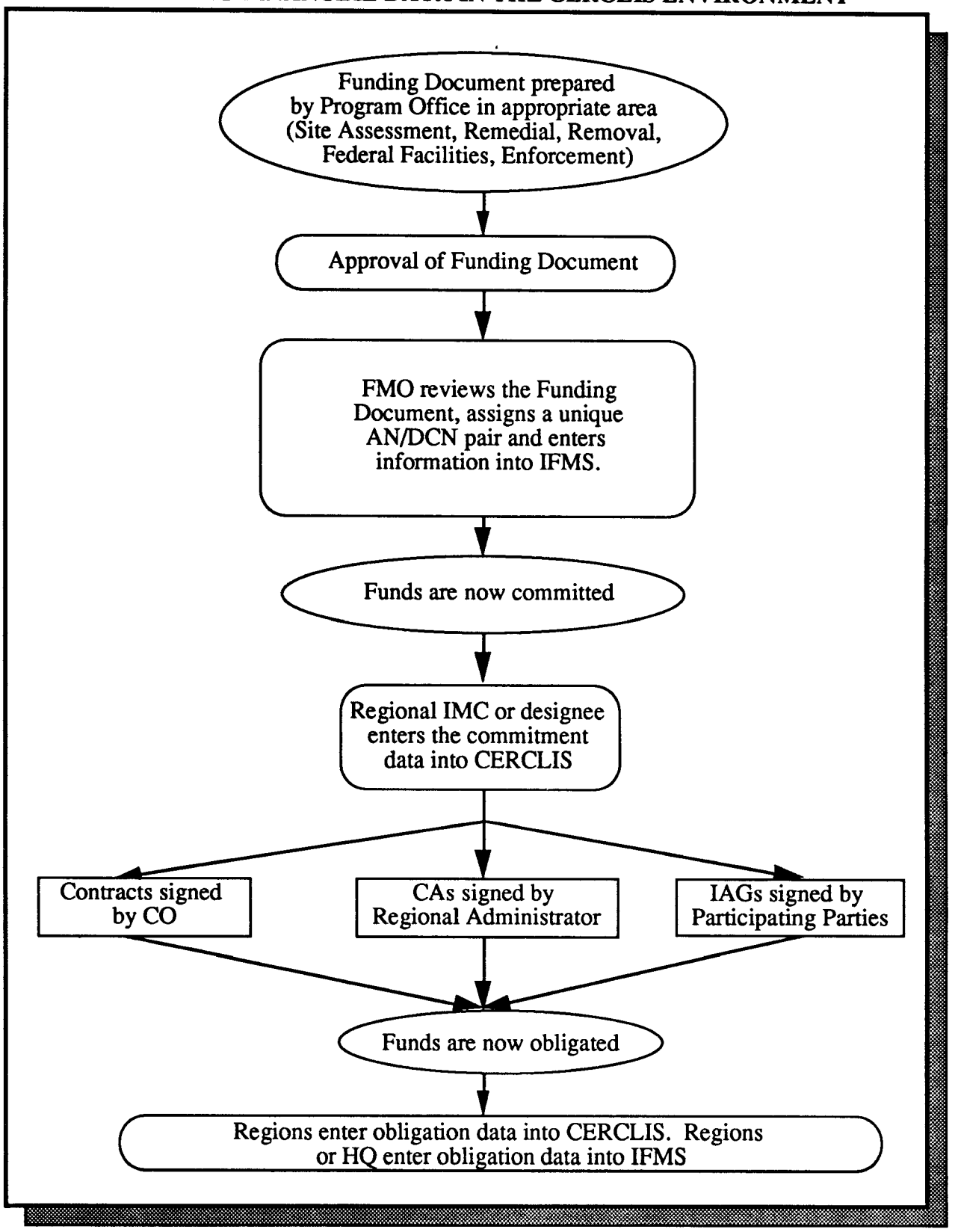
Regional financial authority consists of three distinct, but interrelated, parts: approval, commitment and obligation. Exhibit VI-12 indicates the process by which the Regions commit and obligate funds. These funding processes are outlined below.

Approvals

Authority to approve site assessment, removal, remedial, enforcement and Federal Facility oversight activities is contained in the Superfund delegations package. An approval

Exhibit VI-12

HANDLING FINANCIAL DATA IN THE CERCLIS ENVIRONMENT



by the AA SWER or Regional Administrator or official designee, as appropriate, is an authorization to undertake a CERCLA-funded response action. Examples of these approvals include removal action memoranda and SCAP submissions. A site/activity must be approved before any commitments can be made.

The following paragraphs highlight the Region's financial management authority and responsibility in the Removal program:

- Approval Authority — In accordance with Delegation 14-1-A, the Regional Administrator has the authority to approve removal actions costing up to $2,000,000 at NPL sites or non-NPL sites and may grant exemptions to the twelve-month statutory limit. In addition, Regional Administrators may re-delegate to the OSCs the authority to approve actions costing up to $50,000 in emergency situations where an expeditious response is required.

- Action Memorandum — Except in emergency situations, before a removal action can begin, an action memorandum must be approved. The action memorandum must document that the release meets the criteria of CERCLA, as amended, and the NCP. In addition to the technical data, the action memorandum must include, to the extent practicable, an estimated total project ceiling. The OSC uses the estimate of the duration and cost of the removal actions in order to determine the proper approval authority. The OSCs or other Ordering Officers are responsible for obtaining all necessary Regional office approvals and signatures.

Generally, the action memorandum is prepared prior to initiating response activities. In extreme emergencies, however, the OSC may initiate activities under his/her $50,000 authority without preparing the necessary documentation in advance. In these circumstances OSCs must document their decision within 24 hours of initiating response.

The following paragraphs highlight the Region's financial management authority and responsibility in the remedial and enforcement programs:

- Financial Approval Mechanism — Planning of remedial, enforcement and Federal Facility program activities is accomplished by means of the SCAP. Funds cannot be committed or obligated for a remedial or enforcement activity unless it is included in the SCAP.

- Obligations made at events which are planned on an OU basis must be planned and executed on an OU basis. Outlays resulting from the obligations should also be attributed to the appropriate OU.

- ROD — A ROD is required for all RD and RA activities. The ROD, signed by either the Regional Administrator/Deputy Regional Administrator or the AA SWER, documents the Agency's remedial alternative decision-making process and demonstrates that the requirements of CERCLA, as amended, and the NCP have been met. The ROD also provides the basis for future cost recovery actions that may be taken.

Commitments

Once the Regional FCO certifies the availability of funds, a spending action becomes a commitment, which is a reservation of funds but not a legal promise to pay a supplier. Commitments which have not yet been processed are called open commitments until they become obligations.

There are two types of commitment documents: the PR and the CN. The PR is used to commit funds for contracts; the CN is used to commit funds for CAs and reimbursable IAGs.

Obligations

Unlike a commitment, an obligation legally binds the government to pay a supplier for delivery of goods or services. Thus, once funds are obligated, the Region may no longer release the funds for another purpose.

A contractor, another Federal agency or State cannot start work until funds have been obligated. In addition funds may only be used for the purpose for which they were obligated under the contract, IAG or CA, and may not be transferred to another activity and/or site within the contract, IAG or CA without first being de-obligated.

Obligating documents must be processed in accordance with guidance issued by the PCMD, GAD, and FMD. The majority of the contracts are currently awarded by PCMD and entered into IFMS by the SFO/RTP. Certain contracting functions, particularly those related to Regional contracts, have been decentralized to the Regions. Obligations for CAs are entered into IFMS by the Regions; for IAGs, by the FMC-Ci.

Recently some Regions have grouped several smaller sites into a new, larger pseudo site. The purpose of these pseudo sites is to establish a mechanism for funding area-wide studies of environmental issues. This practice has caused problems for cost recovery because costs cannot be assigned directly to a given site. Additionally, by creating a new site, it is difficult to reference the older sites. These problems may be alleviated by following a simple procedure. Funds for area-wide studies can be awarded in one PR, IAG or CA. However, they must be obligated to each of the sites involved by using separate ANs and DCNs. Obligations must be identified for each OU; particularly when PRPs exist.

Payments

Each contractor/supplier submits an invoice to the proper SFO for payment. Before the SFO may pay the contractor/supplier, it must have an obligating document and a receiving report (sent by the originating office) to verify that the work was completed or the goods were received satisfactorily. Unpaid obligations are not removed from IFMS at the end of the FY. Rather, they remain in the system until paid or until the allowance holder or obligating official notifies the SFO that no further payments will be made against the obligation.

Deobligations

The deobligation of funds is handled similarly to the obligation of funds. The same commitment and obligation documents and procedures are used, except that the dollar amount indicated is a reduction rather than an addition. Copies of deobligations should be sent to PBDS. The availability of funds after deobligation depends on when the funds

initially had been obligated. Current FY funds are available for reuse within the AOA as soon as the deobligation is effective. (See the Flexible Funding discussion earlier in this Chapter on the use of deobligated funds.) Prior FY funds that are deobligated revert back to HQ for redistribution. In order to reuse the prior year funds, allowance holders must request a recertification of the funds to their allowance from the OC in coordination with OSWER.

Regions should review the financial status of all contracts, IAGs and CAs regularly. If all activities requested have been completed, and there are funds outstanding, the Region should follow the procedures outlined above to deobligate these funds immediately to make them available for other activities.

PBDS has established a HQ/Regional task force to assist the Regions in the deobligation of funds from contracts, IAGs and CAs where work has been completed, bids have come in lower than expected or PRPs have taken over the lead for site activities. In addition, the Superfund Unliquidated Obligations Task Force encourages and tracks any intramural deobligations that can be processed. The Task Force has established a reward system for Regions that are active in processing deobligations. A Region may receive an increase in their annual budget of 10 percent of the funds they deobligate, up to $250,000. In order to receive credit, deobligation documentation must be sent to PDBS.

Financial Management Funding Mechanisms

EPA uses a variety of funding mechanisms to carry out CERCLA-funded response actions. Included in these are the following:

Contracts

The Agency has developed a long term contracting strategy for the Superfund program. This strategy identifies the long-term contracting needs of the program and designs a portfolio of Superfund contracts to meet those needs over the next ten years. During FY 92, implementation of the strategy will continue with the phase-in of new contracts.

Superfund contracts are awarded through standard procurement procedures (see the OC's Resources Management Directives Systems 2550C Chapter 2 and the EPA Contracts Management Manual, or refer directly to the directives prepared for each contract). Exhibit VI-13 contains information on the procurement forms used for most Superfund contracts. The unique aspect of Superfund contract processing and financial tracking stems primarily from the need to associate contractor costs incurred with specific Superfund sites and OUs in order to assist in the cost recovery process. Cost recovery negotiations with PRPs or court actions require careful documentation of Federal costs incurred at each site/spill. The following paragraphs describe key financial management processes for each of the primary categories of Superfund contracts.

- Site Specific Removal Contracts. Site specific removal contracts are obligated and tracked on a site specific basis in the Agency's IFMS. Removal cleanup contracts may be awarded on a zone, Region or site specific basis.

  — Commitment of Funds — The PR is used to commit funds for contracts. OSCs or other Ordering Officers prepare the PR for the site portion of the contract and obtain all necessary Regional office approvals and signatures. They send the document to the SFO for certification of funds and addition of accounting information (AN, appropriation number and DCN). The

Exhibit VI-13

EPA FORMS COMMONLY USED FOR SUPERFUND PROCUREMENTS

EPA FORM NUMBER	FORM NAME	PURPOSE	COMMENTS
1900-8	Procurement Request/ Purchase Order	The Agency's basic form for requesting a procurement of any goods or services to commit funds before obligating funds on any of these documents. Must be certified by FCO.	This form is the basis for entering a commitment in IFMS. The FMO enters an obligation only upon receiving a contract document or purchase order.
1900-48	Order for Services - Emergency Response to Hazardous Substance Release	Used by OSCs to obligate funds and contract for services (up to $2,500) from commercial firms or a State or local government (if site not owned by state or subdivision at time wastes were disposed of) to respond to a release.	Results in a firm, fixed-price contract. No price adjustment may be made for work stated in contract. Contractor may submit only one invoice. FMO will process contract as an obligation.
1900-49	Notice to Proceed with Emergency Response to Hazardous Substance Release	Used by OSC to authorize a contractor to begin work on an emergency response (up to $10,000 per incident). Negotiation of definitive contract and any modifications performed by CO.	A preliminary contractual instrument that must be made final by a designated CO. FMO will process notice as an obligation.
1900-56	Letter contract for State, Indian Tribal Governments, or Local Government Response to Emergency Hazardous Substances Release	Used by OSC to procure services from a State, local or Indian Tribal government to begin work on an emergency response (up to $10,000 per incident) if site was not owned by State or subdivision at time of hazardous waste disposal. Negotiation of definitive contract and any modifications performed by CO.	Results in a cost reimbursement type agreement with a State, local or Indian Tribal government. It is a preliminary contractual instrument that must be made final by a CO. The appropriate FMO will process a letter contract as an obligation.
1900-59	Delivery Order for Emergency Response Cleanup Services	Used by OSCs to order services (up to $250,000) from the ERCS contractor to respond to a release. All modifications and obligations over $250,000 will be processed by the CO.	Has time and material provisions, but uses fixed rates negotiated in ERCS contract. Order must be made final by a designated CO. FMO will process orders as an obligation.

SFO must also check that the action has been approved. The Regional SFO enters the commitment into the ADCR and IFMS.

— Obligation of Funds — Site specific removal cleanup contracts are obligated by the Regional Ordering Officer (generally the OSC), the Regional ERCS CO or at HQ. Obligational authority is determined by the type and amount of the contract. Although a PR is generally prepared in advance of the obligating document for removals, these documents may be processed simultaneously or out of sequence, due to the urgent nature of removals. OSCs have the contractual authority to obligate up to $250,000 via a Delivery Order under an existing contract; however, Regions have limited this authority to $50,000. For contract amounts over this authority, the OSC forwards the obligating document to the Regional Administrator for approval and to PCMD or the Regional ERCS CO for obligation and processing. The SFO/RTP enters the obligation into IFMS for all contracts.

— Invoice Processing — The OSC or DPO reviews the site portion of contractor invoices and signs a statement indicating that the services for which the contractor is invoicing have been provided. The OSC forwards the certified copy of the invoice within five days to the SFO/RTP for processing and payment.

If the OSC disallows any charges, copies of the invoice should be sent to the CO, along with an explanation for disallowing the costs. When a disputed charge cannot be settled with the contractor, the OSC prepares a memo/letter with a copy of the voucher and sends them to the CO. The OSC sends the original voucher with a copy of the letter to RTP. Additional guidance for processing site specific contractor invoices are included in the "Removal Cost Management Manual," "Superfund Removal Procedures" manual and the "ERCS Users Manual."

- Site Specific Remedial Contracts — Site specific remedial contracts refer to those which are obligated site specifically. Remedial contractors provide site specific support for RI/FS, RD and RA projects at individual NPL sites, as well as general management support to EPA HQ and Regions. Both large, national contracts as well as smaller, Region specific contracts, e.g. ARCS contracts are in place. Site specific remedial contracts are obligated and tracked on a site specific basis in the Agency's IFMS.

— Commitment of Funds — To commit funds, the Regional program office prepares the PR for site specific activities, obtains all necessary Regional program office approvals and signatures, and forwards the approved document to the Regional SFO for certification of funds availability and the addition of accounting information (AN and DCN). The Regional SFO enters the commitment into IFMS. For Region specific contracts, e.g., ARCS contracts, the basic contract is prepared in HQ and contract modifications are processed in the Regions.

— Obligation of Funds — Site specific remedial contracts are obligated by PCMD in HQ or the ARCS CO in the Regions. These obligations represent contract modifications which must be processed in accordance with

guidance issued by PCMD. PCMD or the ARCS CO distributes the processed obligating document, and the SFO/RTP enters the obligation into IFMS.

— Invoice Processing — Site specific remedial contractors will provide copies of their monthly invoice or voucher for payment to the CO and the Regions for review. RPMs have five days to review the invoice. If the invoice accurately reflects contractor activities, the RPM will inform the Project Officer (PO) that the voucher is consistent with the service provided. If the RPM identifies a problem, it should be reported to the appropriate PO for resolution. The PO will resolve any problems, certify that the voucher is consistent with the services provided, and forward the invoice to the SFO/RTP for processing and payment.

- General Site Support Contracts — This category includes contracts which are not obligated on a site specific basis. These contracts create a pool of contract labor capable of providing broad technical and planning support to any removal, site assessment, remedial or enforcement site on an "as needed" basis. Examples of this type of contract include, but are not limited to: the FIT, TAT, Contract Lab Program (CLP), and the Environmental Services Assistance Team (ESAT). Because these types of contracts are administered by HQ, they will not be discussed in detail in this document.

  General site support contractors must submit with each invoice a site specific attachment, which details the costs incurred at each site with an EPA S/S ID. The site specific attachment must include the invoiced costs for each of the following categories:

  — Each site with an EPA S/S ID;

  — All other sites, i.e., those without an EPA S/S ID, on one line item per Region;

  — Program management;

  — Base and award fees;

  — Non-site activities, identified separately, such as training of State personnel or coordination of Regional activities; and

  — Non-Superfund costs, as applicable, on one line item per appropriation.

  The contractors submit original invoices to RTP and advance copies to the HQ PO simultaneously. The PO reviews the invoice and the site specific attachment for reasonableness of the site specific charges. In some cases, the RPOs and DPOs will conduct a concurrent review of the invoice.

- Enforcement Contracts — The TES contracts are a combination of the general site support contracts and the site specific removal/remedial contracts. The TES contracts are not obligated on a site specific basis, however, the Regions issue WAs against the contract labor pool on a site specific basis. Site specific WAs are not entered into IFMS.

Additional information on enforcement contracts can be found in the Case Budget section earlier in this Chapter or Appendix E.

- General Program Support Contracts — This group of contracts provides general program management support to HQ and Regional program offices. These contracts are not for site specific work and are not obligated site specifically. They are administered totally by HQ and will not be discussed in this document.

IAGs

An IAG is a written agreement between Federal agencies under which goods and services are provided. The Superfund program uses Disbursement IAGs and Allocation Transfer IAGs to request Federal agencies assistance with site cleanups and associated activities and provide ongoing support or services. The IAG specifies the services required and identifies the method of payment.

- Disbursement IAGs — Disbursement IAGs are agreements in which another Federal agency provides goods or services to EPA. This category of IAG is similar in concept to obtaining goods or services from a contractor. Superfund program staff prepare IAGs to pay other agencies for work performed at a specific Superfund removal, remedial or enforcement site and for non-site specific activities. EPA pays the other agency either by advance payment or by payment following work performance (repayment). The Regional program office initiates and manages site specific IAGs. The Administrative Assistance Unit (AAU) in the Regional Management Division typically approves and awards site specific IAGs. The exceptions are USCG-lead removal IAGs and the DOJ IAG, which are negotiated, approved, awarded, and managed at HQ.

  — Commitment of Funds — The Regional program office determines whether assistance from another Federal agency is needed. The Regional SFO determines the availability of funds, upon request from the Regional program office. The Regional program office then prepares the IAG funding package, consisting of a CN, a transmittal memorandum, EPA Form 1610-1, which is the IAG itself, and a Decision Memorandum, which verifies legal authority for the IAG. The Decision Official in the Regional program office reviews and approves the IAG. The staff of the AAU then conducts an administrative review of the funding package. The SFO adds accounting data and enters the commitment in the ADCR as well as into IFMS. The Regional program office establishes and maintains the official site file(s). The AAU establishes and maintains the official financial file.

  — Obligation of Funds — Following pre-validation of the commitment, the AAU obtains an IAG number from HQ GAD by E-mail. The Action Official (the Regional Administrator or his/her designee) signs the IAG. The AAU then sends the signed IAG to the other agency for signature. An obligation is created when the IAG has been signed by both agencies. The AAU distributes the executed IAG to the Regional program office, GAD, and FMC-Ci, where the obligation is recorded in IFMS.

  — Payments — If the performing agency does not have OMB-approved reimbursable authority, FMC-Ci pays that agency for EPA prior to execu-

tion of the agreement activities. For those agencies that do not require advances, the Regional program office certifies that charges are accurate following execution of the activities. There are three ways in which EPA accomplishes exchange of funds for IAGs: the Simplified Interagency Billings and Collection system (SIBAC), the On-line Payment and Collections system (OPAC), and check payments. When the OPAC or SIBAC system is used, funds exchange occurs prior to Regional program office certification; however, the Regional program office may request adjustments when necessary. For payment by check, the performing agency submits vouchers to the FMC-Ci, who forwards them to the Regional program office. The Regional program office reviews and certifies the voucher and then returns both the voucher and the certification form to FMC-Ci for processing and payment. USACE has implemented a self-certification precedure which eliminates the need for Regional program office review and certification.

— Closeout — The Regional program office is responsible for managing pre-closeout activity. If all work has been completed, the Regional program office accepts the final report from the other agency and initiates closeout procedures. The AAU queries the Regional program office when the project period has expired or when there has been no project activity for two quarters. If the AAU requests a project status determination, the Regional program office determines whether the IAG should remain open/ extended or be closed, and notifies the AAU.

When no further activity will occur under the IAG (e.g. project completed, funds availability period expired, funds expended, unsatisfactory/ incomplete work product) and final invoices have been certified, the Regional program office prepares a written closeout request and sends it to the AAU. The AAU then determines from FMC-Ci that the IAG is financially closed out and sends a closeout letter to the other agency and notifies the Regional program office and GAD. Both the Regional program office and the AAU then remove the appropriate files from active status and retain them a minimum of six years. Disposal of the files is subject to Regional program office approval.

When applicable, within thirty days of completion of work under the agreement, the Regional program office prepares, or obtains from the other agency, a final inventory and disposition recommendations for non-expendable property. The Regional program office forwards a copy of this report to the appropriate property management office in the Regional Management Division.

- Allocation Transfer IAGs — Allocation transfer IAGs transfer obligational authority from EPA to the designated agency at the appropriation level. The funds are transferred to the other agency from an EPA allowance via EPA's Transfer Allocation account. This IAG mechanism is similar to the OC providing allowances to EPA program offices to carry out specific functions; however, transfers occur at the appropriation level. Obligations and payments are made by the other agency and are reported monthly to EPA.

— Initiating the IAG — The Regional program office initiates the IAG. After developing a preliminary cost estimate with the other agency, the Regional program office prepares the funding package which includes EPA Form 1610-1, a transmittal memorandum, and the Decision Memorandum. The Decision Official in the Regional program office reviews and approves the funding package and submits it to the AAU. The AAU obtains an IAG number from GAD by E-mail and conducts an administrative review. The GAD enters IAG data from the E-mail request into the Grants Information Control Systems (GICS). The Action Official (the Regional Administrator or his/her designee) conducts a final review and signs the IAG package. The AAU submits the IAG to the other agency for signature. The AAU distributes the executed IAG to the Regional program office, to the GAD, and to the OC. Upon initiation of the IAG, the Regional program office submits a change request to the Budget Formulation and Control Branch in the OC, so that the funds can be set aside in a HQ transfer account. The appropriate program's allowance is then reduced to reflect the transfer to the receiving agency.

— Transfer of Funds — The executed IAG serves to transfer obligational authority to the other agency. Once the IAG is signed, and upon receipt of a change request from the Regional program office, the OC Budget Division withdraws funds from the Region's allowance and transfers the funds to the EPA Transfer Allocation account for future transfer to the designated agency. The Financial Reports and Analysis Branch executes the transfer from EPA to the performing agency.

— Financial Monitoring — The performing agency is required to submit: 1) monthly reports via SF133, "Budget Execution," on obligations and expenditures during the period to EPA's FMD and 2) periodic status reports to the Regional program office and the HQ Superfund Budget Branch. The IAG also requires the other agency to maintain records and documentation by site and submit them to EPA upon request. The Regional program office reviews progress reports and acts on them as necessary.

— Closeout — The Regional program office closeout procedures for an allocation transfer IAG are the same as those for disbursement IAGs. Since there are no billing transactions, outstanding invoices or payments are not a concern; however, to determine that the IAG may be financially closed out by the OC, the AAU asks the EPA OIG to request the other agency's OIG to determine the financial status of the IAG. Both the Regional program office and the AAU then remove the appropriate files for that IAG from active status and retain them a minimum of six years. Disposal of the files is subject to Regional program office approval.

For further information on Regional IAGs, see OSWER Directive 9295.0-01 "Regional Interagency Agreements Handbook."

CAs

A CA is the instrument EPA uses to provide assistance to States, political subdivisions or Indian Tribal governments in conducting site assessment, remedial, removal, enforcement and program and project support activities. CAs provide funding assistance to the State,

political subdivision, or Indian Tribal government, documents responsibilities and obtains State assurances. CAs must be approved by the Regional Administrator or designee. The steps for developing and managing the financial aspects of a CA in the Region are outlined below.

- Commitments — The Regional program office prepares the CN and obtains all necessary program approvals and signatures to commit funds for the CA. The Regional Management Division certifies the availability of funds, assigns the accounting data, sets aside the required funds on the ADCR and enters the commitment into the IFMS. The Regional AAU assigns the CA identification number.

- Obligations — The signature of the Regional Administrator, or his/her designee, obligates CAs. The Regional Management Division is responsible for processing obligations in accordance with the guidance issued by PCMD, GAD and FMD, and for entering the obligations into the ADCR and IFMS.

- Payments — Effective January 1, 1991, EPA began converting the Letter of Credit (LOC) process of paying CAs to the EPA-ACH Payment System. The EPA-ACH Payment System utilizes the Department of Treasury electronic payment mechanism called "Vendor Express."

  Using the EPA-ACH Payment System, the recipient presents an EPA-ACH Payment Request (provided by EPA), via fax machine, courier mail, or U.S. Mail to the recipient's respective EPA SFO location. The SFO reviews each request to determine if:

  - Funds drawn are being used within a valid budget period;
  - The EPA-ACH account number is correct;
  - Summary detail is entered correctly, project numbers are valid, and sufficient project funds are available for the projects cited;
  - All required expenditure or program reports have been received; and
  - The balance on hand is not excessive.

  Under the EPA-ACH Payment System, all or part of the request may be approved for payment. If a request is modified or rejected, the EPA-SFO will immediately notify the recipient and work with the recipient to resolve the problem.

  When the request is approved for payment, EPA electronically transfers funds through Treasury and the Federal Reserve for credit to the recipient's account at its designated financial institution.

  The Regional Management Division reviews drawdowns on a monthly basis and determines whether the account structure established in the CA is being followed and that the drawdowns are only large enough to cover immediate (usually one month) cash needs. The account from which drawdowns were made, identified in the IFMS Outlay Report or State quarterly report, must match the activities being undertaken.

- Financial Monitoring — On a regular basis, the RPM should review the IFMS Outlay Report and the quarterly progress report prepared by the State, political subdivision or Indian Tribal government. The review should determine that drawdowns at the site correspond to technical progress.

- Deobligations — Deobligations of funds are handled similarly to obligations of funds. The same commitment and obligation documents and procedures are used, except that the dollar amount indicated is a reduction rather than an addition. The availability of funds following deobligation depends on when the funds were obligated initially. Current FY funds are available for reuse within the allowance as soon as the deobligation is effective. (See the Flexible Funding section earlier in this Chapter on the use of deobligated funds.) Prior FY funds that are deobligated revert to HQ for redistribution.

  In order to reuse prior FY funds:

  — The allowance holders must submit a request to recertify the funds to their allowances;

  — OERR will evaluate the request based on the approved SCAP and will recommend distribution of funds;

  — The OC must approve the request; and

  — The request must be approved and a reapportionment obtained from the OMB.

  Regions should regularly review the financial status of all CAs. If all activities to be conducted under the agreement have been completed and there are funds outstanding, the Region should follow the procedures above to deobligate these funds or transfer them to another site or response phase. The transfer of funds under a CA is discussed below.

- Transfer of Funds — Under a multi-site CA funds can be transferred from one site to another site. This transaction is called a 'transwitch' and requires a formal CA amendment. The CA amendment must show the transfer of funds from one site to another by changing the accounting information on the funds being transferred to reflect the new site. CA funds can also be transferred from one remedial response phase to another remedial response phase at the same site. Again, a formal CA amendment is required in order to change the accounting information to reflect the actual response activity being performed.

For additional information on the financial management of CAs, refer to the Resources Management Directives Systems 2550D, Chapter 9, and the State Participation in the Superfund Program guidance, Chapters 7 and 10.

SSCs

When EPA or a political subdivision has the lead for an RA, the instrument used to describe the State's role is a SSC. An SSC is a legally binding agreement that provides the mechanism for obtaining required State cost share and other assurances, outlines the statement of work for the response action and also documents responsibilities for remedial implementation at a site. When a political subdivision has the lead for an RA, the

SSC is signed by EPA, the State and the political subdivision. The SSC does not obligate funds; funds for Federal-lead projects must be obligated through an EPA PR with a contractor or an IAG with another agency. Funds for political subdivision response actions are provided through a CA.

- SSC Requirements — An SSC is required to be in place before EPA or the political subdivision can begin an RA funded by the Superfund. An SSC must contain several State assurances. One is that the State will pay its cost share for response actions. The State cost share is ten percent for privately operated sites. For publicly operated sites, the State cost share is 50 percent and is required for prior removal, RI/FS and RD activities as well as the RA. In addition to cost share assurances, SSCs must contain State program assurances and must also include a tentative payment schedule.

- SSC Development — The SSC is developed by the Regional program office. The RPM/RPO must insure that, in addition to program assurances, the financial cost share requirements and payment schedule are included in the SSC.

- Accounts Receivable — Like a CA, an SSC requires State cost share. To cover its share of remedial costs under an SSC, the State may be required to provide cash payments to EPA. Following execution of the SSC, the RPM/RPO must immediately forward a copy of the executed SSC to the Regional Management Division for necessary accounts receivable processing. The RPM/RPO is also responsible for forwarding immediately to the Regional Management Division any SSC modifications that may affect the payment schedule.

- Payment Schedule — The State cost share must be received and recorded in IFMS before EPA will pay for the work to which the State is contributing funds. Therefore, State payments should be scheduled approximately two weeks ahead of the anticipated outlay date to allow for administrative processing. If a RA occurs in several phases the payments may be spread out accordingly. In this situation, the SSC will schedule the respective State payments to ensure deposit in the Treasury and recording in IFMS no later than EPA's disbursement of funds for each phase.

- Billing — Thirty days prior to the date on the SSC payment schedule, the Regional Management Division will send to the State a notice of the amount required and the due date. The SSC, and any invoice to the State requesting payment, must include the requirement that payments be sent to the Regional Superfund lockbox address. The Regional Management Division will reference the SSC, including the EPA site name and identifier, on the invoice. The Division will also require the State to include a copy of the invoice with any remittance sent to the Regional Superfund lockbox address.

- Receipt of Payment — If EPA does not receive the requested funds by the date on the payment schedule, the Regional Management Division will notify the RPM/RPO immediately. The RPM/RPO is responsible for follow-up with the State and will keep the Regional Management Division advised. If the State provides its cost share dollars prior to EPA's obligation of funds for each phase, no interest will accrue on the invoiced amount. In this case, the Region deposits its cost share in the Trust Fund and receives in return a reimbursable allowance.

- Closeout — The RPM/RPO is responsible for notifying the Regional Management Division when it is time to close out the specific SSC. The Regional Management

Division will reconcile the financial data on the Federal-lead action.

For additional information on financial management responsibilities related to SSCs, refer to the Resources Management Directives Systems 2550D, Chapter 9 and State Participation in the Superfund Program guidance, Chapter 7.

Cost Recovery/Cost Documentation

CERCLA, as amended, imposes liability on responsible parties for the cost of responding to releases or threatened releases of hazardous substances from hazardous waste sites or spills. When these PRPs fail to clean up sites on their own, EPA may perform the cleanup and later attempt to recover the cleanup costs from the parties. Obtaining reimbursement for these costs through negotiation or judicial action is one of the chief goals of the Superfund program.

Cost recovery documentation is performed by a case development team comprised of representatives from the ORC, the Regional program office and the Regional SFO. The involvement and distribution of responsibilities of each of these offices during the cost recovery process does vary within each Region and may be defined by a Regional Inter-Office Memorandum of Understanding. The following sequence of activities is provided as a guide. The cost recovery case development process, which is typically completed within an eight week timeframe, is briefly described as follows:

- Initiation of Cost Recovery Process — The Regional program office prepares and submits the cost recovery checklist through the Regional Cost Recovery Coordinator (RCRC) to the Regional SFO to begin the documentation process for Headquarters and Regional Superfund site specific costs. Among other things, the checklist prescribes the date through which costs are to be documented and the date documentation is required by the case development team.

  The RCRC obtains the cost documentation package from the SFO and prepares a "merged" cost summary (if this is not done by the Regional SFO). The RCRC also requests site specific reports generated by REPORTER (or SPUR), from the SFO which provide the cost basis for negotiations with RPs.

- Cost Documentation and Reconciliation — Cost documentation and reconciliation involve collecting and reviewing required documentation to ensure that accounting and cost information are recorded correctly, that costs are properly chargeable, that ANs refer to the appropriate site, and that costs on the documents are reflected accurately in IFMS. The Regional SFO documents Regional Superfund site specific costs and prepares the Regional office cost summary; computes indirect costs; provides expert and factual financial witness testimony; provides assistance to legal and program staff interpreting financial documents and REPORTER (or SPUR) reports, and provides CA cost documentation.

  The ORC reviews the final cost summary and documentation package in preparation for litigation and takes appropriate actions pursuant to the Privacy Act and regulations concerning Confidential Business Information to ensure that protected information is not released.

- Site File Maintenance — Diligent maintenance of the site files is crucial to cost recovery and is the responsibility of the Regions. Site specific financial files

should be maintained by the FMO until such time as cost recovery action is initiated or a minimum of six years. Disposal of files is subject to Regional program office approval. The cost recovery financial documentation case file should be maintained by the RCRC until this cost documentation is required by the litigation team.

HANDLING FINANCIAL DATA IN THE CERCLIS ENVIRONMENT

The implementation of IFMS has affected the handling of financial data in CERCLIS. An automated link between CERCLIS and IFMS and procedures for reconciling data quality has not been developed. The Manual will be updated when procedures have been completed.

Entering Remedial/Removal Data into CERCLIS

Once the funding document has been processed by the Region, the planned financial data (C3203 = P) must be deleted and the commitment (C3202 = C) or obligation (C3202 = A) data entered. The funding amount in CERCLIS and on the funding document must agree. If a Region wants to retain planned financial data, it must enter the planned obligation into CERCLIS with a Regional Financial Type of "X," "Y," or "Z." In any event, the Financial Type code of "P" (planned) cannot remain in the system once the funds are committed or obligated. Failure to replace the "P" (planned) could cause the Region to exceed its annual budget which will result in 1) withholding AOA approval or 2) a reduction in next quarter's AOA.

Until the automated link between CERCLIS and IFMS is established, Regions are required to enter financial information into CERCLIS. This includes commitment/decommitment or obligation/deobligation date, amount, financial type, contractor vehicle, and contractor name. In addition, the obligating document must be placed in the Official Site file. Regions are not required to enter outlay or credit information into CERCLIS.

Entering Enforcement Case Budget Data into CERCLIS

The Region will be responsible for entering obligations/tasking (WAs issued) into CERCLIS. Responsibility for verifying the information in IFMS and CERCLIS for obligations or deobligations and outlays incurred resides with the Regions.

To ensure that all appropriate financial data are reflected in CERCLIS, the following information should appear on obligation documents: EPA ID number, S/S ID, CERCLIS event or enforcement activity codes and OU number, WA number, amendment number and amount.

ANs must be established for each transaction before commitment and obligation. A CA is considered obligated when it is signed by the Regional Administrator. An IAG is considered obligated when it is signed by the other agency. Contracts are considered obligated when the CO signs the obligating document or, in the case of a TES WA, when the CO signs the WA. Regions are also responsible for reviewing and recommending payment of the invoice/voucher (outlays) for these mechanisms. Once invoices are paid, these dollars are entered into IFMS. If the obligation was generic and the invoice is site specific, IFMS shows the funds deobligated from the generic account and obligated and disbursed from the site specific account.

IFMS to CERCLIS Financial Data Transfer

The automated transfer of financial data into CERCLIS was suspended in February 1989 as a result of the implementation of IFMS. In March 1990, OERR formed a workgroup to complete the necessary tasks to once again begin the automated transfer of financial data. Based on Regional discussions, a decision was made to continue manually entering financial data into CERCLIS.

It is important for the Regions to note that they are ultimately responsible for the accuracy of the CERCLIS data bases. Regions will have to ensure that the planned, commitment and obligation data entered as part of the SCAP process are accurate and current and agree with the information in IFMS, the Agency's official source of financial data. **Regions will not receive their FY 92 second quarter AOA until the CERCLIS and IFMS data for FY 91 agree.**

Correcting Financial Data

The Region's IFMS administrator is the only person authorized to make changes in the IFMS data base. The IMC or designee should work with the Regional FMO on a regular basis to make sure that all IFMS errors are corrected. The IMC can request, on a regular basis, a report from the Regional financial office which contains all Superfund financial transactions in IFMS. The information in this report can be compared with the funding documents and CERCLIS. Upon determining that the data on the source document were correct and were correctly entered into CERCLIS, the IMC should give the Regional FMO a copy of the funding document, and any other relevant documentation, showing that the IFMS data are in error.

The OC has issued standard procedures for correcting IFMS data. There are three kinds of corrections which may be needed on financial information in IFMS as shown in Exhibit VI-14.

Correcting IFMS data entry errors or changing financial information in IFMS are performed by the FMO. Errors in AN/DCN, or other information on the original funding document can only be corrected by the same process used to initially create the financial record (by a contract/PR or by amendment of the IAG or CA).

Exhibit VI-14

CORRECTIONS TO FINANCIAL INFORMATION IN IFMS

- Data entry errors in IFMS
- Changing ANs or DCNs that were initially entered into IFMS
- Correcting errors in the source funding document or making other amendments to existing commitments or obligations

CHAPTER VII

PROGRAM ASSESSMENT

CHAPTER VII - PROGRAM ASSESSMENT

ONE MINUTE PROGRAM MANAGER RULES

Following are the actions Regional managers must take to comply with the requirements described in this Chapter. In order to acquire a more in-depth understanding of these requirements, the Chapter itself should be read.

- Report Superfund accomplishments as soon as they occur or, at a minimum, on a monthly basis through CERCLIS. HQ management bases its evaluation of Regional performance on these data.
- Regions are responsible for CERCLIS data entry and data quality control.
- Regions and HQ will work together at mid-year to develop strategies for improving performance.
- Regions participate in the OSWER Regional review.
- Regions should inform the Planning and Evaluation Section (PES) of OERR of audits, internal studies or Federal Manager's Financial Integrity Act (FMFIA) weaknesses that might have implications for internal controls.

CHAPTER VII - PROGRAM ASSESSMENT

This chapter describes the established procedures for assessing the overall performance of the Superfund program. Specifically, this chapter:

- Outlines the objectives of Superfund's internal evaluation efforts, the process by which these objectives are met, and the tools that EPA uses in the evaluation process; and
- Provides Superfund management and staff with a quick-reference guide to their roles and responsibilities in the evaluation process.

ROLES AND RESPONSIBILITIES

HQ and the Regions have different roles and responsibilities in Superfund program evaluation and management, as shown in Exhibit VII-1.

The Superfund evaluation process provides managers with an opportunity to meet program objectives by:

- Examining program accomplishments;
- Analyzing and discussing issues that affect the successful operation of the Superfund program; and
- Initiating changes in program operations or reallocating resources.

The strategy for assessing the performance of the Superfund program is comprised of the following parts:

- Monthly and quarterly SCAP/STARS performance evaluation with CERCLIS data;
- OSWER and OE Regional reviews; and
- Internal evaluation and audit follow-up.

This strategy enables management to recognize high performance, concentrate Superfund resources in those Regions that demonstrate success, and provide training and technical assistance to those Regions that are experiencing difficulties.

In addition to the program management and assessment tools traditionally used by OSWER, OE will also be utilizing the A-106 Pollution Abatement Planning Process to ensure sufficient Federal agency funding of response programs. Modifications to the A-106 process have been made to provide OE, Regions, OMB, other Federal Agencies, and Congress with improved information to evaluate accomplishments at Federal Facilities.

PERFORMANCE EVALUATION

The Regions report their Superfund activities on a monthly basis through CERCLIS. CERCLIS monthly progress reports indicate program accomplishments for SCAP and STARS

Exhibit VII-1

EVALUATION RESPONSIBILITIES

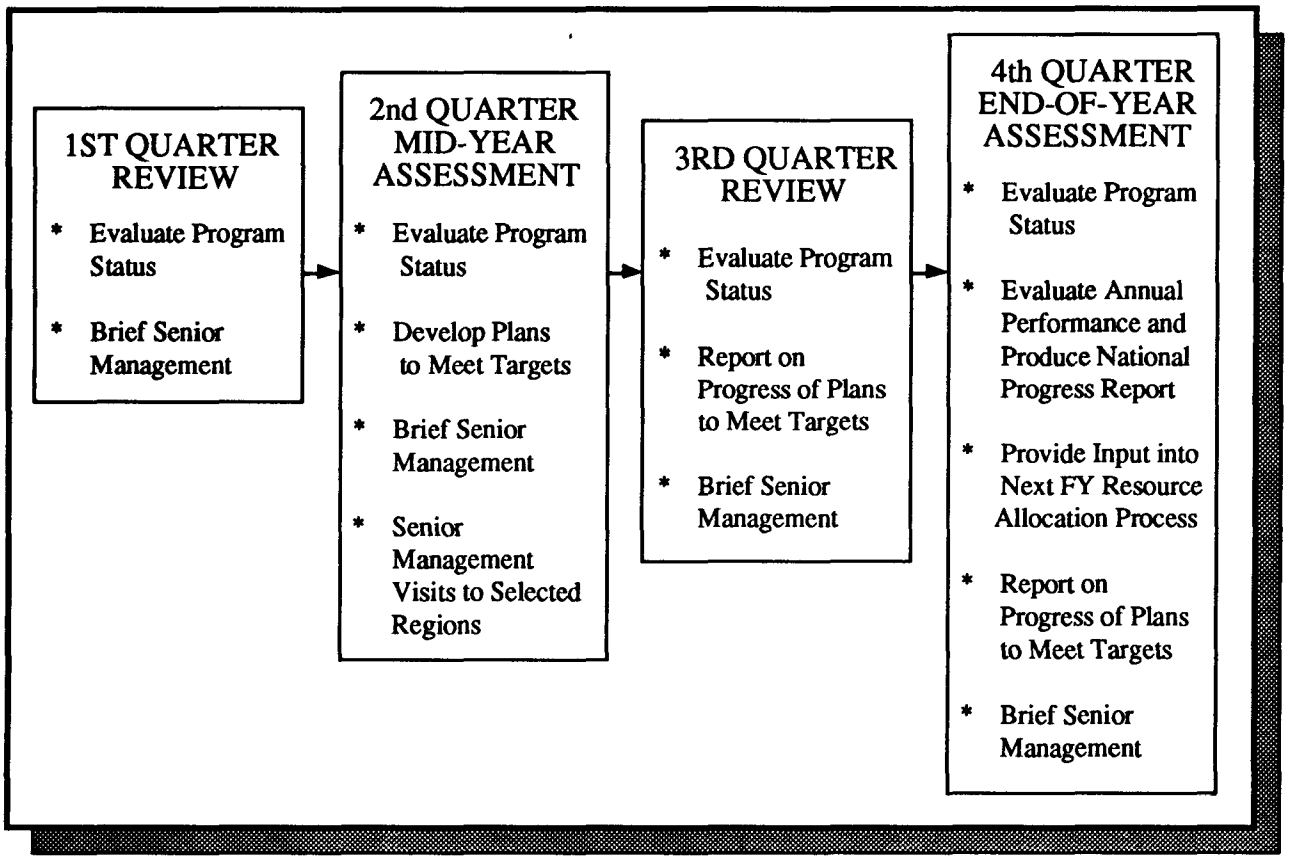
REGIONAL RESPONSIBILITIES	HQ RESPONSIBILITIES
Meet quarterly SCAP and STARS targets and solve performance problems when they arise	Provide guidance to the Regions for the quarterly review, the mid-year assessment, the year-end assessment, and the OSWER and OE Regional review
Provide quarterly SCAP and STARS data to HQ through CERCLIS	Identify priority issues and participate in OSWER and OE Regional reviews
Maintain CERCLIS data quality at high levels for Superfund program and project management	Implement and report on follow-up action items from the OSWER and OE Regional review and Superfund mid-year assessment
Participate in OSWER Regional reviews	Review monthly performance data reported by the Regions and negotiate plans with Regions for meeting targets
Participate in workgroups to evaluate specific program area issues	Continually assess program performance and analyze timeliness and quality of work
Negotiate performance standards that provide individual accountability for quarterly targets	Recommend resource reallocation based on Regional needs and performance
Develop plans for meeting targets	Assure that all staff are informed of the results of performance reporting and OSWER and OE Regional reviews
Assess Federal agency needs identified during the OMB A-106 process	Identify and undertake special studies that result from the Federal Manager's Financial Integrity Act (FMFIA)
	Track audits, audit response activities, and internal reviews
	Compare Federal agency budget authorities, obligations and outlays to monitor cleanup activities

measures on a Region-by-Region basis. Management bases its evaluations of Regional program performance on these data. Each quarter, accomplishment data are used to support formal SCAP/STARS performance reporting. Detailed management evaluations occur at two points of the FY: during the second and third quarters (mid-year assessment) and after the fourth quarter (end-of-year assessment). (See Exhibit VII-2.)

The Regions are responsible for data entry and data quality control. Accomplishment data for SCAP and STARS reports are pulled from CERCLIS at the close of business on the fifth working day of the month. If a Region has not entered its accomplishments into CERCLIS by that time, its performance will not be captured in the data pull, nor will its accomplishments be reported in STARS reports.

Exhibit VII-2

THE QUARTERLY REVIEW PROCESS



Quarterly Reviews

The purpose of the quarterly review is to:

- Track Regional progress toward accomplishing quarterly and end-of-year SCAP and STARS targets;
- Identify and assess problems impacting performance soon after they arise; and
- Work with Regions to develop plans for meeting their targets.

The quarterly review process provides HQ with a way to monitor Regional progress toward accomplishing program targets. On a national scale, the review process allows HQ managers to identify trends in program performance and adjust program management strategies accordingly.

Between 15 and 30 business days following the end of the quarter, after the Regions have finalized their CERCLIS entries, evaluation staff brief individually the HQ and Regional Division Directors, the OERR and OWPE Office Directors, the AA SWER, and the Deputy Administrator. Quarterly memoranda are sent to Regional Administrators and Deputy Regional Administrators by the AA SWER. The memoranda contain the most significant issues/activities and performance highlights from the previous quarter.

Mid-Year Assessment

The focus of second quarter evaluation activities is the mid-year assessment. The purpose of the mid-year assessment is to provide both HQ and the Regions with an opportunity to assess performance and take appropriate action to enhance progress toward meeting annual commitments. During the mid-year assessment, management also considers the impact of Regional program performance on the Superfund pipeline. The mid-year assessment begins near the end of the second quarter, when HQ and the Regions examine progress made during the first five months of the year. By early March, the Regions should be able to assess the progress that they have made toward meeting second-quarter SCAP and STARS targets. By that time, they should also be able to know whether they are likely to achieve their end-of-year targets.

Preliminary performance data for the mid-year assessment are pulled from CERCLIS on the fifth working day of March and compared to data on missed targets. Based on these comparisons, HQ develops a list of Regions that seem to be having trouble meeting their targets. Preliminary plans are made for HQ senior managers to visit these Regions in April.

On the fifth working day of April, second quarter SCAP data are pulled from CERCLIS. If the CERCLIS data indicates that a Region has resolved its performance problems and is projected to meet annual targets, it is dropped from the final list of Regions to visit. The OERR and OWPE Directors are then briefed on the mid-year assessment strategy. The Regions are notified of their status by mid-April. OERR and OWPE visit those Regions having performance problems.

By the mid-year STARS briefing (the second week in May), OERR and OWPE Directors brief the AA on the steps taken to ensure the accomplishment of annual targets. The mid-year assessments result in a series of agreements between HQ and the Regions on actions that the Regions will take either to achieve or to exceed end-of-year accomplishment targets. To ensure that these actions are implemented, HQ will: distribute action agreements to appropriate managers; track follow-up items; reallocate resources; and provide the Regions with technical assistance. The results of the mid-year assessment can also affect resource allocations for the next FY. This measure of a Region's ability to meet their targets will be considered in August, when final FY 93 SCAP/STARS commitments and Regional budgets are established.

End-of-Year Assessment

After the end of the fourth quarter, in October, HQ conducts an end-of-year assessment. This assessment is an integrated analysis of program performance activities for the year. The purpose of the end-of-year assessment is to emphasize pipeline issues. The end-of-year review also notes progress toward implementing strategies identified in the mid-year assessment and identifies Regions that might require additional assistance as the new FY begins.

HQ considers the end-of-year assessment in developing the preliminary targets in mid-December, as well as in the mid-year SCAP negotiations that are held in February/March for the FY 92 third and fourth quarters. In this way, the results of the end-of-year assessment have a double impact.

FY 92 OSWER AND OE REGIONAL REVIEWS

In developing the OSWER and OE Regional review process for FY 92, the following was assessed: the timing of the review cycle; the types of evaluation, oversight and technical assis-

tance incorporated; the focus of the issues; and the results of the reviews. A key objective of this cycle of OSWER and OE reviews is to narrow the focus to key programmatic areas identified in annual guidance. An ancillary goal is to shorten the review cycle. While each OSWER program office and OFFE will be responsible for their own review preparation, a similar process will be used to evaluate the issue areas. There will be a concerted effort to tie into evaluations already underway in each program area. The product of the review will be negotiated plans for continued improvements.

Process

This approach to the OSWER and OE Regional review process has four primary phases and the following key features:

- Phase 1 - Selection of Program Issues — Program offices will select several specific program areas or issues for review at the beginning of the FY. Each program office will focus on a few systemic or significant issues from among those identified in the year's Operating Guidance and program guidance.

- Phase 2 - National Issue Evaluations — In-depth evaluations of the specific program issue areas by HQ and Regional workgroups will be performed during the first two quarters. These issues will be analyzed using a process that will emphasize solutions developed by the actual HQ and Regional participants.

- Phase 3 - On-Site Senior Management Visit — On-site visits of all ten Regions will be conducted by senior program managers during the third and fourth quarters to provide a more uniform timeframe for comparisons and program-wide assessments of the programs.

- Phase 4 - Products and Follow-up — The product of the review would be the negotiated plans for continued improvement developed in the on-site meetings.

Each of these phases are explained in the following sections.

Selection of Program Issues

Before the beginning of the FY, all program offices (i.e., OERR, Office of Solid Waste (OSW), OWPE, Office of Underground Storage Tanks (OUST), AA SWER Immediate Office and OE) identify key program areas and issues in the Agency's Operating Guidance or in individual program management guidance. From this universe, the program areas and issues selected by the program offices for Regional reviews will be those key issues that HQ program managers believe to be important to the general success of the program's mission, and to be most amenable to the inter-program nature of the OSWER and OE review. The AA SWER and AA of OE will then notify the Regions of the specific program areas and issues that HQ will be examining. Regions will comment on these topics and propose others for consideration.

Evaluations

During the first and second quarters of the FY, program offices will organize workgroups around the specific program areas and national issues selected by the program offices. Each program office will develop a workplan outlining the approach to be used in conducting the in-depth evaluation for each Region. The approach to the in-depth evaluation will depend on the program area and issues involved. Information collection may include a review of information

already available; a series of phone calls to the Regions to obtain more information; targeted visits to some or all the Regions, if needed; or any combination of these approaches. The benefit of this flexible approach is to allow the most appropriate evaluation techniques and program personnel to address the diverse range of issues and program areas.

On-Site Visit

After the in-depth evaluation of national issues, program office staff will customize Region-specific agendas reflecting performance on the national issues as well as adding any Region-specific issues. Program office managers will be briefed on the findings. Senior program managers will then conduct an on-site visit to all ten Regions during the third and fourth quarters of the FY. Each on-site visit will be tailored to the particular Region, with emphasis on the program areas and issues identified and examined in the previous phases. However, the on-site visit could also include discussions of other program areas or issues that the senior management would like to explore. Because only senior program managers attend the on-site visit and most of the information gathering has already occurred, senior management participants can focus on negotiating plans for continued improvement.

Products and Follow-up

The results of the on-site visit will be reviewed and useful Regional experiences will be shared among the Regions. Negotiated workplans will be confirmed in writing. Any outstanding issues will be documented and addressed after the review.

EVALUATION AND AUDIT FOLLOW-UP

The Superfund program has been the subject of intensive review and oversight by EPA's OIG, Congress, including the General Accounting Office (GAO), and private interest groups. In addition, HQ and Regional offices conduct a number of internal reviews to satisfy external requirements and for program management and policy purposes. To date, there has generally been a lack of coordination between HQ and the Regions on the conduct or the results of these reviews.

In 1988, Congress amended the Inspector General Act, creating new semi-annual audit reporting and follow-up requirements. In addition, if the OIG identifies a weakness, the funds that could be saved by resolving that weakness must also be identified. OMB has indicated that it may use the potential savings associated with an unresolved weakness to reduce program budgets. Furthermore, OMB guidance for preparation and submission of budget estimates requires that agencies ensure their budgets reflect a commitment to resolve weaknesses identified by the OIG. Weaknesses and corrective actions must also be reported in the Federal Manager's Financial Integrity Act (FMFIA) annual assurance letter.

These requirements, along with an increased attention to internal controls and audit follow-up, have resulted in the development of a system to track audits, audit response activities and internal reviews. The tracking system, called the Superfund Report Information System (SRIS), will be operated by the Planning and Evaluation Section (PES) of PDBS in OERR. OERR is utilizing the EPA Library System and the Hazardous Waste Collection (HWC) to make copies of these reports available to the Regions and other offices. As such, Regions and HQ divisions should inform PES of any audit with which they are involved, any internal study they conduct, or any FMFIA declared weaknesses that might have implications for internal controls.

CHAPTER VIII

WORKLOAD MODELS

CHAPTER VIII - WORKLOAD MODELS

ONE MINUTE PROGRAM MANAGER RULES

Following are the actions Regional managers must take to comply with the requirements described in this Chapter. In order to acquire a more in-depth understanding of these requirements, the Chapter itself should be read.

- No Full-Time Equivalents (FTEs) are given to projects that are incorrectly coded and scheduled in CERCLIS.
- As a result of the freeze in Regional FTEs, Regions may propose changes to targets during negotiations to match the total Regional Superfund resource level.
- Data quality checks used to identify response projects that will not receive FTEs include:
  - Missing First and Subsequent Start (FSC) and Completion (FSC) codes;
  - Missing planned start and completion dates;
  - Missing project leads;
  - Targets missed in previous years; and
  - Projects identified as "Alternate" targets.

CHAPTER VIII - WORKLOAD MODELS

OVERVIEW OF FTE DISTRIBUTION PROCESS

Regional FTE allocations are made through the Hazardous Spill and Site Response Model, the Technical Enforcement Model and the Federal Facilities Superfund Workload Model. Resources for the site assessment, remedial and removal programs are contained in the Spill and Site Response Model. Enforcement resources are in the Technical Enforcement Model and resources for oversight of Federal Facilities activities are distributed by the Federal Facilities Workload Model.

The workload models are designed to reflect priorities and policies contained in both the budget and planning processes. For the most part, the workload models are a straight forward application of FTE pricing factors from the national budget to Region-specific SCAP/STARS targets and projections of ongoing activities in the remedial pipeline. **No FTEs are given to projects that are incorrectly coded and scheduled in CERCLIS.**

Regional FTE allocations usually occur in two stages. An initial allocation is made in April based on preliminary negotiated SCAP/STARS targets and schedules in CERCLIS. A final distribution is made in September. This distribution reflects the final SCAP and STARS targets negotiated in August as reflected in CERCLIS and any adjustments to the budget as a result of Congressional action.

In FY 92, each Region's Superfund FTEs will be frozen at the FY 90 levels. While the freeze ensures that total Regional Superfund resources will not be affected, shifting of resources within the Region among the different program areas may occur. This includes shifts between the response and enforcement programs. All shifts will be based on the national budget and the integrated Priority Setting Matrix.

During negotiations of preliminary and final SCAP/STARS targets, Regions may propose changes to the targets to match the total Regional Superfund resource level. These proposals must be made in accordance with the integrated Priority Setting Matrix. HQ will ensure that the cumulative Regional targets meet national budget commitments.

FY 93 workload models will be unfrozen, and FY 92 mid-year negotiations will be particularly important. At this time, the process for distributing resources (preliminary allocation in April, final in August) will be the same as FY 90. Additional guidance will be issued, pending Agency decisions.

While other Superfund FTEs remain frozen, OE has requested and received a significant increase in resources to address Federal Facility cleanup and enforcement. OE will use the Federal Facilities Superfund Workload Model to distribute these resources.

HAZARDOUS SPILL AND SITE RESPONSE MODEL

General Model Description

The Hazardous Spill and Site Response Resource Distribution Model (referred to as the OERR Resource Distribution Model or Workload Model) system provides information necessary

to determine the total Regional response FTE allocation contained in the Congressional Budget among the 10 EPA Regions. The workload model reflects priorities and policies contained in both the budget request and SCAP and STARS planning processes.

Specifically, the workload model is both a mainframe and PC system application utilizing FTE pricing factors from the national budget (FTEs per unit of output) and Regional SCAP/ STARS targets and projections as entered into the pricing factors. If Regional targets are not available, FTE allocations are based on algorithms which include related activities and/or a percentage share of a given universe.

The workload model consists of six components: site assessment, remedial pipeline, remedial support, analytical services, management support, and contract management. For remedial pipeline events, FTE are allocated site and project specifically on a per quarter basis, using current site planning data as reflected in CERCLIS and any SCAP/STARS targets negotiated for the site. The direct use of CERCLIS SCAP/STARS targets and planning data provides solid accountability for management support, and analytical services. FTE allocations are based on non-site specific aggregated counts of activities per Region. The model then calibrates the FTE levels calculated for most of the program areas (site assessment, remedial pipeline, remedial support, and removal) to the FTE levels identified in the budget request. These calibrations ensure that budget priorities are reflected in FTE distribution.

In past years, Regional FTE workload model allocations occurred in two stages. An initial allocation was made in March utilizing the preliminary SCAP/STARS targets; this allocation distributed 95% of the total Regional response FTE contained in the Congressional budget request. The 95% level represents a baseline for each Region to allow for staff planning prior to the start of the FY. A final distribution was made in September which reflected final SCAP/ STARS negotiated targets plus Congressional action to date on the budget request. In FY 92, 100% of the FTEs will be distributed in September. The FTEs contained in the Congressional budget request will be distributed according to the FY 90 distribution level for each Region. Targets will be reconciled to this level.

This chapter describes in more detail the operations involved in each of the workload model phases. There are a number of operating steps in each application of the model. Some operating steps are required and must be executed in order for the model to function properly; others are optional and the user must determine if these operating steps should be executed. Additionally, users may experiment with a variety of operating combinations in order to identify the impact of various "what if" scenarios. Exhibits VIII-1 and VIII-2, on the following pages, are flowcharts for the remedial pipeline information.

Mainframe Application Concepts

Workload File Creation Process

Data are extracted from the CERCLIS data base on a date negotiated by HQ and the Regions to ensure that site data are accurately reflected on the mainframe computer. A project specific workload file is created which includes RI/FS, RD and RA events. The project-specific workload file contains every NPL site remedial pipeline project identified in CERCLIS.

Data Quality Checks Process

Several data quality checks are performed against the project-specific workload file to identify projects which have data errors. This step ensures that Regions will only receive

Exhibit VIII-1

WORKLOAD MODEL OPERATIONS REMEDIAL PIPELINE INFORMATION

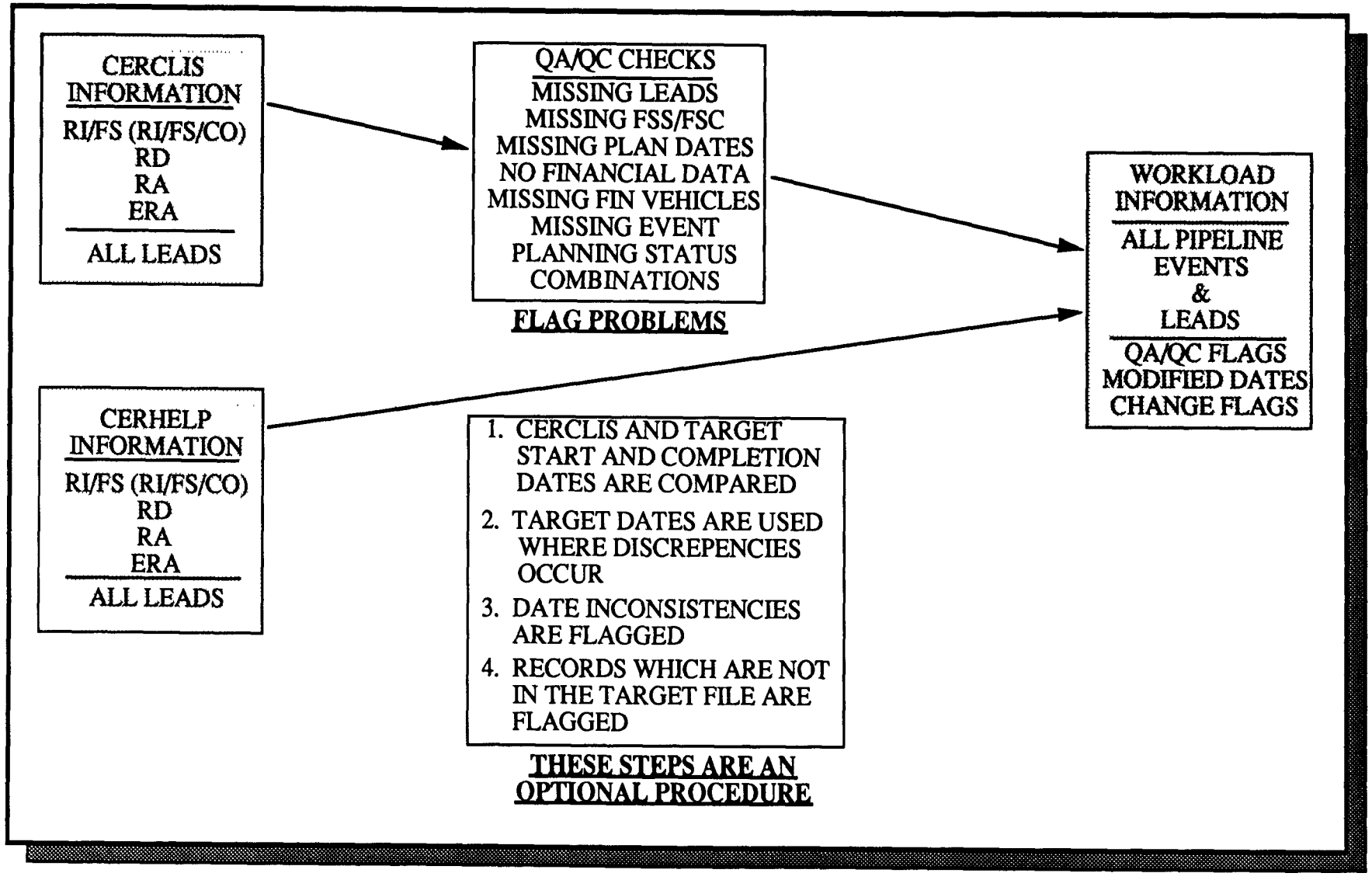
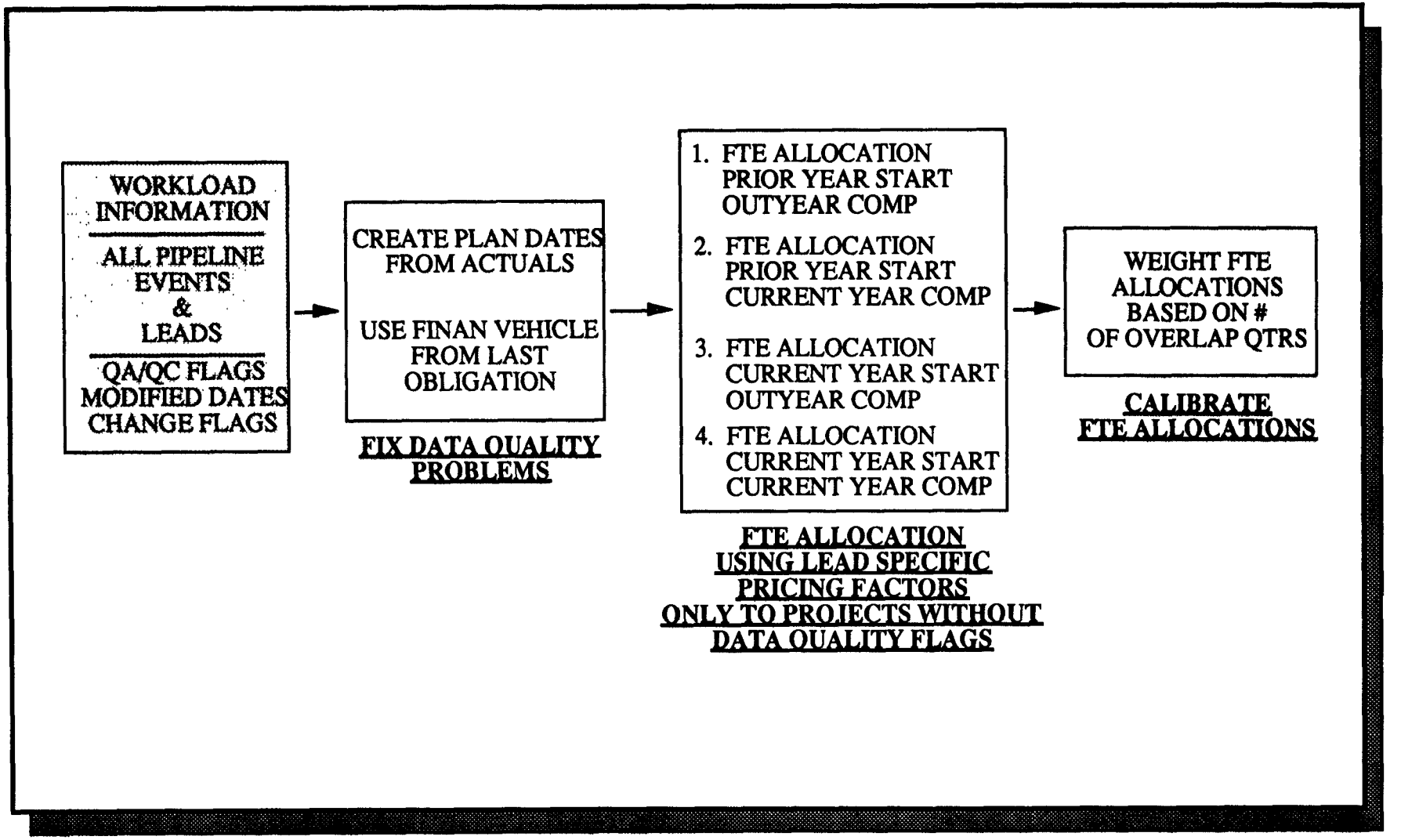


Exhibit VIII-2

WORKLOAD MODEL OPERATIONS REMEDIAL PIPELINE PROCESSING



resources for projects which are properly planned and coded in CERCLIS. If a problem exists, each of the fields for which a data quality check is performed have a flag field equal to "Y" assigned. After all tests are performed, the field "BADFLAG" is updated to "YES" if any of the individual problem flags are equal to "Y." Any project which has a "BADFLAG" equal to "YES" will not receive FTEs. The user has the option to include or exclude running the edit checks process. The individual data fields for which data quality checks are performed include:

- FSS/FSC Codes — This check identifies projects which are missing both FSS (C2115) and FSC (C2116) codes in CERCLIS. It is permissible for a project to have one or the other (as in the case of a takeover), but a Region will not receive FTEs for a project which has neither.

- Planned FY/Q Starts and Completions — This check identifies projects missing planned start or completion dates. Before this check is executed, a routine is run to create planned dates from actual dates. Any project not having both a planned start and completion date will not receive FTEs.

- Project Planned Obligations — This check identifies projects planned to start and not having planned obligations with approved funding. Only projects with certain leads (C2117 equal to "F," "S," "EP," "FE," "SE") are subject to this test.

- Activity/Event Planning Status Codes — This check identifies projects planned to start but are marked as alternates by the Activity/Event planning flag (C2110 equal to "A"). Projects containing a blank or "P" are eligible to receive FTEs.

- Project Leads — This check identifies projects missing a lead (C2117 is blank). Regions will not receive FTEs for any project which does not have a lead because FTEs are calculated using lead-specific pricing factors.

Target Overwrite Process

This process compares the planning data in CERCLIS and SCAP/STARS targeting data reflected in CERHELP. The user has the option to include or exclude running the target overwrite process of the workload model. If the user chooses to include the target overwrite process, the following steps are executed:

- Identifying Targeted Projects — The first step identifies specific projects which are eligible to receive FTEs:

  - Does the project have an actual start date?

  - Is the project a type which is not a SCAP/STARS target?

  - Is the project a target in the CERHELP file?

  Projects answering no to all of the above questions, are not targeted and are marked by a "Y" in the "NOTARG" flag field.

- Identifying Model Calculation dates — The second step determines the FY/Q dates used in the calculation of FTEs. The specific "Model Dates" used in calculations are U2132 and U2133 as opposed to the CERCLIS planned dates (C2132 and C2133).

  The start date (U2132) used in calculations is the later of the planned (CERCLIS) or targeted (CERHELP) start dates.

  The completion date (U2133) used is always the targeted (CERHELP) completion date. This ensures that resources are not provided for any project which has missed its targeted completion date.

- Identifying Missed Projects — The third step identifies projects not receiving FTEs for the following reasons:

  - Targeted date in CERHELP is historical;
  - Project does not have an actual start date; or
  - Planned project has not slipped in CERCLIS.

Note: For projects identified as not receiving FTE in this process, the system updates the field BADFLAG to equal "YES."

Data Review Process

After edit checks are performed, an edit report may be produced identifying those projects that are not currently receiving FTEs because of data quality problems mentioned above. This report should be used to correct data problems before the final execution of the workload model.

Pricing Factors Loading Process

After the data in the workload and pricing factors data files are reviewed, pricing factors are assigned to each project record. Each project record is matched on lead (C2117) and event type (C2101) to the appropriate record in the pricing factors file; and the start, ongoing, and completion pricing factors are loaded.

Pure FTEs Calculation Process

The model calculates FTEs for each project not having data quality problems. There are four parts to the pure FTEs calculation:

- Prior Year Start - Out Year Completion — The FTEs for each project are calculated by multiplying the number of ongoing quarters (four in this case) times the ongoing pricing factor.

- Prior Year Start - Model Year Completion — The FTEs for each project are calculated by multiplying the number of ongoing quarters times the ongoing pricing factor plus the completion pricing factor if the FSC code (C2116) is not equal to blank; if the FSC code is equal to blank, one additional ongoing quarter is added.

- Model Year Start - Out Year Completion — The FTEs for each project are calculated by multiplying the number of ongoing quarters times the ongoing pricing factor plus the start pricing factor if FSS code (C2115) is not equal to blank; if the FSS code is equal to blank, one additional ongoing quarter is added.

- Model Year Start - Model Year Completion — The FTEs for each project are calculated by multiplying the number of ongoing quarters times the ongoing pricing factor; plus the start and completion pricing factors if the FSS/FSC codes (C2115/C2116) are not equal to blank. If the FSS code is equal to blank one additional ongoing quarter is added. If the FSC code is equal to blank one additional ongoing quarter is added.

Calibrated FTEs Calculation Process

If concurrent projects exist at a site, the model then calibrates the pure FTEs assigned for each project. There are four parts to the calibrated FTEs calculation:

- Identify Ongoing Quarters for a Project — Set flags for each of the four quarters identifying if the project is ongoing during that quarter based on the model dates.

- Identify Concurrent Quarters — Modify flags are set for each of the four quarters to identify the existence of overlapping quarters by comparing each project to the other projects at the site.

- Summarize Quarter Information — Accumulates the number of ongoing and overlapping quarters for each project.

- Calculate the Calibrated FTEs — The FTEs for overlapping quarters are reduced by 40% for the second project at a site and by 60% for the third or greater project at a site. The first project at a site receives full FTEs.

PC Application Concepts

Data Loading Process

After the mainframe processes are completed (including the creation of the nine Lotus files and the download of those files to the PC), the data loading process is performed. This automated process loads the nine Lotus files that were downloaded from the mainframe into the spreadsheet, performs the necessary formatting, and places the data into the appropriate cell locations. Specifically, the spreadsheet model retrieves the files from the Remedial Pipeline Workload Model directory using the "Load Macro" function. (The "Load Macro" function may vary from Region to Region.)

Note: This process will not function if the macro that retrieves the files references the wrong directory.

Data Maintenance Process

Users may change the spreadsheet constant values to experiment with "what-if" scenarios. However, before changing data, it is recommended that each spreadsheet be

saved under a different file name to enable comparing the results of the different scenarios. Whenever spreadsheet data are changed, it is necessary to re-execute the model to calculate the latest results.

TECHNICAL ENFORCEMENT MODEL

The FY 92 enforcement resource distribution methodology is intended to accomplish the following significant goals:

- Focus the distribution of resources on a limited number of major activities, primarily those that are STARS or SCAP targets;
- Fold the distribution of resources for functions closely associated with achieving the major target activities into the distribution of resources associated with the targets themselves. (For example, the removal start target will determine the share of resources for all activities attempting to achieve the PRP response, such as non-NPL search activities, negotiations and all enforcement actions);
- Use preliminary targets as a means of recognizing past Regional performance and the achievement of Regional program plans;
- Make preliminary (FTEs and extramural) resource estimates (based on preliminary targets) available for Regional planning prior to negotiation of target commitments;
- Provide support for ongoing (non-targeted) enforcement activities based on standard pricing factors; and
- Continue to provide resources for support activities not tied to output commitments at a baseline level for all Regions.

Program Resource Assumptions

The Technical Enforcement model distributes resources using three methods that are described as follows:

Critical Outputs

- Removals — The budget provides resources for PRP searches at non-NPL sites; issuance of AOs (unilateral or on consent) for removals; and oversight of PRP removals. The resources for orders and removal oversight cover both NPL and non-NPL sites. The resources are distributed based on targeted PRP removal starts. Resources for PRP searches at NPL sites are included under the PRP RI/FS starts.
- PRP RI/FS Starts — This category combines resources for NPL PRP searches, and RI/FS negotiations. Although in some cases the PRP search resources will support RI/FS targets for the current year, most will probably support future RI/FS starts. It is therefore important that the Regions carefully plan not only support for current year targets, but that it assess

the impact of its searches on future years. The resources are distributed based on the targeted RI/FS starts.

- RD/RA Referrals — This category combines resources for RD/RA negotiations, UAOs, de minimus settlements and RD/RA referrals. The assumptions in the FY 92 budget are that RD/RA negotiations will be attempted at all sites with viable PRPs, beginning the quarter of ROD signature, and that those negotiations will produce PRP responses, settlement or referral at 60% of the sites. Issuance of UAOs is a presumed outcome of at least 40% of the Fund RD starts.

  These resources support ongoing and new RD/RA negotiations. In many cases the new negotiations will not result in a referral prior to the following FY.

- Cost Recovery Referrals — This category provides resources for Section 107 case development and referral. Priority is to be placed on SOL, remedial cases, and large dollar removals.

Ongoing Support

- PRP RI/FS Oversight — This category distributes resources only for PRP RI/FS oversight. Resources are based on projected ongoing RI/FS in CERCLIS in the fall of 1991 plus projected oversight support for new starts. To the extent this projection has changed, each Region should carefully review its program profile to determine if those commitments can be met without causing significant disruption to the progress of the program.

- Ongoing Case Support — Section 106, 106/107 and 107 — This category combines resources designated for Section 106 and Section 107 case support. Resources are distributed based on the number of quarters projected for ongoing Section 106/107 actions plus the number of ongoing quarters projected for new cases following referral, as reflected in CERCLIS. Small cases such as access, liens and bankruptcy are not provided separate technical support resources. It is assumed that most of these cases will generally require only ORC support post-referral.

- PRP/State (PS) Lead Sites — The resources provided assume an average cost of 75 percent of federal-lead/PRP site response. The emphasis in this category is on ongoing activities. Resources are provided for each quarter a RI/FS is ongoing as projected in CERCLIS.

- Enforcement Compliance Monitoring — The resources provided assume approximately one half the sites with PRP response for design or remediation (at a cost of approximately one quarter of an FTE and $20,000) will require significant compliance enforcement for such activities as stipulated penalties, oversight cost recovery activities, dispute resolution and review of compliance schedules. Additionally, these resources are provided to allow for referrals at those sites where PRPs have not responded to Section 104(e) information requests.

- Ongoing PRP Search — These resources are for search activity which continues following the RI/FS starts. They support all PRP search activity ongoing at Fund and Enforcement sites. These are not expected to continue beyond 12 quarters.

Support Activities

- Program Implementation — The resources provided are primarily core management and non-site specific program implementation activities. The distribution methodology indicates the specific method used for each item. It should be noted that non-site specific resources are provided here for State coordination and enforcement agreements, reportable quantities, and civil investigators.

FEDERAL FACILITIES SUPERFUND WORKLOAD MODEL

OFFE utilizes a Superfund-related workload model to estimate staffing requirements and extramural dollar resource needs for enforcement activities at Federal Facilities. Previously, this model had been part of the Technical Enforcement Model, but moved to OFFE with the creation of that office.

Similar to the Technical Enforcement Model, the methods of OFFE's model are intended to accomplish certain goals:

- Use selected major activities from the SCAP targets as the basis for the distribution of resources;
- Pricing major activities so that actions related to the accomplishment of those activities are funded and thereby incorporated as part of the target;
- Provide adequate resource support by recognizing the complexity of Federal Facilities through pricing;
- Make preliminary resource estimates available for Regional planning prior to negotiation of target commitments.

The OFFE Superfund Workload Model utilizes target information for three major events (Removals, RI/FS Starts, and RD/RA Starts) in calculating resource needs. The pricing is entended to include costs related to these events. The model then employs an OU pricing methodology that separately prices the first three OUs at a facility. The pricing factors are lowered with each successive OU. Any OUs beyond the first three use the third OU pricing structure.

In order to fund an activity for its complete duration, the model takes into account the number of quarters for which an activity is ongoing in the pipeline. As such, the model multiplies the pricing factors by the number of ongoing quarters by OU level. To arrive at the number of ongoing quarters for a Region, the model first counts the number of ongoing quarters for the activities at the start of the FY, factoring in projected new starts and subtracting out activities completing over the FY.

This model is in the process of revision for application to Federal Facilities.

ACRONYMS

ACRONYMS

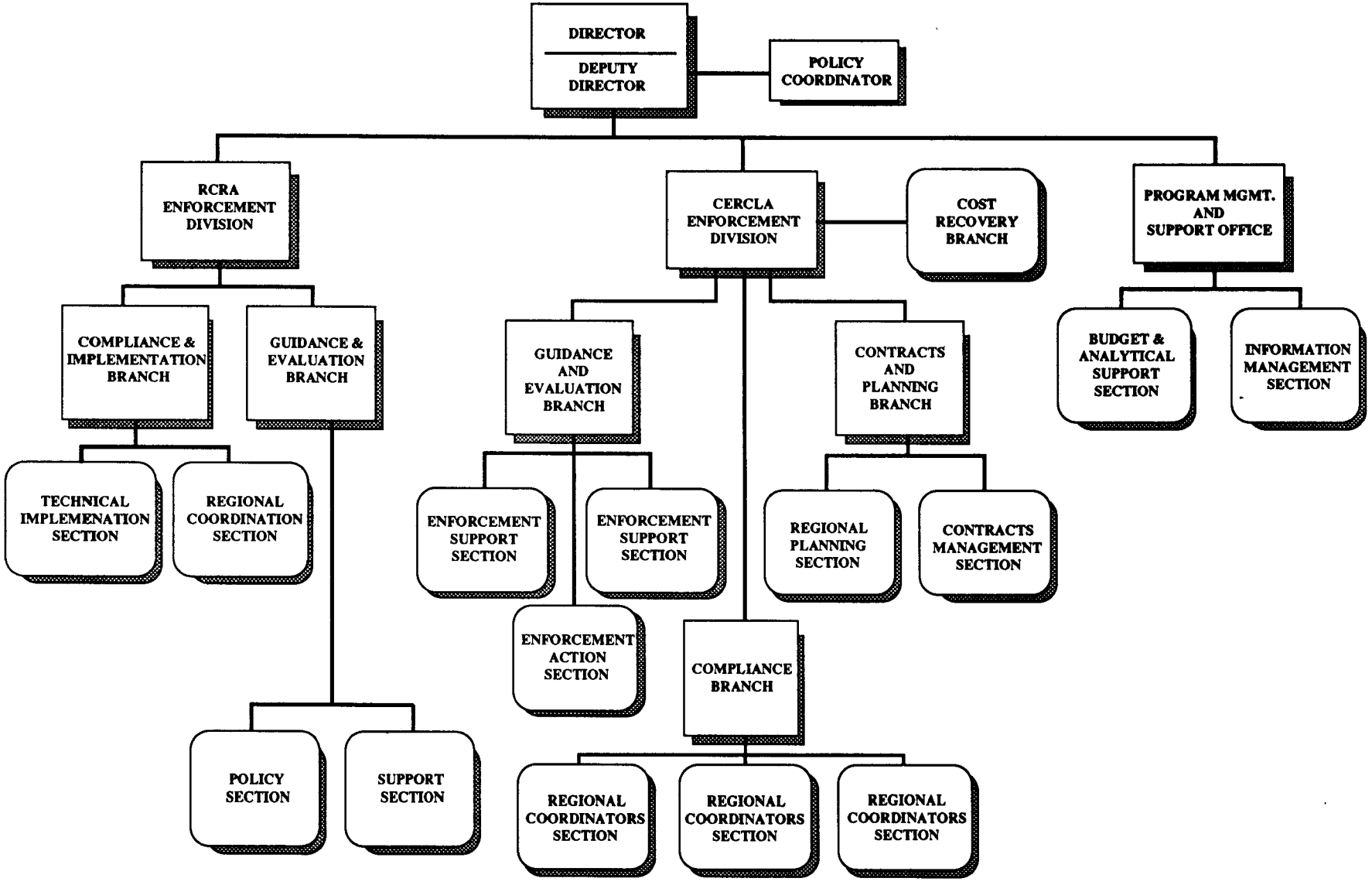
AA —	Assistant Administrator
AA SWER —	Assistant Administrator Solid Waste and Emergency Response
AAU —	Administrative Assistance Unit
ADCR —	Automated Document Control Register
ADR —	Alternative Dispute Resolution
ALT —	Alternate
AN —	Account Number
AO —	Administrative Order
AOA —	Advice of Allowance
AOC —	Administrative Order on Consent
APR —	Approved
AR —	Administrative Record
ARAR —	Applicable or Relevant and Appropriate Requirements
ARCS —	Alternative Remedial Contracts Strategy
ARIP —	Accidental Release Information Program
ARM—	Administration and Resources Management
ASU —	Administrative Support Unit
ATSDR —	Agency for Toxic Substances and Diseases Registry
BC/AOA —	Budget Control/Advice of Allowance
BLM —	Bureau of Land Management
BUREC —	Bureau of Reclamation
CA —	Cooperative Agreement
CD —	Consent Decree
CED —	CERCLA Enforcement Division
CEPP —	Chemical Emergency Preparedness and Prevention Program
CEPPO —	Chemical Emergency Preparedness and Prevention Office
CERCLA —	Comprehensive Environmental Response, Compensation, and Liability Act of 1980
CERCLIS —	Comprehensive Environmental Response, Compensation, and Liability Information System
CERHELP —	CERCLIS non-site specific data base
CLP —	Contract Laboratory Program
CN —	Commitment Notice
CPB —	Contracts and Planning Branch
CPCA —	Core Program Cooperative Agreement
CO —	Contracting Officer
CORA —	Cost of Remedial Action
CR —	Community Relations
CRCR —	Cost Recovery Category Report
CWA —	Clean Water Act
DCN —	Document Control Number
DOE —	Department of Energy
DOI —	Department of the Interior
DOJ —	Department of Justice
DPO —	Deputy Project Officer
CPB —	Contracts and Planning Branch
CPB —	Contracts and Planning Branch

EI —	Environmental Indicators
EMSL —	Environmental Monitoring Systems Laboratory
ENRD —	Environment and Natural Resources Division
EPA —	Environmental Protection Agency
EPA-ACH —	EPA Automated Clearing House
EPA ID —	EPA Identification Number
EPI —	Environmental Priorities Initiative
EPCRA —	Emergency Planning and Community Right to Know Act of 1986
ERA —	Expedited Response Action
ERCS —	Emergency Response Cleanup Services
ERD —	Emergency Response Division
ERNS —	Emergency Response Notification System
ESAT —	Environmental Services Assistance Team
ESD —	Explanation of Significant Differences
ESF —	Emergency Support Function
ESI —	Expanded Site Inspection
FCO —	Funds Certifying Officer
FE —	Federal Enforcement
FEMA —	Federal Emergency Management Agency
FFIS —	Federal Facilities Information System
FINDS —	Facility Index System
FMC-Ci—	Financial Management Center - Cincinnati
FMD —	Financial Management Division
FMFIA —	Federal Managers Financial Integrity Act
FMO —	Financial Management Office
FMS —	Financial Management System
FOIA —	Freedom of Information Act
FR —	Federal Register
FS —	Feasibility Study
FSC —	First and Subsequent Completion
FSS —	First and Subsequent Start
FTE —	Full-time Equivalent
FY —	Fiscal Year
FY/Q —	Fiscal Year/Quarter
GAD —	Grants Administration Division
GAO —	Government Accounting Office
GFO —	Good Faith Offer
GICS —	Grants Information Control System
GNL —	General Notice Letter
HQ —	Headquarters
HRS —	Hazard Ranking System
HSCD —	Hazardous Site Control Division
HWC —	Hazardous Waste Collection
IAG —	Interagency Agreement
IFMS —	Integrated Financial Management System
IMC —	Information Management Coordinator
IRM —	Initial Remedial Measure
ISIF —	Integrated Site Information Form
LAN —	Local Area Network
LEPC —	Local Emergency Planning Committee
LOC —	Letter of Credit

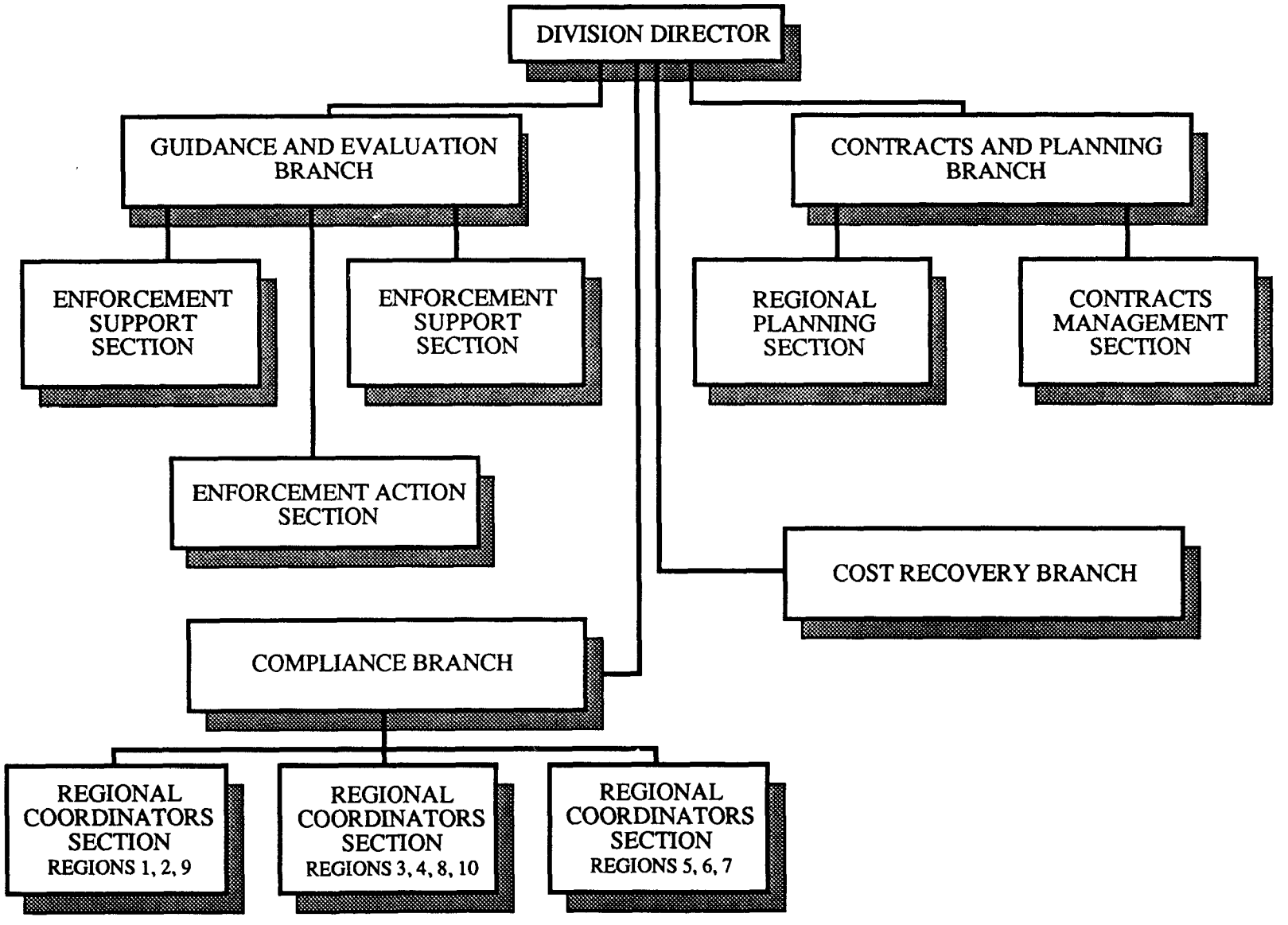
LOE —	Level of Effort
LTCS —	Long Term Contracting Strategy
LTRA —	Long Term Response Action
MARS —	Management and Accounting Reporting System
MBO —	Management by Objectives
MM/DD/YY —	Month/Day/Year
MSCA —	Multi-Site Cooperative Agreement
NFRAP —	No Further Remedial Action Planned
NBAR —	Non-Binding Allocation of Responsibility
NCP —	National Oil and Hazardous Substances Pollution Contingency Plan or National Contingency Plan
NOAA —	National Oceanic and Atmospheric Administration
NRC —	National Response Center
NSEP —	National Security Emergency Preparedness
NPL —	National Priorities List
OC —	Office of the Comptroller
OFFE —	Office of Federal Facilities Enforcement
O&M —	Operations and Maintenance
OE —	Office of Enforcement
OERR —	Office of Emergency and Remedial Response
OIG —	Office of the Inspector General
OMB —	Office of Management and Budget
OPA —	Oil Pollution Act
OPAC —	On-line Payment and Collections
OPM —	Office of Program Management
OPP —	Office of Pollution Prevention
ORD —	Office of Research and Development
ORC —	Office of Regional Counsel
OSC —	On-Scene Coordinator
OSW —	Office of Solid Waste
OSWER —	Office of Solid Waste and Emergency Response
OU —	Operable Unit
OUST —	Office of Underground Storage Tanks
OWPE —	Office of Waste Programs Enforcement
PA —	Preliminary Assessment
PC —	Personal Computer
PCB —	Polychlorinated biphenyls
PCMD —	Procurement and Contracts Management Division
PDBS —	Program Development and Budget Staff
PES —	Planning and Evaluation Staff (OERR)
PMSO —	Program Management Support Office
PNRS —	Preliminary Natural Resource Surveys
PO —	Project Officer
POLREP —	Pollution Report
PR —	Procurement Request
PRP —	Potentially Responsible Party
QAT —	Quality Action Team
RA —	Remedial Action
RAMP —	Remedial Action Master Plan
RCMS —	Removal Cost Management System
RCRA —	Resource Conservation and Recovery Act

RCRC —	Regional Cost Recovery Coordinator
RD —	Remedial Design
REMT —	Regional Emergency Preparedness Team
RFP —	Request for Proposal
RI —	Remedial Investigation
RI/FS —	Remedial Investigation and Feasibility Study
ROD —	Record of Decision
RP —	Responsible Party
RPM —	Remedial Project Manager
RPO —	Regional Project Officer
RRT —	Regional Response Team
RTP —	Research Triangle Park
SARA —	Superfund Amendments and Reauthorization Act of 1986
SCAP —	Superfund Comprehensive Accomplishments Plan
SERC —	State Emergency Response Commissions
SETS —	Superfund Enforcement Tracking System
SFO —	Servicing Finance Office
SI —	Site Inspection
SIBAC —	Simplified Interagency Billing and Collection
SIF —	Site Information Form
SITE —	Superfund Innovative Technology Evaluation
SMP —	Site Management Plans
SMOA —	State Memorandum of Agreement
SMSA —	Standard Metropolitan Statistical Area
SNL —	Special Notice Letter
SOL —	Statute of Limitations
SOW —	Statement of Work
SPCC —	Spill Prevention Control and Countermeasure
SPMS —	Strategic Planning and Management System
SPR —	Superfund Progress Report
SPUR —	Software Package for Unique Reports
SRIS —	Superfund Report Information System
SSC —	Superfund State Contracts
SSI —	Screening Site Inspection
S/S ID —	Site/Spill Identification Number
STARS —	Strategic Targeted Activities for Results System
TAG —	Technical Assistance Grants
TAT —	Technical Assistance Team
TBD —	To Be Determined
TESWATS —	Technical Enforcement Support Work Assignment Tracking System
TES —	Technical Enforcement Support
TSCA —	Toxic Substances Control Act
UAO —	Unilateral Administrative Order
USACE —	United States Army Corps of Engineers
USCG —	United States Coast Guard
USFWS —	United States Fish and Wildlife Service
USGS —	United States Geologial Survey
WA —	Work Assignment
WAM —	Work Assignment Manager
ZPO —	Zone Project Officer

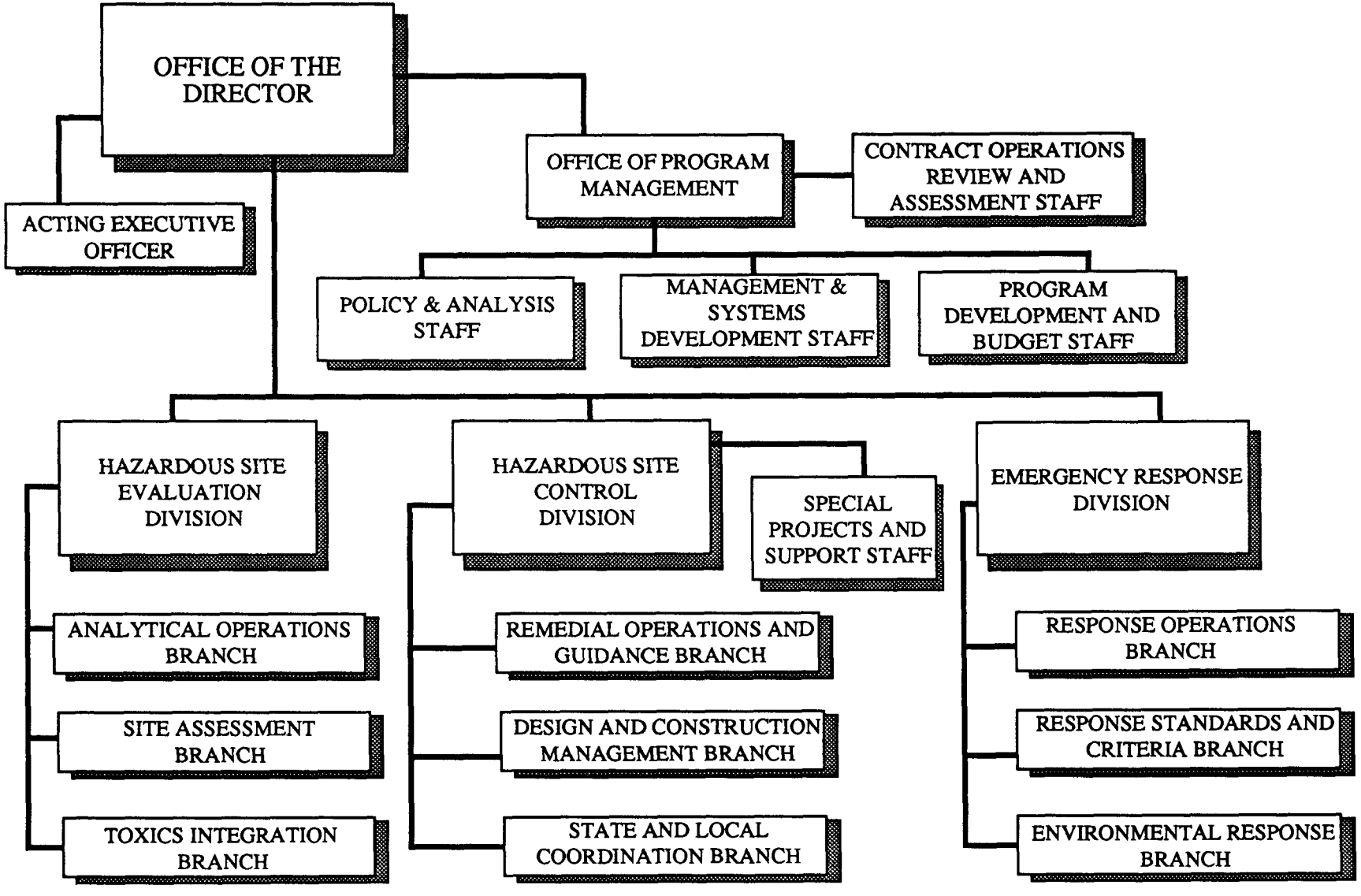
OFFICE OF WASTE PROGRAMS ENFORCEMENT



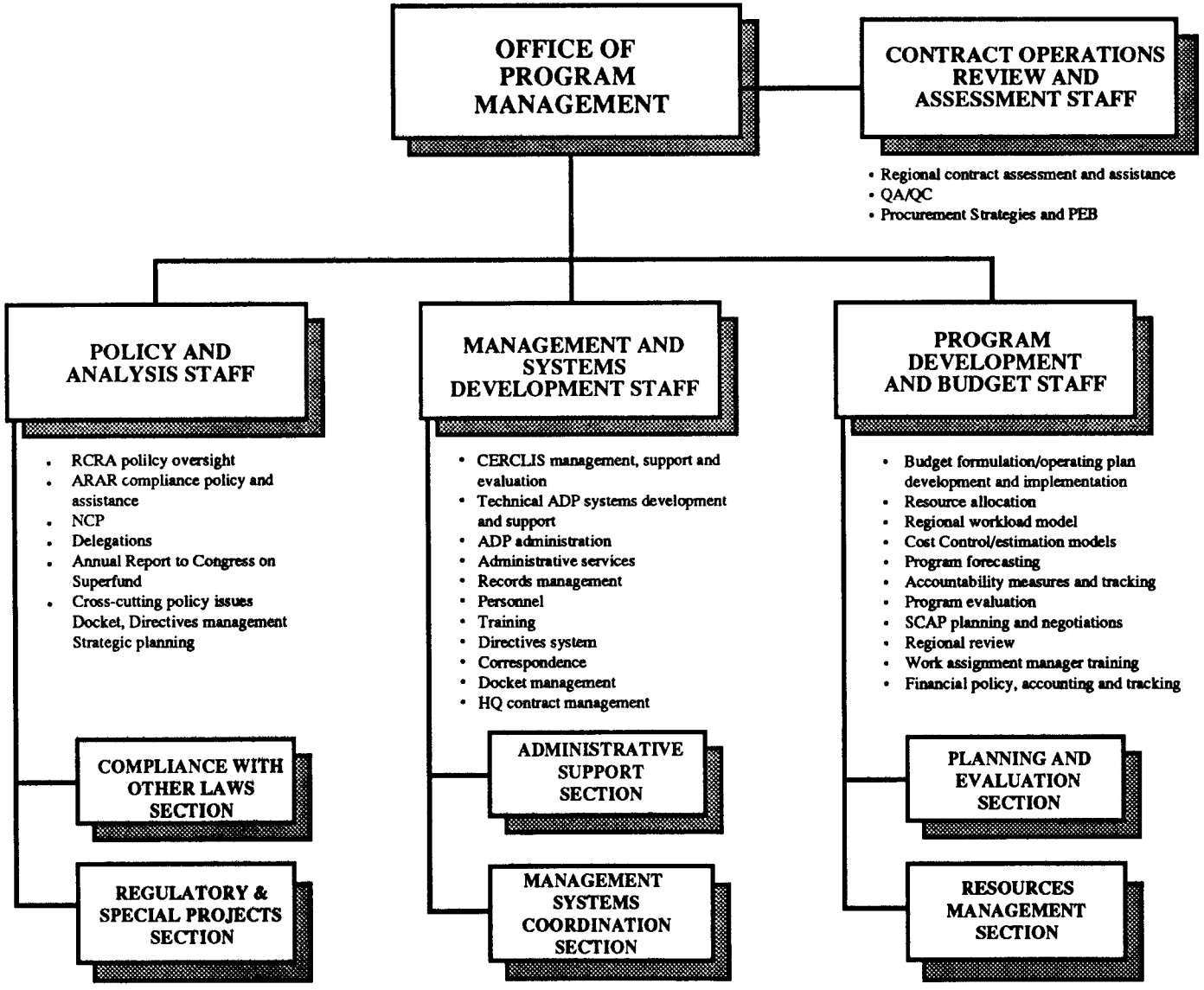
CERCLA ENFORCEMENT DIVISION



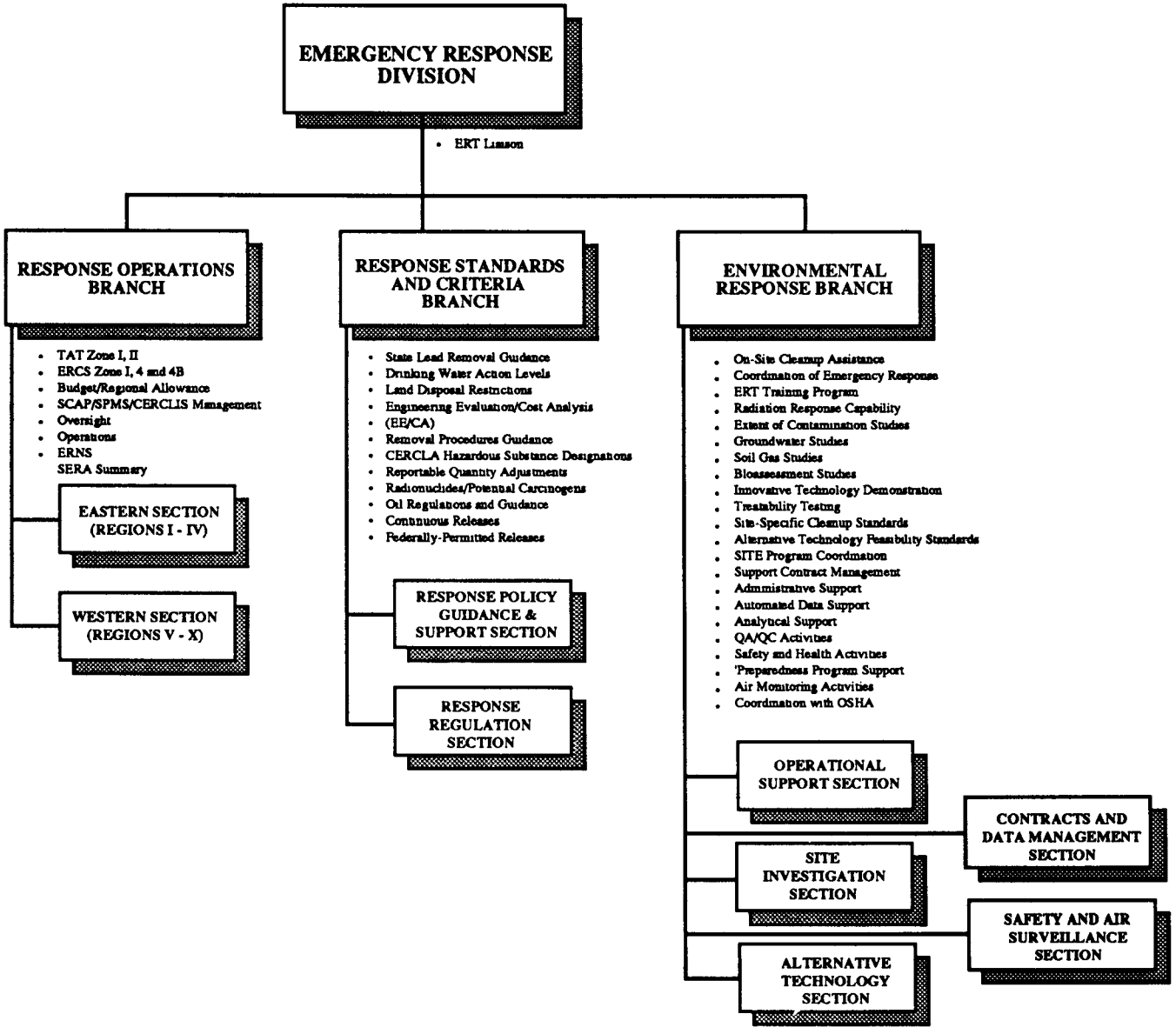
OFFICE OF EMERGENCY AND REMEDIAL RESPONSE



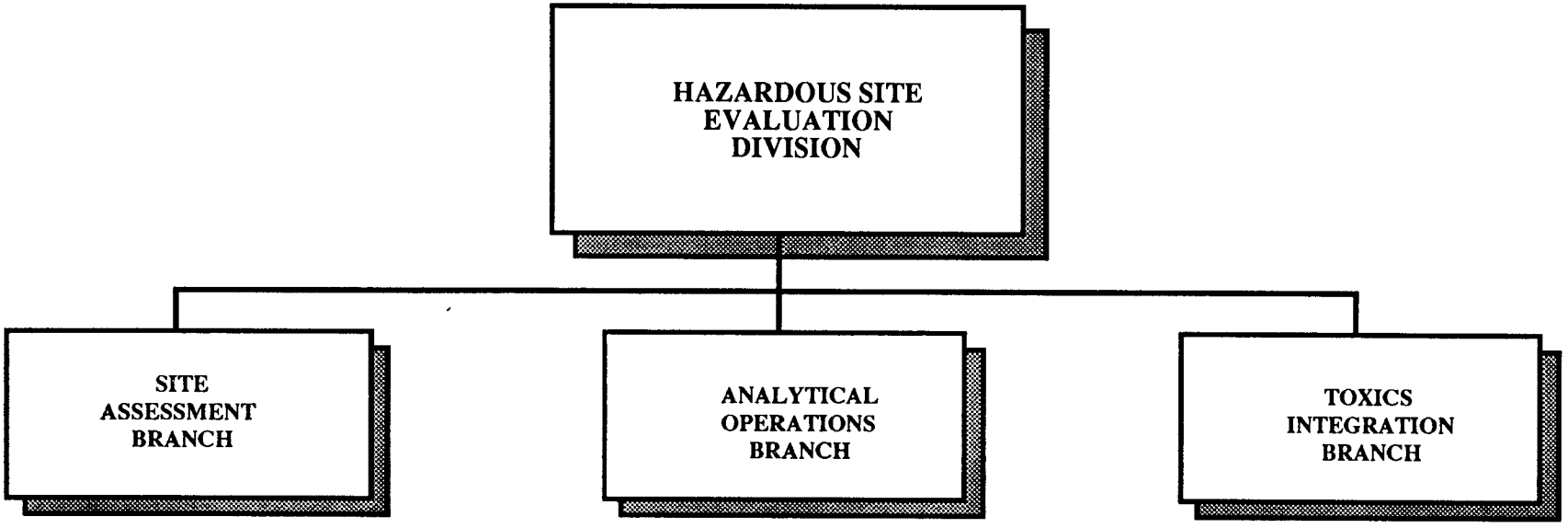
OFFICE OF PROGRAM MANAGEMENT



EMERGENCY RESPONSE DIVISION



HAZARDOUS SITE EVALUATION DIVISION



SITE ASSESSMENT BRANCH

- Provide guidance to implement revised HRS.
- Develop and refine NPL eligibility policies.
- Develop and finalize NPL updates.
- Provide QA on NPL proposals.
- Improve quality of Regional NPL submissions.
- Phase-in new NPL support contract.
- Conduct site assessment background and field studies.
- Manage PA/SI LSI SCAP process.
- Develop PA/SI LSI guidance and training.
- Manage FIT contract to meet Region's needs and ensure proper contract oversight.

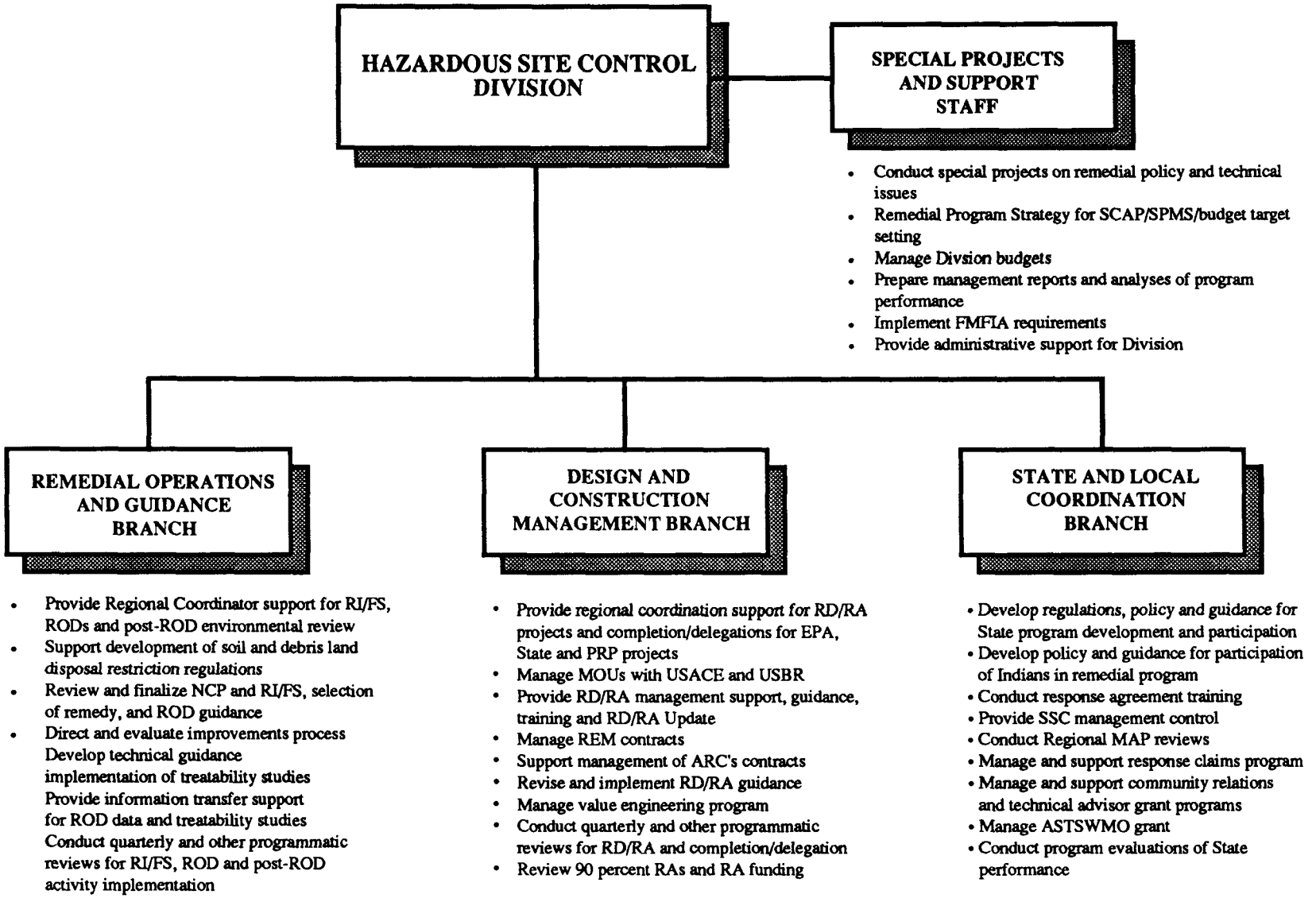
ANALYTICAL OPERATIONS BRANCH

- Ensure consistency of analytical methods.
- Develop organic and inorganic technical protocols and new CLP services.
- Manage ESAT.
- Manage Sample Management Ofice.
- Streamline analysis and data review.
- Establish national Q/A methods and procedures.
- Maintain analytical data base for sites.

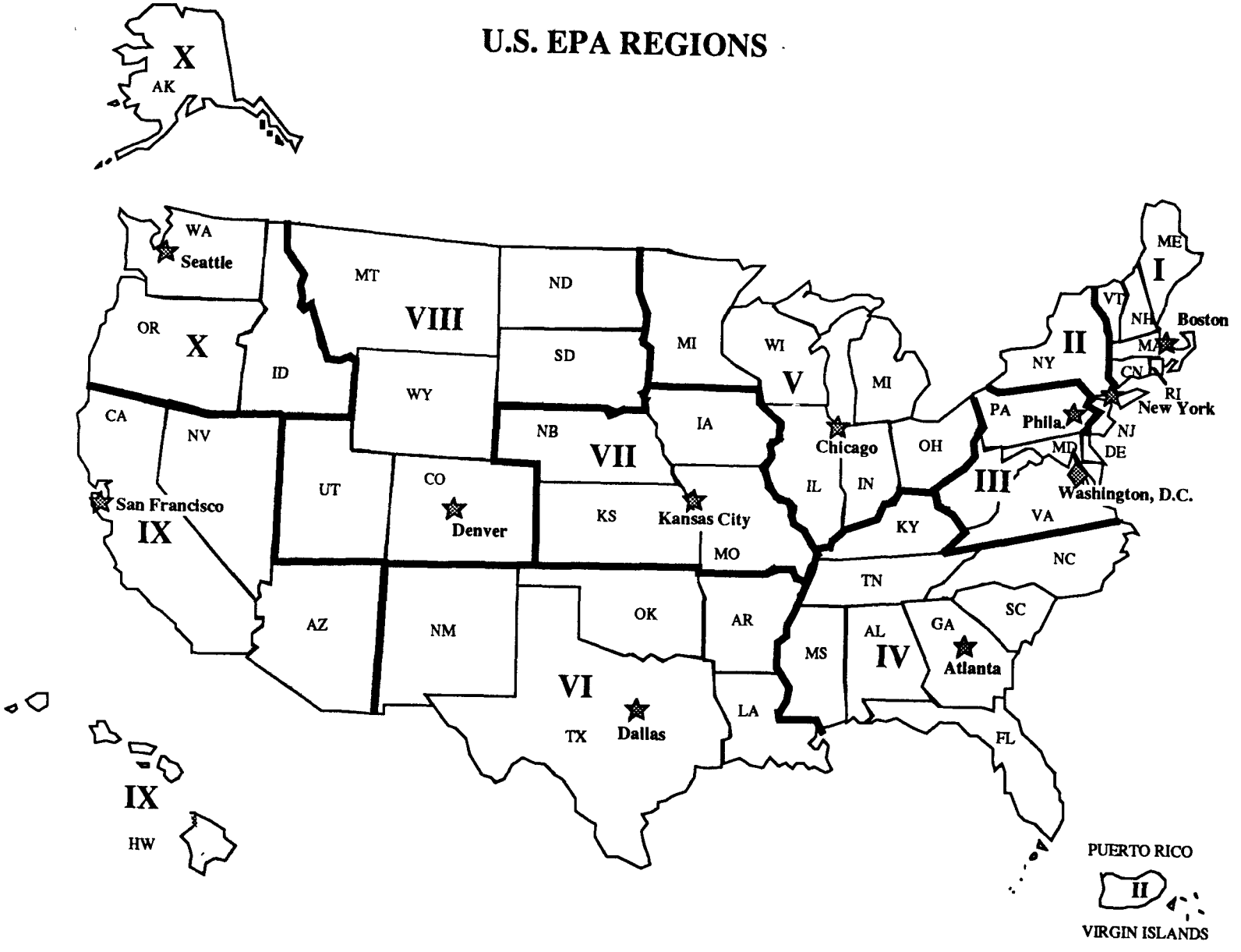
TOXICS INTEGRATION BRANCH

- Manage risk assessment QA/QC program.
- Provide Regions with immediate expert health/environmental science responses to RI/FS issues.
- Update Superfund risk data bases and ensure consistency/utility of other data bases.
- Provide TA to Regions on the revised public health and ecological evaluation manuals.
- Coordinate with ATSDR and lead EPA/ATSDR dispute resolution process/follow-up on Regional problems.
- Evaluate results of Section 111 three-city lead pilot program for soil clean-up/blood-lead-level correlation.

HAZARDOUS SITE CONTROL DIVISION



U.S. EPA REGIONS



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EXECUTIVE SUMMARY

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CHAPTER VI FINANCIAL PLANNING AND MANAGEMENT

CHAPTER VII PROGRAM ASSESSMENT

CHAPTER VIII WORKLOAD MODELS

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