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Superfund

EPA

Superfund Program Implementation Manual Fiscal Year 1994

Volume I: Program Goals and Planning Requirements

- Progam Goals and Priorities
- Program Planning and Reporting Requirements
- Superfund Financial Management and FTE Distribution

DISCLAIMER

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USE AND STRUCTURE OF THE MANUAL

The information in this Manual is targeted to Information Management Coordinators (IMCs), Remedial Project Managers (RPMs), and On-Scene Coordinators (OSCs). Its primary purpose is to provide guidance to this audience on management of the Superfund program.

The FY 94 Superfund Implementation Manual consists of two volumes. Volume I contains information on:

- Program goals and priorities;
- Program planning and reporting requirements;
- Financial management and FTE distribution; and
- Manager's Schedule of Significant Events.

Volume II includes the following Appendices:

- Appendix A presents program priorities, targets/measures, definitions, planning and reporting requirements, and financial information for the Site Screening and Assessment and the Regional Decision Team;
- Appendix B provides program priorities, targets/measures, definitions, planning and reporting requirements, and financial information for the Early and Long Term Actions;
- Appendix C presents program priorities, targets/measures, definitions, planning and reporting requirements, and financial information for Enforcement; and
- Appendix D contains program priorities, targets/measures, definitions, planning and reporting requirements, and financial information for Federal Facilities.
- Appendix E contains on overview of Superfund information systems including CERCLIS, WasteLAN, CleanLAN, CERCLIS/WasteLAN tools, and RELAI.

Two other documents have been developed to support the program management needs of Branch Chiefs *(Superfund Program Management Manual)* and Division Directors *(Superfund Program Management Highlights)*. These documents present pertinent information from this Manual.

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MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS

JULY **QUARTER 4 (FISCAL YEAR (FY) 93)**

6 The Assistant Administrator for the Office of Solid Waste and Emergency Response (AA SWER) or the Director, Program Operations Division (POD) in the Office of Federal Facilities Enforcement (OFFE) and the Office of the Comptroller (OC) approves the fourth quarter Advice of Allowance (AOA)

8 Headquarters (HQ) pulls 3rd quarter FY 93 accomplishments data from the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) and provides for:
1) Comparison of Regionally reported accomplishments in the Office of Pollution Prevention (OPP) Strategic Targeted Activities for Results System (STARS); and
2) Special enforcement reports

8 HQ submits FY 95 Superfund budget request to the Administrator

8 HQ pulls data from CERCLIS to review and analyze:
1) Regional Superfund Comprehensive Accomplishments Plan (SCAP)/STARS and pipeline workload and budget request;
2) Past Regional accomplishments and planned durations/dollars; and
3) Regional request for 10 percent budget reserve

19-23 Regional conference calls on HQ analyses

19-23 HQ/Regions reconcile accomplishments data contained in the OPP STARS system (third quarter accomplishments)

23 OPP STARS system closes (third quarter accomplishments)

AUG.

6 HQ pulls accomplishments data from CERCLIS

9-20 HQ/Regions conduct negotiations on final FY 94 SCAP/STARS targets and budget

20 Administrator passback of FY 95 budget request

31 HQ sends memorandum to Regions on final budgets, targets and measures

31 HQ submits National Priorities List (NPL) proposed rules to the Office of Management and Budget (OMB)

SEPT.

8 Regions revise CERCLIS to reflect final budgets, targets and measures

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS (continued)

SEPT. **(continued)**

8	HQ pulls data from CERCLIS for first quarter (FY 94) AOA
8	HQ pulls accomplishments data from CERCLIS
8	HQ revises FY 95 budget request and submits it to OMB
20	HQ makes final FY 94 Full Time Equivalent (FTE) distribution
24	HQ submits FY 94 first quarter AOA request to the AA SWER or Director, POD/OFFE and places it in CERHELP
30*	Regions input AOA to the Integrated Financial Management System (IFMS)

OCT. **QUARTER 1 (FY 94)**

1	HQ distributes final FY 94 Superfund Program Implementation Manual
5*	The AA SWER or Director, POD/OFFE and OC approves the first quarter AOA
7	HQ pulls 4th quarter FY 93 accomplishments data from CERCLIS and provides for: 1) Special program reports; and 2) End-of-year assessment for FY 93.
15	HQ pulls 4th quarter FY 93 accomplishments data from CERCLIS for comparison of Regionally reported end-of-year accomplishments in OPP FY 93 STARS

NOV.

1	Enforcement extramural budget carryover calculated
5	HQ/Regions set FY 94 final targets, including open season changes in CERHELP
5	HQ pulls accomplishments data from CERCLIS
18-24	HQ/Regions reconcile accomplishment data contained in OPP STARS system (fourth quarter FY 93)
19	HQ distributes final FY 94 Superfund Program Management Manual for Branch/Section/Unit Chiefs
19	OMB passback of FY 95 budget request

* Dependent on approval of final appropriation

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS (continued)

NOV. **(continued)**

24 OPP STARS system closes (fourth quarter FY 93)

DEC.

7 HQ pulls CERCLIS data for:
1) Second quarter AOA; and
2) FY 95 Congressional Budget

17 HQ appeal of the OMB FY 95 budget passback

23 HQ submits second quarter AOA request submitted to AA SWER or Director, POD/OFFE and places it in CERHELP

30 Regions input AOA to IFMS

JAN. **QUARTER 2 (FY 94)**

5 The AA SWER or Director, POD/OFFE and OC approves the second quarter AOA

7 HQ pulls accomplishments data from CERCLIS and provides for special reports

7 Regions submit list of non-Federal Facility proposed and final NPL sites that did not receive a removal investigation during calendar year 1993

14 HQ submits FY 95 budget request to the President

25-27 HQ/Regional Superfund Program Management meeting

28 Regions submit Fund mega-site Management Plans for FY 95 to the Hazardous Site Control Division (HSCD)

FEB.

7 HQ pulls national Environmental Indicators (EI) data from CERCLIS

18 HQ prepares EI questions and answers to send to the Regions

25 HQ submits NPL proposed rule to OMB

MARCH

7 HQ pulls data from CERCLIS for enforcement extramural budget and third-quarter AOA

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS (continued)

MARCH (continued)

18	HQ distributes draft FY 95 Superfund Program Implementation Manual for Regional review
25	HQ submits third quarter AOA request to the AA SWER or Director, POD/OFFE and places it in CERHELP
31	Regions input AOA to IFMS
31	Regional response to HQ EI questions and answers

APRIL QUARTER 3 (FY 94)

5	The AA SWER or Director, POD/OFFE and OC approves the third quarter AOA
5	Regional comments on FY 95 Superfund Program Implementation Manual due
7	HQ pulls accomplishments data from CERCLIS and provides for: 1) Comparison of Regionally reported second quarter accomplishments in OPP STARS; 2) Special program reports; and 3) Mid-year performance evaluation
11-15	CERCLIS Change Management Council Meeting
15	Regions submit current FY STARS amendment requests to HQ
18-22	HQ/Regions reconcile accomplishments data contained in OPP STARS system (second quarter accomplishments)
22	OPP STARS system closes (second quarter accomplishments)
29	HQ distributes FY 93 EI analysis to HQ/Regional managers
29	HQ prepares preliminary Regional operating plan based on past three years obligating/tasking averages

MAY

6	HQ analysis of Regional pipeline
6	HQ allocates 90 percent of FY 95 budget to Regions
13	Regional NPL site fact sheets updated in NPL-Production Assistance Database (PAD)

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS (continued)

MAY (continued)

16-31	Regions generate their plan for FY 95 by updating schedules and financial information in WasteLAN and uploading to CERCLIS
20	HQ distributes final FY 95 Superfund Program Implementation Manual
31	HQ submits NPL final rule to OMB

JUNE

1-30	Regions generate their plans for FY 95 by updating schedules and financial information in WasteLAN and uploading to CERCLIS
7	HQ pulls CERCLIS data for fourth quarter AOA
7	HQ pulls planning information from CERCLIS to support FY 96 budget request
8	HQ distributes draft FY 95 Superfund Program Management Manual
17	HQ presents FY 96 Superfund goals and priorities to the Administrator
24	HQ submits fourth quarter AOA request to the AA SWER or Director, POD/OFFE and places it in CERHELP
24	Regional comments on FY 95 Superfund Program Management Manual due
30	Regions submit enforcement mega-site management plans to the Office of Waste Programs Enforcement (OWPE)
30	Regions input AOA to IFMS

JULY QUARTER 4 (FY 94)

6	The AA SWER or Director, POD/OFFE and OC approves the fourth quarter AOA
8	HQ submits FY 96 Superfund budget request to the Administrator
8	HQ pulls accomplishments data from CERCLIS and provides for: 1) Comparison of Regionally reported accomplishments in OPP STARS; and 2) Special program reports
8	HQ distributes final FY 95 Superfund Program Management Manual

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS (continued)

JULY (continued)

15	HQ pulls data from CERCLIS to review and analyze: 1) Regional SCAP/STARS and pipeline workload and budget 2) Past Regional accomplishments and planned durations/dollars and 3) Regional requests for 10 percent reserve
18-22	Regional conference calls on HQ analyses
18-22	HQ/Regions reconcile accomplishments data contained in CERCLIS system (third quarter accomplishments)
22	OPP STARS system closes (third quarter accomplishments)

AUG.

8-19	HQ/Regions conduct negotiations on final FY 95 SCAP/STARS targets and budget
19	Administrator passback of FY 96 budget
31	HQ sends memorandum to Regions on final budgets, targets and measures
31	HQ submits NPL proposed rule to OMB

SEPT.

8	Regions revise CERCLIS to reflect final budgets, targets and measures
8	HQ pulls data from CERCLIS for first quarter FY 95 AOA
8	HQ pulls accomplishments data from CERCLIS
9	HQ revises FY 96 budget request and submits it to OMB
19	HQ performs final FY 95 FTE distribution
23	HQ submits FY 95 first quarter AOA request to the AA SWER or Director, POD/OFFE and places it in CERHELP
30*	Regions input AOA to IFMS

OCT. QUARTER 1 (FY 95)

5*	The AA SWER or Director, POD/OFFE and OC approves the first quarter AOA
7	HQ pulls accomplishment data from CERCLIS and provides for: 1) Special program reports; and 2) FY 94 end-of-year assessment.

* Dependent on approval of final appropriation

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS (continued)

OCT. (continued)

17	HQ pulls 4th quarter FY 94 accomplishments data from CERCLIS for comparison of Regionally reported end-of-year accomplishments in FY 94 STARS

NOV.

1	Enforcement extramural budget carryover calculated
7	HQ/Regions set FY 95 final targets, including open season changes in CERHELP
14-18	HQ/Regions reconcile accomplishments data contained in OPP STARS system (fourth quarter FY 94)
18	OPP STARS system closes (fourth quarter FY 94)
18	OMB passback of FY 96 budget request
30	HQ submits NPL final rule to OMB

DEC.

7	HQ pulls CERCLIS data for: 1) Second quarter AOA; and 2) FY 96 Congressional budget
16	HQ appeal of the OMB FY 96 budget passback
23	HQ submits second quarter AOA request to AA SWER or Director, POD/OFFE and places it in CERHELP
30	Regions input AOA to IFMS

* Dependent on approval of final appropriation

CHAPTER I

PROGRAM GOALS AND PRIORITIES

October 1993

CHAPTER I - PROGRAM GOALS AND PRIORITIES

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. Protecting human health and the environment, maximizing participation of the Potentially Responsible Parties (PRPs), and ensuring enforcement fairness are three of the Superfund program's highest priorities.

FISCAL YEAR 94 THEMES

Fiscal Year (FY) 94 is a critical year for the Superfund program as the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act (SARA), is scheduled for reauthorization in October 1994. Superfund is now more than 12 years old. After 12 years, significant progress has been made in reducing risks posed to human and natural ecosystems from releases of hazardous substances into the environment. Accomplishments in FY 94 will expand and refine Superfund's measures of success, refocus the debate on Superfund progress, and explore options for making administrative changes that will improve Superfund in the future.

Increasing programmatic demands, the pending reauthorization, and the new Administration's need to be informed of EPA's present directions have made it important that the programmatic priorities and challenges be defined and clearly communicated. Exhibit I-1 summarizes the nine challenges that Regional and Headquarters (HQ) Superfund managers must work together to address in FY 94. In addition, a HQ/Regional task force identified improvements to the Superfund program that will be implemented by the Agency before September 30, 1994. *(Superfund Administrative Improvements, June 23, 1993.)* These challenges and administrative improvements will be discussed in more detail later in this chapter.

A FRAMEWORK FOR SETTING PRIORITIES

Over the past few years, Regional personnel have been told that completions/deletions, "enforcement first," and worst sites/worst problems first are each the highest program priority. While it is frequently possible to address all priorities, it is not always possible to optimize them. This section will address the reconciliation of the competing priorities of the Superfund program.

EXHIBIT I-1
FY 94 SUPERFUND CHALLENGES

- Emergency Response and Accelerate Cleanup
- Enforcement
- Enforcement Fairness
- Military Base Closure
- Construction Completions
- Effective Contract Management
- Environmental Justice
- Enhancement of State Role
- Innovative Technologies

The highest priority of the Superfund program is the **management of imminent risk to human health and the environment.** Worst site/worst problems first is a guiding Superfund principle. Efforts to streamline and accelerate the entire Superfund process also support this important goal. Once it is determined that the site poses no imminent risk, the Agency moves on to other priorities, using enforcement tools to ensure **maximum PRP involvement.** Given current resource constraints, maximizing PRP involvement in the cleanup process will be necessary to meet the mandates of SARA and the goals of the Agency.

When PRPs are recalcitrant, the Region must determine what mix of Fund and enforcement tools should be used to move the site expeditiously to cleanup. Both a Unilateral Administrative Order (UAO) and Fund-financed action should be considered. If UAOs are issued and the PRPs do not comply, a Fund-financed cleanup should be considered, as appropriate, to ensure that the site moves forward quickly. Appropriate cost recovery efforts should be pursued when PRPs do not comply and Fund-financed activities are initiated.

One of the tools used by the Agency to reconcile the competing Superfund priorities is the Integrated Priority Setting Matrix. The Matrix was initially developed in 1989 by the Office of Waste Programs Enforcement (OWPE), the

Office of Emergency and Remedial Response (OERR), and the Regions. It is evaluated on a yearly basis to ensure that the latest program priorities are accurately reflected. The Matrix is used by OERR and the Office of Enforcement and Compliance Assurance (OECA), formerly OWPE, to allocate resources in Superfund to the highest priority activities.

The Integrated Priority Setting Matrix is currently under review as part of the workload model and resource allocation process.

INTEGRATED PRIORITY SETTING MATRIX

The Integrated Priority Setting Matrix shown in Exhibit I-2 has been reorganized to reflect the key challenges in FY 94 and the Superfund Administrative Improvements. Any additional revisions will be incorporated into future versions of the Manual.

The new Matrix is designed to:

- Identify the most significant program priorities that support the challenges;
- List the major activities or tools that receive resources, grouped according to their contribution to a program priority; and
- Arrange the program priorities and major tools in order of importance, where possible.

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

- FY 95 budget formulation;
- FY 94 operating plan development, target setting and negotiation; and
- FY 94 mid-year adjustment.

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

- All of the activities listed in the Matrix contribute in a significant manner to Superfund program success. Therefore, priority setting must be presented in terms of maintenance of an essential minimum baseline of activity across the board; and
- A baseline of activities must be supported to ensure that a constant flow of projects is maintained and that the entire program maintains its operating integrity.

EXHIBIT I-2
INTEGRATED PRIORITY SETTING MATRIX

PROGRAM CHALLENGES	PROGRAM PRIORITIES	TOOLS
Emergency Response and Accelerate Cleanup	Mitigate Risks from Immediate Threats	Classic Emergencies (Fund and PRP) Early Actions (Fund, PRP, Federal Facility) Regional Decisions
	Timely Remediation of Sites	Remedial Design (RD) Complete Ongoing Remedial Investigation / Feasibility Studies (RI/FS) Initiate Expanded Site Inspection (ESI)/Remedial Investigations (ESI/RI) and Where Significant Response Actions Are Needed Work with other Federal Agencies to Accelerate Cleanup Initiate Integrated Site Assessments (Fund and PRP) Develop and Utilize Presumptive Remedies Develop Soil Trigger Levels for Cleanup
Enforcement	Maximize PRP Participation	Cleanup Negotiations Section 106 Settlement Referrals Section 106 UAOs Administrative Orders (AOs) for Early Actions Federal Facility Interagency Agreement (IAG) Compliance Monitoring/Enforcement Federal Facility IAG Negotiation/Signature Site Assessment Negotiations PRP Searches
	Take Enforcement Actions for PRP Response	Section 106 or 106/107 Litigation to Enforce UAOs Compliance Monitoring/Enforcement Section 104 Access
Enforcement Fairness	Equitable Treatment of PRPs	*De minimis* Settlements Mixed Funding Settlements Settlements with Municipalities Use Alternative Dispute Resolution (ADR) to Facilitate Settlement PRP Allocations of Responsibility Greater Fairness for Superfund Site Owners Section 107 Statute of Limitation (SOL) Cost Recovery Referrals(>$200K)

EXHIBIT I-2 (continued)
INTEGRATED PRIORITY SETTING MATRIX

PROGRAM CHALLENGES	PROGRAM PRIORITIES	TOOLS
Enforcement Fairness (continued)	Equitable Treatment of PRPs (continued)	Section 122 Administrative Settlements Improve the Effectiveness of Cost Recovery Managing Voluntary Cleanups Section 104(e) Referrals
Base Closures	Expedited Remediation and Property Transfer of Military Bases	Assist Department of Defense (DoD) with Assessing Sites Ensure that Remedies Selected Meet Superfund Criteria Act Quickly on Clean Parcel Determinations (120(h))
Construction Completions	Maintain the Pace of Contruction Completions	Complete Ongoing Remedial Actions (RAs) (Fund, PRP, and Federal Facility) Conduct Early Actions to Cleanup National Priorities List (NPL) Sites Prepare and Approve RA Reports and Preliminary and Final Site Close-Out Reports Initiate Long-Term RA Construction Complete Ongoing Remedial Designs (RDs) Delete Sites from the NPL Perform Five Year Reviews
Contract Management	Effective Contract Management	Implement Recommendations of Contracts Task Forces Implement Long-Term Contracting Strategy (LTCS) Follow Contract Management Principles

EXHIBIT I-2 (continued)
INTEGRATED PRIORITY SETTING MATRIX

PROGRAM CHALLENGES	PROGRAM PRIORITIES	TOOLS
Environmental Justice and Meaningful Community Involvement	Assure Every Citizen Receives Comparable Protection and Community Participation in Site Decision Making	Implement an Environmental Justice Strategy for Superfund Sites Site-Specific Advisory Boards (Federal Facility) Technical Assistance Grants (TAGs) Administrative Records (Early and Long-Term Actions) Public Outreach
	Communicate Progress in the Superfund Program	Develop New Public Participation Strategy Public Forums Superfund at Work Congressional Briefings Superfund Removal Alerts Superfund Brochures and Fact Sheets Superfund Progress Reports Community Relations Activities Technical Review Committee (Federal Facility)
Enhancement of State Role	Support Development of State Capability and Expand State Participation	Deferral of Cleanup Responsibilities at Non-NPL Sites to States EPA/State Relationships Technical Assistance Core Program Cooperative Agreement (CPCA)
Innovative Technologies	Encourage and Foster the Use of Innovative Treatment Technologies	Treatability Studies Superfund Innovative Technology Evaluation (SITE) Program Federal Facility Development of Innovative Technologies/ Private-Public Partnership
Other	Core Activities that Support the Superfund Program	Contract Laboratory Program Removal Support Remedial Project Support Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) Data Base Management Records Management Program Management Training

EMERGENCY RESPONSE AND ACCELERATE CLEANUP

The technical complexity of hazardous waste site cleanup coupled with complex Superfund site study and cleanup requirements have left the Superfund program vulnerable to criticism on the slow pace of achieving cleanup. The Administrative Improvements identified new and continued initiatives that Regional managers should implement to accelerate cleanup. The initiatives that are being implemented include:

- *Presumptive remedies* — Promoting the use of presumptive remedies for cleanup of municipal landfills and volatile organic chemicals in soil. Expanding the use of presumptive remedies to other sites including wood treaters, polychlorinated biphenyls (PCBs), ground water pump and treat systems, grain storage, and coal gasification;

- *Dense Non-Aqueous Phase Liquid (DNAPL) contamination* — Developing and implementing a methodology for quickly assessing the presence of DNAPLs, characterizing site contamination problems, and developing a remedial strategy for addressing DNAPL contamination;

- *Soil trigger levels* — Developing national soil trigger levels for a variety of chemicals. These trigger levels will be an important screening tool to identify contaminant levels below which there is not concern and above which further site-specific evaluation would be warranted. The trigger level could also be used as a cleanup level for certain exposure pathways; and

- *Superfund Accelerated Cleanup Model (SACM)* — SACM was introduced in FY 92, piloted with field demonstrations in FY 93, and is being implemented in FY 94. The purpose of SACM is to streamline and accelerate the cleanup process, resulting in prompt risk reduction and restoration of the environment over the long term. A detailed discussion of SACM is presented later in this chapter.

ENFORCEMENT

EPA receives approximately one billion dollars in settlements each year. Regions should continue to maximize PRP participation in early and long-term actions. Actions historically taken later in the Superfund cleanup process that will be accelerated will require early PRP identification and involvement to maintain current levels of PRP participation. Creative and effective use of all relevant enforcement tools is essential to meeting the construction completion and accelerate cleanup challenges. Settlements with PRPs to perform response actions are preferable where they can be achieved, but Regions should be prepared to utilize UAOs and judicial actions to compel PRPs to undertake response actions.

Equally important is effective monitoring of PRP compliance with existing CDs, UAOs, and AOCs, and taking appropriate enforcement action where there is failure or refusal to comply.

Federal Facilities

To ensure Federal government accountability, continued oversight of existing Interagency Agreements (IAGs) or Federal Facility Compliance Agreements (FFCAs) is paramount.

ENFORCEMENT FAIRNESS

One of the most pressing matters facing the Superfund program is to ensure that parties who have responsibility for cleanup are treated equitably. Speedy and fair resolution of their liability is vital. The following initiatives address this issue:

- *De minimis Settlements* — designed to expedite the resolution of the liability of small waste contributors and complete settlements earlier in the Superfund process. Resolving the liability early in the process in order to reduce third party transaction costs is preferable. To accomplish this, the Agency is developing guidance on streamlining the level of information necessary to make the *de minimis* findings under section 122(g) of CERCLA, and provide greater flexibility and judgment in entering into *de minimis* settlements. In addition, EPA will aggressively move to settle with de micromis parties (parties that have sent extremely small amounts of waste).

- *Evaluate the mixed funding policy* — during FY 94, the Agency will evaluate mixed funding options, explore alternatives for streamlining the mixed funding decision making process and the documentation required for reauthorization, and pilot several mixed funding settlements.

- *Greater use of allocation tools* — offer Alternative Dispute Resolution (ADR) to facilitate PRP allocation deliberations. Where possible and appropriate, prepare or adopt Non-Binding Preliminary Allocations of Responsibility (NBARs) to help promote settlements. Regions should share information on allocation and liability issues with identified PRPs early in the Superfund process.

- *Greater fairness for Superfund site owners* — providing site owners an opportunity to submit information or meet with EPA before the Agency effects a lien on their property. During FY 94, HQ will issue supplemental prospective purchaser guidance and a model agreement.

- *Non-settlors* — includes vigorous pursuit of non-settlors, UAO enforcement, and cost recovery of cases with response costs greater than $200,000 and viable

PRPs and selected cases under $200,000, including seeking penalties and treble damages.

- *Voluntary cleanup* — a strategy is under development to encourage States to manage projects that may not be on the Region's agenda for immediate attention, but where the PRPs indicate a strong desire to proceed with remediation. This will aid in facilitating the timely redevelopment of contaminated resources (e.g., real estate).

BASE CLOSURES

Under the Base Realignment and Closure Acts of 1988 and 1990, 113 military installations are scheduled for closure or realignment. Of this total, 21 sites are on the National Priorities List (NPL), and there are a number of non-NPL sites requiring some degree of decontamination. The Agency must continue to assist the Department of Defense (DoD) in assessing these properties, accelerating actions wherever possible, listing sites on the NPL where appropriate, and ensuring that remedies selected at NPL sites meet Superfund criteria. HQ and Regional managers must work with DoD, State/local governments, and private interests to expedite cleanup and support responsible transfers of Federal property to non-Federal parties for reuse and economic development.

CONSTRUCTION COMPLETIONS

EPA is committed to increasing the number of NPL construction completions. The goal that the Administrator established is 650 construction completions by the end of the year 2000. There are a sufficient number of sites with final RODs signed to meet this goal. Sites in the RD/RA stages will be efficiently managed to ensure work continues in a timely manner through to construction completion. Regions and States must continue to work together to identify opportunities for expediting construction completions and response actions. Maximum PRP involvement will be imperative to meeting these goals.

Federal Facilities

The primary mission of the Superfund Federal Facilities program is to ensure that the hazardous waste sites owned or operated by the Federal government are addressed and cleaned up as quickly as possible. Regional efforts should be focused on getting to completion of construction activities at Federal Facilities whether they are accomplished under remedial or removal authority. Meeting these goals will help build the program's credibility, which is vital to the Superfund's long-term success.

EFFECTIVE CONTRACT MANAGEMENT

Good contract management is a Superfund priority, as well as an Agency-wide priority. The Agency will continue to implement the recommendations of the task force on Alternative Remedial Contracting Strategy (ARCS) contracts, and build a future with reliable cost-effective contracts across the program through implementation of the Superfund Long-Term Contracting Strategy (LTCS).

In recent years, HQ has been working with the Regions on implementing the LTCS. The LTCS provides the mechanisms for greater contractor flexibility and improved oversight and cost management by giving Regions full responsibility for contract management. National workgroups have been established to analyze issues related to enforcement support, Response Action Contracts (RACs), Superfund Technical Assistance and Response Teams (STARTs) (the combination Technical Assistance Team (TAT)/Field Investigation Team (FIT) contracts), Regional Environmental Services Assistance Team (RESAT), Emergency and Rapid Response Services (ERRS), and Delivery of Analytical Services (DAS).

The DAS task force was formed to address the perceived contract management vulnerabilities in the existing analytical services program. The objectives of the task force are to assess the long-term needs for Superfund analytical services and provide a framework to continuously improve the delivery of analytical services to Superfund over the next several years. During FY 94, Regional Customer Service Units will be developed to provide technical assistance to the users of analytical services in the Region.

Responsible, trained, and reliable personnel should oversee the procurement and administration of all Superfund contracts. Senior management involvement is essential and all staff must work together and communicate with their contracting support offices. Principles of good contract management must permeate the day-to-day activities of the program.

Federal Facilities

At Federal Facility sites, particular attention must be paid to potential or actual conflicts of interest involving EPA contractors who also may be working for another Federal agency. OECA is developing a strategy for improving the government's procurement process, addressing inter-agency Conflicts of Interest, and the issue of contractor indemnification.

ENVIRONMENTAL JUSTICE AND MEANINGFUL COMMUNITY INVOLVEMENT

Superfund will strive to assure that every citizen receives comparable protection under CERCLA, regardless of ethnicity or economic status. Accordingly, all communities must be guaranteed early and increasingly effective ways to participate in site decision-making, not only to accelerate cleanups, but also to restore land for economic development. EPA will undertake a variety of activities to better assess potential areas of inequity at Superfund sites and identify appropriate solutions. As part of the Administrative Improvements, site specific strategies for addressing equity issues at each site and a new Superfund environmental justice strategy will be developed.

Public Involvement/Communicating Success

Superfund personnel must make a commitment to convey progress and accomplishments at every opportunity. The public's perception of the program will not improve unless they are meaningfully involved in site decisions and informed of EPA's progress. The focus should be to recognize and, where appropriate, consider their concerns and communicate early, often, and always. EPA will prepare and implement a new Superfund public participation plan in FY 93 and FY 94.

In addition, HQ and Regional staff must work together to develop new methods for describing Superfund success. The goal is to make information about Superfund readily available and easily understandable to the general public and all concerned audiences.

Federal Facilities

OFFE is working with the Office of Environmental Equity to establish information exchange and create opportunities for joint policy-making with other Federal agencies. Beginning in FY 93, EPA launched a multi-media enforcement initiative at Federal Facilities. The criteria used by the Regions in identifying facilities to be inspected include environmental and health risk from the facility, compliance history, consistency with EPA's geographic initiatives, pollution prevention potential, and environmental equity factors.

The Regions must continue to support citizen input at Federal Facility NPL sites. This may be accomplished by participating in Technical Review Committees (TRCs) and other community relations efforts such as implementing Site Specific Advisory Boards (SSABs).

ENHANCEMENT OF STATE ROLE

EPA and the States have long agreed that the universe of hazardous substance sites potentially requiring cleanup was larger than either level of government could address alone. As a result of the administrative improvements initiative, EPA will encourage more environmental cleanup sooner by deferring cleanup of certain low and medium priority sites not yet listed on the NPL to the States. State deferral will encourage States to start addressing the potentially large number of sites now in the NPL listing queue, thus accelerating cleanup, minimizing the risk of duplicative State/Federal efforts, and offering PRPs a measure of confidence that only one agency will address the site. The Agency will begin several State deferral pilots in FY 94 under the Superfund Administrative Improvements initiative.

INNOVATIVE TECHNOLOGIES

The Office of Solid Waste and Emergency Response (OSWER) and OECA are seeking to further the use of innovative treatment technologies to permanently clean up contaminated sites. Innovative technologies should be routinely considered in all Feasibility Study (FS) projects and Engineering Evaluations/Cost Analyses (EE/CAs), and these technologies should not be eliminated as a feasible remedy solely because of uncertainties in their performance or cost. These technologies may be found to be cost effective, despite the fact that their costs are greater than conventional options after consideration of potential benefits, including increased protection, superior performance, and/or greater community acceptance. In addition, future sites will benefit by information gained from the field experience.

Federal Facilities

Federal Facility sites provide an excellent testing ground for assessing innovative technologies. Federal Facilities offer a number of benefits: sole responsible party, acknowledged liability, controlled sites, funding, and willingness. The Agency expects to see more public-private partnerships established at Federal Facility sites.

SUPERFUND ACCELERATED CLEANUP MODEL (SACM)

OSWER, through its continued investigation of ways to make the Superfund program more efficient, developed a model for streamlining the Superfund program. The purpose of SACM is to accelerate and increase the efficiency of hazardous waste cleanups. This acceleration and efficiency will be accomplished through more emphasis on the site assessment process and better integration of all Superfund program components, consistent with the existing statutory and regulatory structure.

Prior to the implementation of SACM, a number of NPL sites started the remedial process under the traditional Superfund pipeline. These sites will proceed under that pipeline to completion. Regions should continue, however, to explore possibilities for expediting cleanup at these sites, reflecting the principles of timeliness and efficiency that are the underpinnings of SACM implementation.

The two models of the Superfund process will operate simultaneously in FY 94. Exhibit I-3 provides a simplified comparison of SACM and the traditional Superfund process.

Information on both SACM and the more traditional Integrated Timeline for Site Management are included in the following sections.

Through SACM implementation, the Superfund program will be better able to demonstrate success in risk reduction, thus providing results the public will value:

- Prompt reduction of risk at all sites/incidents at which the Superfund takes action; and

- Restoration of the environment over the long term.

Exhibit I-4 shows the flow of activities under SACM. The SACM approach is a continuum of several functions and activities that includes:

- Implementing an integrated site screening process to assess site-specific conditions and the need for action to expedite the cleanup process;

- Establishing multi-disciplinary Regional Decision Teams (RDTs) to provide cross-program coordination of response planning activities. The RDT may also develop remediation levels and technology standards;

- Ensuring maximum PRP participation by early PRP identification/ involvement;

- Achieving prompt risk reduction through early actions taken under removal or remedial authority;

- Using appropriate long-term cleanup actions to restore the environment/media. Long-term actions will take place at sites that will require years to cleanup, but pose no immediate threat;

- Initiating enforcement activities in a timely manner so that the response lead can be passed to PRPs as early as possible without delaying site work; and

- Involving the public early, often, and always throughout the cleanup process. Applicable community relations requirements described in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) must be met for actions taken under either removal or remedial authority.

EXHIBIT I-3
SIMPLIFIED COMPARISON OF SUPERFUND "PIPELINES"

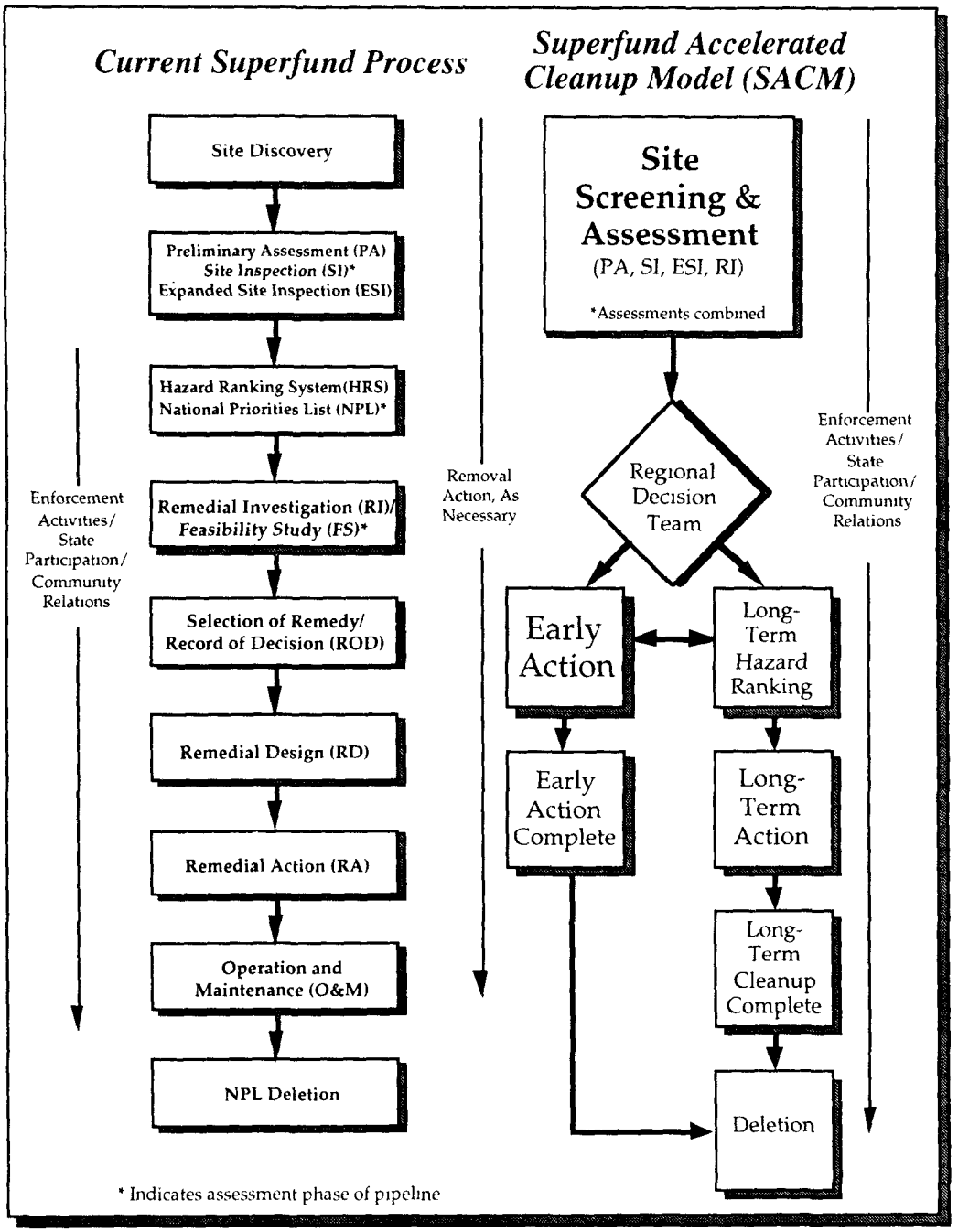
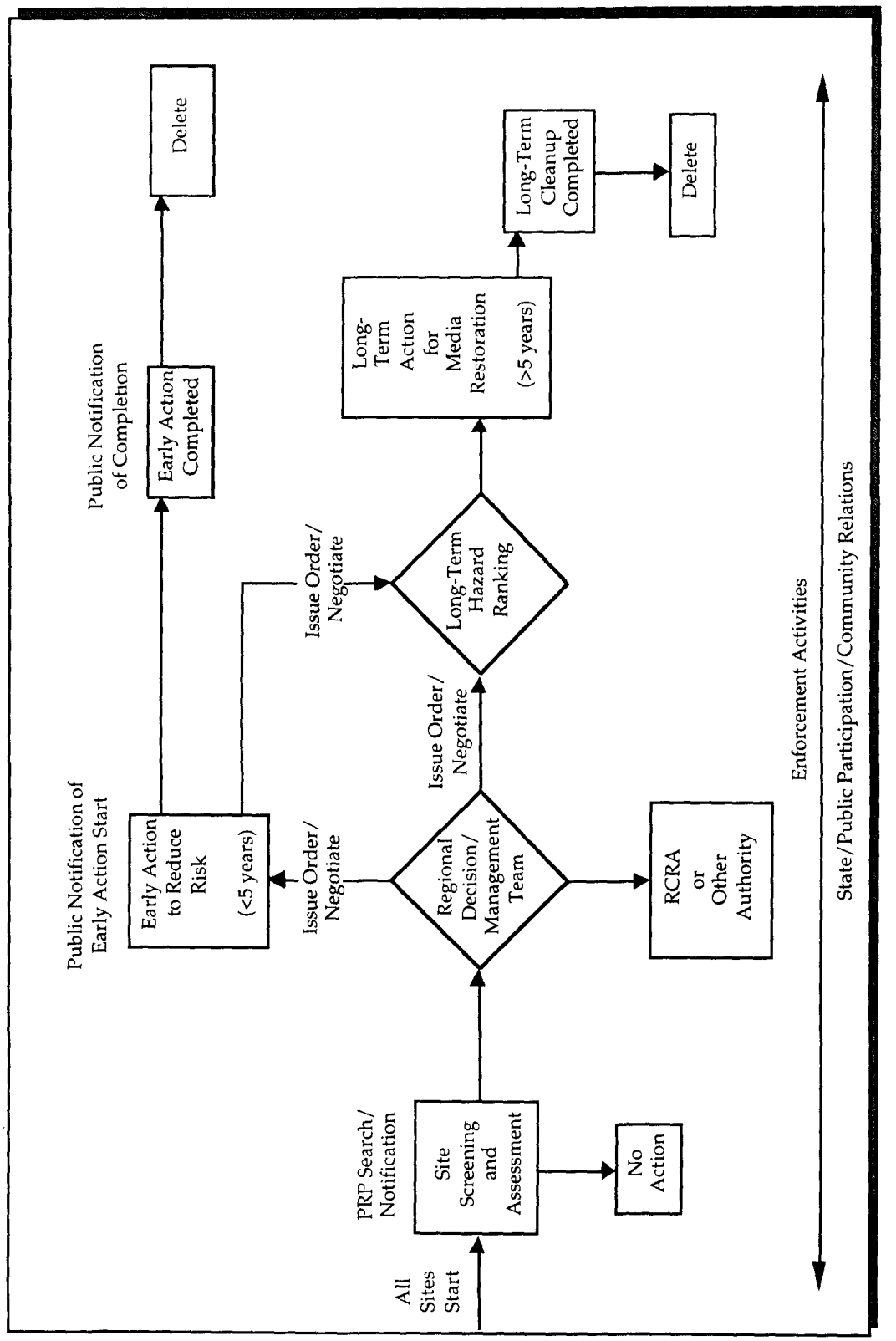


EXHIBIT I-4
THE SUPERFUND ACCELERATED CLEANUP MODEL



In FY 94, the Agency will analyze critical portions of the SACM pipeline to show progress in Superfund cleanups. These measures will address the need for continuous improvements relative to meeting the program's goal of accelerating cleanup and reducing risk. The following indicators will be tracked:

- Duration from Site Discovery to Site Construction Completion;
- Duration from Cleanup Decision to Remedial Design (RD) Completion;
- Duration from Cleanup Decision to Each Cleanup Action Completion;
- Percent of Sites with Early Actions;
- Duration from Regional Decision or Record of Decision (ROD) to PRP Cleanup Negotiation Completion; and
- Percentage of PRP-Lead Cleanup Actions to All Cleanup Actions.

Each of the elements of SACM are summarized in the following sections. Exhibit I-5 presents SACM implementation initiatives within the NCP framework. For more detailed information on implementing SACM, see the *Superfund Program Implementation Manual*, Volume II, Appendices A-C.

Site Screening and Assessment (SSA)

The site screening and assessment (SSA) process integrates previously separate removal and remedial site assessment functions into a single, continuous evaluation with discrete components (including Preliminary Assessment (PA), Site Inspection (SI), Expanded Site Inspection (ESI), Remedial Investigation (RI), and Removal Assessment (RS)). The goal is a continuous assessment process that efficiently collects the data needed to determine what response actions are appropriate.

The integrated assessment process involves the following principles:

- Activities operate concurrently; one activity need not be completed before other activities can start;
- Sampling and data collection are coordinated to ensure that information collected in one phase of assessment supports other assessment, enforcement, and response activities;

Exhibit I-5
SACM Implementation Within NCP Framework

	EARLY ACTIONS				LONG TERM ACTIONS
NCP Terminology	**Emergencies**	**Time Critical**	**Non-Time Critical**	**Early Remedial**	**Remedial**
Funding Source and Authority	Removal	Removal	Removal (Remedial not precluded)	Remedial	Remedial
Types of Actions	Classic Emergencies	Site Access Direct Threats Water Supply Visible Soil Contamination Remove Surface Structure and Debris	Soil Source Control Capping DNAPL Ground Water Plume Containment Treatment Incineration	Actions w/ Extended Operation & Maintenance (O & M) Property Acquisition Permanent Relocation Institutional Controls (e.g , deed restrictions)	Restore • Groundwater • Surface water Sediments Wetlands/Estuaries Large Mining Sites
Enforcement Vehicle	← Administrative Order on Consent →			Consent Decree	
	← Unilateral Order →				
State Role	Notification and Optional Participation			Consultation and Participation	
Contractor Vehicle	Emergency Response Cleanup Service (ERCS) Superfund Technical Assessment and Response Team (START)/Technical Assistance Team (TAT)		← ERCS and Alternative Remedial Contracting Strategy (ARCS) → TAT US Army Corps of Engineers (USACE)		
Requirements for ARARs	Not Required	Required to Extent Practicable (or get waiver)		Required (or get waiver)	
Cost Share	Not Required		Optional	Required	
Community Relations	Varies as Time Allows		← Required →		
Public Comment	Not Applicable		Engineering Evaluation/ Cost Analysis (EE/CA)	RI/FS	
Baseline Risk Assessment	Risk Documented in Action Memo Only		Optional – Apply EPA Policy	Required	
Preference for Treatment	As Time Allows But Not Required		Required – Apply EPA Policy	Required	
Documentation	Action Memo Emergency Waiver Administrative Record (after the fact)	Action Memo Emergency Waiver Consistency Waiver Administrative Record	Consistency Waiver	Quick ROD / Complete ROD Hazard Ranking Score (HRS) Scoring National Priorities List (NPL) Listing Remedial Investigation/Feasibility Study (RI/FS) Cooperative Agreement/Superfund State Contract (CA/SSC) Administrative Record	

- All sites, including the existing SI backlog, are reviewed to ensure that assessment continues at sites posing the greatest threat; and

- Assessment work may continue concurrent with the early actions that are identified at any point in the assessment process.

By combining site assessment activities into an integrated assessment function, redundant actions are eliminated, thus expediting the Superfund cleanup process. As specific problems are identified during the site assessment process, specific cleanup actions can be conducted as appropriate. As soon as a decision to take an early or long-term action is made, PRP identification/ involvement should begin.

SACM promotes performing risk assessments and RI activities early in the assessment process at sites where data strongly indicate that the site has a strong potential for listing on the NPL and conditions warrant the need for long-term response action(s). At these sites, scoping and planning of the RI should begin as soon as this determination is made, and the RI performed concurrent with other assessment activities and identified early actions.

Regional Decision Team (RDT)

The RDT is a new approach that is intended to coordinate, communicate, and integrate program authority, expertise, resources, and tools to solve problems at Superfund sites.

The RDT may be involved with the following:

- Notifying Community Involvement Managers of the need to plan for community involvement;

- Providing policy implementation and strategic direction to designated site managers;

- Recommending and developing a comprehensive response plan for site cleanup;

- Directing the acquisition of additional data prior to deciding on a course of action for a site;

- Notifying the site enforcement team to initiate PRP identification/ involvement;

- Providing input on the timing and selection of the appropriate enforcement strategy in coordination with HQ and the Department of Justice (DOJ); and

- Considering community concerns when making decisions on a site response strategy.

The roles, responsibilities, and organizational structure of the RDT will vary from Region to Region. Each Region should employ the RDT in a way that best meets its specific management needs.

Early and Long-Term Actions

Under SACM, all cleanup actions are classified as either early or long-term actions and are conducted under removal or remedial authority as described in the NCP and CERCLA, as amended.

Early actions are responses that eliminate or reduce threats to human health or the environment from the release, or threat of release, of hazardous substances, pollutants, or contaminants. Generally, these actions take less than five years to complete and do not always achieve complete site cleanup without an associated long-term action(s). Early actions are taken under removal or remedial authority and must meet the statutory and regulatory requirements of whichever authority is used. Depending on the urgency of the situation, early actions generally should not be started before enforcement options are investigated.

The following are the types of early actions under SACM:

- Emergency removals;

- Time-critical early actions under removal authority;

- Non-time critical (NTC) early actions under removal authority; or

- Early actions under remedial authority.

In emergency and time-critical situations, response actions must be initiated within six months of discovery of the problem, and are generally performed under removal authority. In NTC situations, where a planning period of at least six months exists, either removal or remedial authority could be used to reduce risk. As a result of SACM, the number of NTC removal actions and early actions under remedial authority will likely increase because of the greater emphasis on early risk reduction.

Long-term response actions are taken when there are:

- Conditions requiring extensive site characterization;
- Cleanup costs that are greater than $5 million or that do not qualify for a $2 million removal exemption and cannot be undertaken by the PRP; or
- Where it will take more than approximately five years to complete the cleanup.

The majority of the current NPL sites have a long-term response component. Most groundwater and large-scale soil remediation actions, and many surface water remediation actions are expected to take more than five years to complete or involve complexities that preclude an early action response. In addition, remedies that require extensive Operation and Maintenance (O&M) activities may fall into the long-term response category.

Enforcement

EPA's "enforcement first" policy continues under SACM. PRPs are initiating cleanup work at approximately 70 percent of the NPL sites, and EPA remains committed to maximizing PRP involvement and leveraging limited Trust Fund resources. Coordination of site activities, including decisions and recommendations made by the RDT, should anticipate the activities required for enforcement and ensure that they are carried out in a timely manner. Enforcement considerations should be a component of the Regional decision process. Major enforcement functions affected by SACM include:

- *The timing and methodology of PRP searches* — As a rule, PRP search activities should be initiated as soon as the Region decides that a response action is likely to be required at the site. Early notification of PRPs is imperative even if the Fund is conducting the integrated site assessment;
- *The timing, duration, and subject matter of negotiations with PRPs* — EPA expects much of the early site assessment activities to be Fund-lead. However, there are logical points where negotiations with PRPs should be considered;
- *The availability and adequacy of Administrative Records (ARs)* — High quality ARs are necessary to ensure the defensibility of response decisions and to support cost recovery efforts;
- *Cost recovery and cost documentation* — SACM may increase the number of cost recovery actions subject to the removal Statute of Limitations (SOL). Thus, effective and timely cost documentation will be necessary to ensure these SOLs can be met;

- *Consistency and speed in enforcement decisions* — If an early action presents particularly difficult issues or may cause controversy, the Regions are strongly encouraged to consult with the appropriate Regional coordinator at HQ; and

- *The role of States* — Each Region should work with each of its States to develop a general strategy for enforcement activities and the manner in which the State will be involved.

The Agency does not anticipate that the principles of SACM will significantly change EPA's enforcement process.

Integrated Timeline for Site Management

The Integrated Timeline (Exhibit I-6) is a multi-step site management process that identifies critical decision points and spans 46 quarters. It provides an overview of the major remedial and enforcement activities required in the Superfund long-term cleanup process. The timeline has been updated to incorporate the trend analyses performed over the last three years.

To embody the concept of good timeline management, trends analyses will continue to be undertaken in FY 94 for sites that are currently going through the traditional Superfund pipeline. For internal management purposes, the average duration will be tracked—by Region—for sites where RD starts or RA starts are planned in FY 94 as follows:

- ROD to RD start; and

- ROD to RA start.

Each of these averages will be reported relative to prior years (FY 92 and FY 93) and prior quarters' performance. In addition, Remedial Investigation/ Feasibility Study (RI/FS) start to completion time frames and cleanup negotiation time frames also will be tracked.

The Federal Facilities program also will be tracking duration trends. The Office of Federal Facilities Enforcement (OFFE) will report the following durations and timespans under the Superfund Comprehensive Accomplishments Plan (SCAP):

- NPL listing to RI/FS start;

- RI/FS start to RA complete;

- ROD to RA start;

EXHIBIT I-6
INTEGRATED TIMELINE

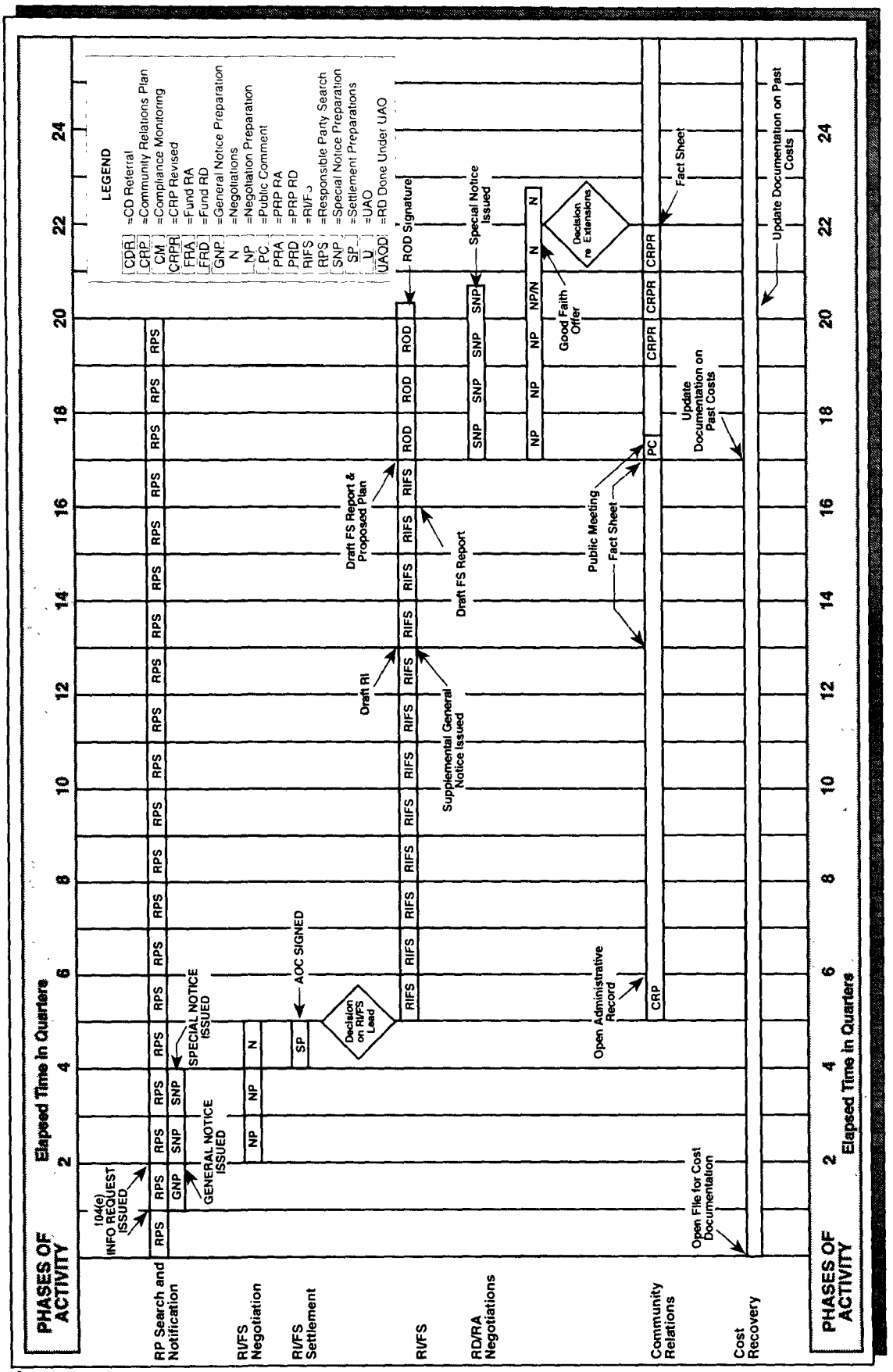
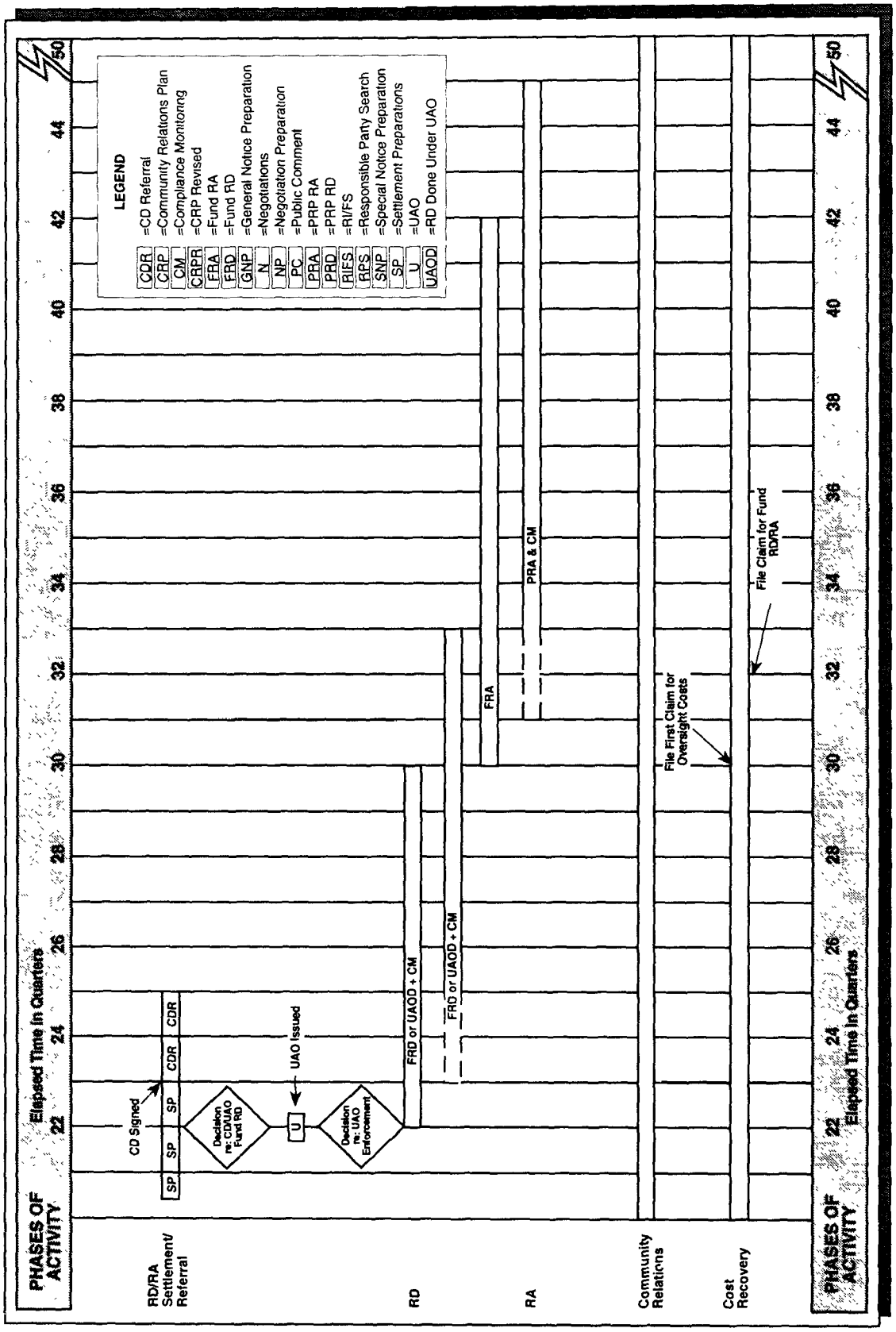


EXHIBIT I-6 (continued)
INTEGRATED TIMELINE



- RD start to RD complete; and

- RA start to RA complete.

The durations in the Integrated Timeline should be used unless more accurate estimates are available. **When better planning data and schedules are developed, the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) must be revised to reflect these schedules.**

The phases of the Integrated Timeline are summarized below:

- *Baseline Responsible Party (RP) Search and PRP 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:

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

  - Distributing general notice to owners/operators and generators/ transporters;

  - Deciding to pursue Section 104(e) enforcement activities;

  - Preparing waste-in information and volumetric allocation for the special notice/negotiations, making a decision whether to pursue early *de minimis* settlements; and

  - Reviewing the status of the PRP search no less than 120 days before obligation of funds for RI/FS to evaluate the viability of the PRPs and to preserve their due process rights.

  The RP search time frame may extend through RD/RA special notice to the point of final cost recovery if a supplemental search is deemed warranted.

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

  - Resolving site lead with the State;

  - Preparing for RI/FS negotiations;

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

- Issuing special notice and conducting formal RI/FS negotiations lasting a maximum of 90 days (without extension by the 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 negotiation process, issuing either an Administrative Order on Consent (AOC) or proceeding with a Fund-financed RI/FS. In very limited circumstances, a UAO may be issued.

- *RI/FS* — This is the third step in the site management process, and begins 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. The average duration of the RI/FS is 15.5 quarters. At most sites, important milestones include:

  - Drafting a RI report;

  - Ongoing PRP search, as required, and issuing a supplemental general notice to the PRPs, if appropriate;

  - Completing a draft FS report;

  - Completing a final draft of the RI/FS report and the proposed plan;

  - Preparing the ROD;

  - ROD signature;

  - Opening and updating the AR file and conducting Community Relations (CR) activities; and

  - Monitoring compliance and follow-up enforcement of RI/FS orders.

- *Pre-referral and RD/RA Negotiation Process* — The pre-referral process begins approximately 60 days prior to submitting a draft Consent Decree (CD) to the PRPs. RD/RA negotiations should have a maximum duration of two quarters, which formally begin with the issuance of Special Notice Letters (SNLs). SNL preparation should be performed concurrent 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 to a UAO. If the site has no viable or liable PRPs, a Fund-financed RD should be scheduled

to begin no later than the quarter after the ROD is signed. Important milestones include:

- Sending pre-referral litigation report and CD to DOJ, and OECA;
- Issuing special notice with draft CD or waiver of special notice within one quarter of ROD signature;
- Commencing formal negotiations with the issuance of special notice and achieving an agreement in principle within a maximum of 120 days (without extension by the Regional Administrator) if a GFO is received;
- Terminating RD/RA negotiations if the GFO is not received within 60 days after issuance of special notice or if no agreement in principle is reached within 120 days (without extension by the Regional Administrator). As warranted, the Region will issue the UAO and decide whether to fund the RD or litigate;
- Referring the CD, issuing a UAO, referring a Section 106 or 106/107 case, or obligating funds for a Fund-lead RD to mark the conclusion of RD/RA negotiations; and
- Formal conclusion of negotiations within 180 days of issuance of SNLs.

- *Settlement/Referral Process* — The settlement/referral process includes two quarters of CD preparation (concurrent with ROD), one quarter for the CD referral process, and one quarter for CD lodging and entry. The CD referral, lodging, and entry process should have a planned duration of two quarters.

- *RD Implementation* — This step of the site management process includes Fund-lead RDs, RP-lead RDs, and compliance monitoring. Credit is given for the RD start on the date that the EPA approves the PRP's design contractor or with the funding of a Fund-lead RD. RP-lead RDs may be initiated without waiting for entry of the CD. The average RD duration is 8 quarters. Important milestones include:

  - Conducting treatability studies, if appropriate;
  - Completing the preliminary design specifications that reflect the technical requirements of the design and initial construction drawings (30 percent complete). Also, if treatability studies were performed, the initial results should be included;
  - Completing the intermediate construction plans and specifications and estimating the cost of construction (60 percent complete);

- Providing the following when the design is 90 percent complete: pre-final construction drawings, design specifications, construction cost estimate, final results of the treatability studies, draft O&M plan, draft Quality Assurance Project Plan (QAPP) that identifies quality control and quality assurance responsibilities during construction, and draft Site Safety Plan (SSP); and

- Final design plans and specifications, final construction cost estimate, final draft O&M Plan, final QAPP, and final SSP.

- *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. The RA at a Federal Facility must begin within 15 months of ROD signature. The average RA duration is 12 quarters. Important milestones include:

  - Ensuring the Superfund State Contract (SSC) is in place prior to obligating initial or supplemental RA funds;

  - Acquiring site access or property if needed;

  - Procuring the construction contractor by awarding the RA contract;

  - Starting on-site construction;

  - Completing construction and conducting a pre-final inspection and final inspection. When construction is complete at all Operable Units (OUs), a Preliminary Site Close-Out Report is prepared;

  - Determining if the remedy is Operational and Functional (O&F). The determination of O&F is usually made within one year of completion of construction activities, unless extended;

  - Approving the RA Report;

  - Initiating O&M or Long-Term Response Action (LTRA);

  - Preparing a Final Superfund Site Close-Out Report when construction is complete at all OUs and the remedy has achieved the action levels contained in the ROD or design documents; and

  - Deletion of sites from the NPL after receiving State concurrence and public comment.

- *Community Relations* — CR activities begin after the decision on lead responsibilities is made, intensify during the RI/FS, continue throughout the

RD/RA process, and terminate with the completion of site cleanup activities and the deletion of the site from the NPL. Major components of the CR program include:

- Preparing the CR plan, conducting a public comment period, and revising the CR plan;
- Promoting the Technical Assistance Grant (TAG) program;
- Opening and routinely updating the AR file after the RI/FS work plan is approved;
- Preparing fact sheets, conducting public meetings or availability sessions and other innovative community involvement activities, as needed;
- Holding a public meeting during the public comment period following the distribution of the proposed plan;
- Maintaining a site information repository; and
- Revising the CR plan after RD/RA negotiations.

- *Cost Recovery* — Cost recovery activities also continue throughout the entire remedial process. Important milestones include:
  - Opening of the cost and work performed documentation file concurrent with initiation of the PRP search;
  - Obtaining documentation of early action costs and work performed prior to RI/FS negotiations;
  - Updating documentation on all unaddressed past costs and work performed as the RI/FS activities are completed and cleanup negotiations are initiated;
  - 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;
  - Referring actions within one year after completion of conventional removal actions and at the same time as the RA construction start, but in no event later than two quarters before the SOL date; and
  - Deciding not to pursue cost recovery where no viable PRP exists or costs are unrecoverable due to litigation risks.

SCAP/STRATEGIC TARGETED ACTIVITIES FOR RESULTS SYSTEM (STARS) TARGETS AND MEASURES

SCAP and STARS targets are the tools by which program goals are translated into quantifiable program achievements. Regions should concentrate their resources on achieving targets negotiated and set by HQ and the Regions.

STARS is used by the Administrator to set and monitor the progress each program is making toward meeting its environmental goals. SCAP is used by OFFE, AA for OSWER, AA for OECA, and senior Superfund managers to monitor the progress each Region is making towards its Superfund goals. National and Regional STARS goals are established and tracked through SCAP. STARS targets are a subset of those contained in SCAP.

New targets and measures for FY 94 have been developed to align the program more closely with SACM. Targets and measures developed for FY 94 are broader in scope than in FY 93. A concerted effort was made to combine targets and measures that in the past were tracked separately to provide maximum flexibility to the Regions in program implementation, and provide incentives for conducting actions at problem sites prior to NPL proposal. By incorporating and tracking cleanup actions on a broader level, the FY 94 targets and measures provide more program-wide measures of progress being made towards site cleanup, not just those activities at NPL sites. In addition, the trend established a few years ago not to develop lead-specific and to combine event specific targets has been maintained. However, these subgroups will continue to be tracked for internal management purposes, in order to assess, among other things, the level of PRP participation.

Every attempt has been made to equate SACM activities and definitions to pre-SACM activities and definitions. Many of the targets/measures and definitions embody the FY 93 targets/measures. For example, FY 93 RA Completions are characterized in FY 94 as Early and Long-Term Action Completions (ACT-6); therefore, pre-SACM sites completing a RA in FY 94 would receive credit for an Early and Long-Term Action Completions (ACT-6).

Semi-annual targets are established in SCAP/STARS. Accomplishments will be pulled from CERCLIS on a quarterly basis on the date specified in the Manager's Schedule of Significant Events at the beginning of the Manual. Any exceptions to the SCAP/STARS accomplishment definitions provided in Appendices A-C will be handled on a case-by-case basis. Exception requests must be provided in writing to the appropriate HQ office and formally approved.

Exhibit I-7 presents the targets/measures and indicates if they are SCAP or STARS. Exhibit I-8 provides a comparison of the FY 93 and FY 94 SCAP/STARS targets/measures.

EXHIBIT I-7
FY 94 SCAP/STARS TARGETS AND MEASURES

Target/Measure	STARS	SCAP
Site Screening and Assessment		
SSA-1 • Site Characterization Starts	–	MEASURE
SSA-2 • Site Screening and Assessment Decisions	MEASURE	MEASURE
Regional Decision		
RDT-1 • Decision Document Developed	TARGET	TARGET
Early and Long-Term Actions		
ACT-1 • Duration from Site Discovery to Site Completion	–	MEASURE
ACT-2 • Duration from Cleanup Decision to RD Completion	–	MEASURE
ACT-3 • Duration from Cleanup Decision to Each Cleanup Action Completion	–	MEASURE
ACT-4 • Percent of Sites with Early Actions	–	MEASURE
ACT-5 • Sites Addressed Through Early or Long- Term Action Starts	MEASURE	MEASURE
ACT-6 • Early and Long- Term Action Completions	MEASURE	MEASURE
ACT-7 • NPL Site Construction Completions Through Early or Long-Term Actions	TARGET	TARGET
ACT-8 • Non-NPL and NPL Caliber Construction Completions Through Early or Long-Term Actions	-	MEASURE
ACT-9 • Five-Year Review Starts	-	MEASURE
Enforcement		
ENF-1 • Duration From Regional Decision or ROD to PRP Cleanup Negotiation Completion	-	MEASURE
ENF-2 • Cleanup Negotiation Completion	TARGET	TARGET
ENF-3 • Settlements for Cleanup Actions (including dollar value)	MEASURE	MEASURE
ENF-4 • De minimis Settlements and number of PRPs	TARGET	TARGET
ENF-5 • Percentage of PRP Lead Cleanup Actions to All Cleanup Actions	MEASURE	MEASURE
ENF-6 • Past Costs Addressed $200,000 (number of actions and dollar value)	TARGET	TARGET

EXHIBIT I-7 (continued)
FY 94 SCAP/STARS TARGETS AND MEASURES

Target/Measure	STARS	SCAP
Environmental Indicators		
EI-1 • Progress Through Environmental Indicators	MEASURE	MEASURE
Federal Facilities		
FF-1 • Base Closure Decisions	MEASURE	MEASURE
FF-2 • FFA/IAG	-	MEASURE
FF-3 • FFA/IAG Completions	MEASURE -	MEASURE
FF-4 • Federal Facility Dispute Resolutions	MEASURE	MEASURE
FF-5 • RI/FS Starts (First and Subsequent)	-	TARGET
FF-6 • Timespan from NPL Listing to RI/FS Start	-	MEASURE
FF-7 • RI/FS Completions (RODs) (First and Subsequent)	TARGET	TARGET
FF-8 • RI/FS Duration	-	MEASURE
FF-9 • RD Starts (First and Subsequent)	-	MEASURE
FF-10 • RD Completions (First and Subsequent)	-	MEASURE
FF-11 • RD Duration	-	MEASURE
FF-12 • RA Starts (First and Subsequent)	MEASURE	MEASURE
FF-13 • Timespan from ROD Signature to RA Start	-	MEASURE
FF-14 • RA Completions (First and Subsequent)	TARGET	TARGET
FF-15 • Final RA Completion	-	TARGET
FF-16 • RA Duration	-	MEASURE
FF-17 • Timespan from RI/FS Start to RA Complete	-	MEASURE
FF-18 • Removal/ERA/RCRA Corrective Action Starts and Completions	MEASURE	MEASURE
FF-19 • Federal Facility NPL Deletion	-	MEASURE

EXHIBIT I-8
FY 93 - FY 94 SCAP/STARS TARGETS/MEASURES CROSSWALK

FY 94 Target/Measure	Equivalent FY 93 Target/Measure	Comments
SSA/RDT		
SSA-1 • Site Characterization Starts (SCAP measure)	None	New
SSA-2 • Site Screening and Assessment Decisions (SCAP/STARS measure)	None	New
RDT-1 • Decision Document Developed (SCAP/STARS target)	• Decision Document Development - Remedies Selected and Action Memoranda Signed (SCAP/STARS target) • First Remedy Selected at NPL Sites - ROD (SCAP target) • Subsequent Remedy Selected at NPL Sites - ROD (SCAP target)	• Deleted special reporting requirements for PRP-lead removals. • This measure will include NPL, non-NPL, and NPL caliber sites. • A Technical Information Type will be required for sites where presumptive remedies are selected.
Early/Long Term Action		
ACT-1 • Duration from Site Discovery to Site Completion (SCAP measure)	None	New
ACT-2 • Duration from Cleanup Decision to RD Completion (SCAP measure)	None	New
ACT-3 • Duration from Cleanup Decision to Each Cleanup Action Completion (SCAP measure)	None	New
ACT-4 • Percent of Sites with Early Actions (SCAP measure)	None	New

EXHIBIT I-8 (continued)
FY 93 - FY 94 SCAP/STARS TARGETS/MEASURES CROSSWALK

FY 94 Target/Measure	Equivalent FY 93 Target/Measure	Comments
Early/Long Term Action (cont.)		
ACT-5 • Sites Addressed Through Early or Long-Term Action (SCAP/STARS measure)	• NPL Removal Start (SCAP target) • Non-NPL Removal Start (SCAP target) • RA On-Site Construction (SCAP measure) • NPL Sites Addressed Through Removal Action or RI/FS (SCAP/STARS target)	This measure includes NPL, non-NPL, and NPL caliber sites. It also counts sites, not actions; therefore, Regions will only receive credit for the first early or long-term action taken at a site.
ACT-6 • Early and Long-Term Action Completions (SCAP/STARS measure)	• Removal Completion (SCAP measure) • RA Completion (SCAP target)	This measure includes NPL, non-NPL, and NPL caliber sites
ACT-7 • NPL Site Construction Completions Through Early or Long-Term Actions (SCAP/STARS target)	• Final RA NPL Site Construction Completion (SCAP measure) • NPL Site Construction Completions (STARS/SCAP measure) • NPL Site Completions Through Removal (SCAP target)	This measure includes NPL sites, and will be used to track the 650 construction completion goal. In order for early actions under removal authority to count, a Final Close Out Report or ROD with a construction completion certification must be prepared.
ACT-8 • Non-NPL and NPL Caliber Completions Through Early or Long-Term Action (SCAP measure)	None	This measure includes non-NPL and NPL caliber sites.
ACT-9 • Five-Year Reviews Started (SCAP measure)	Five-Year Reviews (SCAP Measure)	No Change

EXHIBIT I-8 (continued)
FY 93 - FY 94 SCAP/STARS TARGETS/MEASURES CROSSWALK

FY 94 Target/Measure	Equivalent FY 93 Target/Measure	Comments
Enforcement		
ENF-1 • Duration from Regional Decision or ROD to PRP Clean Up Negotiation Completion (SCAP measure)	Duration from ROD to RD/RA Negotiation Completion (SCAP measure)	This measure will include NPL, and NPL caliber sites and will report both early and long-term actions. This measure uses the Regional decision as the starting point for calculating durations of early removal action decisions rather than the Action Memo.
ENF-2 • Cleanup Negotiation Completions (SCAP/STARS target)	RD/RA Negotiation Completions (SCAP target)	This measure will report negotiation completions for NPL and NPL caliber sites. Includes negotiations for both early and long-term actions
ENF-3 • Settlements for Cleanup Actions (including dollar value) (SCAP/STARS measure)	• UAOs for RD/RA (SCAP measure) • RD/RA Settlements and Injunctive Referrals (SCAP/STARS target) • Mixed Funding Settlements (SCAP measure) • AO Issued for Removal and RI/FS (SCAP measure)	Reports all settlements for response actions (including ESI/RI/FS) separately by NPL, NPL caliber, and non-NPL sites.

EXHIBIT I-8 (continued)
FY 93 - FY 94 SCAP/STARS TARGETS/MEASURES CROSSWALK

FY 94 Target/Measure	Equivalent FY 93 Target/Measure	Comments
Enforcement (cont.)		
ENF-4 • *De minimis* Settlements and Number of PRPs (SCAP/STARS target)	• *De minimis* Settlements and Number of PRPs prior to ROD (SCAP/STARS measure) • *De minimis* Settlements and Number of PRPs (SCAP/STARS measure)	This measure will report both the total number of *de minimis* settlements and early *de minimis* settlements.
ENF-5 • Percentage of PRP Lead Cleanup Actions to All Cleanup Actions (SCAP/STARS measure)	None	New. Reported separately for NPL, NPL caliber, and non-NPL sites.
ENF-6 • Past Costs Addressed >$200,000 (number of actions and dollar value) (SCAP/STARS targret)	Cost Recovery Actions/Decisions >$200K (SCAP/STARS target)	This measure will report past costs addressed for NPL, NPL caliber, and non-NPL sites.
Environmental Indicators		
EI-1 • Progress Through Environmental Indicators	Progress Through Environmental Indicators	No change

EXHIBIT I-8 (continued)
FY 93 - FY 94 SCAP/STARS TARGETS/MEASURES CROSSWALK

FY 94 Target/Measure	Equivalent FY 93 Target/Measure	Comments
Federal Facilities		
FF-1 • Base Closure Decisions (SCAP/STARS measure)	None	New
FF-2 • FFA/IAG Start (SCAP measure)	IAG Start (STARS /SCAP target)	This activity is changed from a SCAP/STARS target to a SCAP measure.
FF-3 • FFA/IAG Completions (SCAP measure)	IAG Completions at NPL or Proposed NPL Sites (SCAP/STARS target)	This activity is changed from a SCAP/STARS target to a SCAP measure. This definition has been revised.
FF-4 • Dispute Resolution (SCAP/STARS measure)	None	New
FF-5 • RI/FS Starts - First and Subsequent (SCAP target)	• First RI/FS Start (SCAP target) • Subsequent RI/FS Start (SCAP target)	No change
FF-6 • Timespan from NPL Listing to RI/FS Start (SCAP measure)	Federal Facility Listing to RI/FS Start Duration (SCAP measure)	No change
FF-7 • RI/FS Completions (RODs) First and Subsequent (SCAP/STARS target	• Federal Facility Remedy Selection at NPL Sites- First and Subsequent (SCAP/STARS target • First Federal Facility RODs (SCAP target) • Subsequent Federal Facility RODs (SCAP target)	No change

EXHIBIT I-8 (continued)
FY 93 - FY 94 SCAP/STARS TARGETS/MEASURES CROSSWALK

FY 94 Target/Measure	Equivalent FY 93 Target/Measure	Comments
Federal Facilities (cont.)		
FF-8 • RI/FS Duration (SCAP measure)	RI/FS Duration (SCAP measure)	No change
FF-9 • RD Starts First and Subsequent (SCAP measure)	• First RD Start (SCAP target) • Subsequent RD Start (SCAP target)	This activity has been changed from a SCAP target to a SCAP measure. The RD start date for work beginning prior to the ROD has changed.
FF-10 • RD Completions First and Subsequent (SCAP measure)	• First RD Completions (SCAP target) • Subsequent RD Completions (SCAP target)	This activity is changed from a SCAP target to a SCAP measure.
FF-11 • RD Duration (SCAP measure)	Federal Facility RD Start to RD Complete Duration (SCAP measure)	No change
FF-12 • RA Starts First and Subsequent (SCAP/ STARS measure)	• RA Start (SCAP/STARS target) • First RA Start (SCAP target) • Subsequent RA Start (SCAP target)	This activity is changed from a SCAP/STARS target to a SCAP/STARS measure.
FF-13 • Timespan from ROD signature to RA Start (SCAP measure)	ROD to RA Start Duration (SCAP measure)	No change

EXHIBIT I-8 (continued)
FY 93 - FY 94 SCAP/STARS TARGETS/MEASURES CROSSWALK

FY 94 Target/Measure	Equivalent FY 93 Target/Measure	Comments
Federal Facilities (cont.)		
FF-14 • RA Completions First and Subsequent (SCAP/STARS target)	First RA Completion (SCAP measure)	This activity is changed from a SCAP measure to a SCAP/STARS target.
FF-15 • Final RA Completion (SCAP target)	First RA Completion (SCAP measure)	This activity is chnged from a SCAP measure to a SCAP target.
FF-16 • RA Duration (SCAP measure)	Federal Facility RA Start to RA Complete Duration (SCAP measure)	No change
FF-17 • Timespan from RI/FS Start to RA Completion (SCAP measure)	Federal Facility RI/FS Start to RI/FS Complete Duration (SCAP measure)	No change
FF-18 • Removal/ ERA/RCRA Corrective Action Starts and Completions (SCAP/STARS measure)	Federal Facility Removal/ERAs (SCAP/STARS measure)	Addition of RCRA Corrective Action starts and completions.
FF-19 • Federal Facility NPL Deletion (SCAP measure)	Federal Facility NPL Deletion (SCAP measure)	No change

CHAPTER II

PROGRAM PLANNING AND REPORTING REQUIREMENTS

October 1993

CHAPTER II - PROGRAM PLANNING AND REPORTING REQUIREMENTS

INTRODUCTION

This chapter presents the response, enforcement, and Federal Facilities planning and reporting requirements. During the development of this Manual the Administrator was evaluating options for the integration and reorganization of OWPE and OE. At the time of printing, a decision has been made to form the Office of Enforcement and Compliance Assurance (OECA). Though a majority of the planning and reporting requirements are not expected to be affected by the reorganization, the HQ contacts and the specific requirements for transferring information and documents from the Regions to HQ will probably be revised. In this manual, OECA is used as the Regional contact point for all Superfund enforcement issues. When the roles and responsibilities have been defined and new procedures developed, an addendum to the Manual may be issued.

INTEGRATED PLANNING

Planning in the Superfund program is accomplished through the budget, SCAP, and the performance evaluation process. Successful planning requires the reflection and accurate costing of program priorities in the budget and workload model, 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 assess the viability of program priorities, resource requirements, and overall effectiveness.

Integrated planning is the responsibility of HQ, Regional program offices, Regional finance offices, the States, the Office of Regional Counsel (ORC), and DOJ. Information on planned activities should also be coordinated with the Natural Resources Trustees and the Agency for Toxic Substances Control and Disease Registry (ATSDR). To provide adequate resources for priority actions at Superfund sites, HQ allocates resources within and between response actions and enforcement activities. 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. This requires Regions to reconcile FY 95 targets and their Superfund pipeline with the financial operating plan proposed by HQ.

Flexibility is greatest in the budget planning years. Realistic outyear planning data (milestones and funding needs) allows HQ to prepare requests for resources based on Regional needs. Exhibit II-1 summarizes levels of flexibility as the

EXHIBIT II-1
FLEXIBILITY SCALE FOR BUDGETING/PLANNING

← Minimum		Maximum →
Operating Year Budget (FY 94)	**Planning Year Budget (FY 95)**	**Outyear Budget (FY 96)**
1. Operating Plan Establishes Funding Ceiling (93/4)	1. Development of Operating Plan Begins 6 Months Prior to FY; 90 percent of Operating Plan based on Prior Year's Obligations (Begins 94/2)	1. Formulation Begins 12 - 18 Months Prior to FY; Largely Dependent on Regional Planning Data in CERCLIS (Begins 94/3)
2. Semi-Annual Targets are Set - - STARS targets can be changed only through formal Regional Administrator request - Sites can be substituted to meet commitments	2. SCAP/STARS Targets finalized in August	2. No Targets Set but Schedules and Estimated costs for RA and Early Action Under Remedial Authority 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. Regions Request Funds to Meet Regional Pipeline Goals and National Program Priorities	5. Maximum Flexibility to Design Budget to Optimize Cross-Program Priorities
6. Mid-Year SCAP Evaluation Used to Realign Current Year Resources	6. Final SCAP Targets Set Final Resource Levels (94/4)	
7. Flexibility on Dollars much Greater than FTEs through Reg. Reprogramming	7. Flexibility on Dollars and FTE may be Constrained by President's Budget	

operating year is entered. Major phases in the decision making continuum include:

- *Formulation of the outyear budget occurs 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 the Assistant Administrator for the Office of Solid Waste and Emergency Response (AA SWER) or the Assistant Administrator

for the Office of Enforcement (AA OECA). 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 proposed response and enforcement operating plans are developed based on the average amount of money obligated/tasked by the Region over the past three years. The Federal Facility operating plan is based on the number of sites on the NPL. OSWER and OECA negotiate the final operating plan based on Regional response to the initial operating plan, the Regional pipeline, past Regional accomplishments and planned durations/dollars, Regional requests for the budget reserve, and associated SCAP/STARS output commitments. OSWER and OECA provide resources to support the program through the Advice of Allowance (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 evaluation. Regions have flexibility within the general budget and AOA structure to shift funds as needed to meet priority activities. (See Chapter III for additional information on shifting funds.) Once the operating plan is established at the start of the year, additional resources generally can be shifted to a Region only at the expense of resources from other Regions. However, HQ may shift funds among the Regions depending on the level of use and need.

- *Use of the mid-year evaluation to realign resources in the current FY.* Current year resource adjustments focus on changes needed due to cost and project schedule modifications. **Changes may result in shifts within program areas and among Regions, and revised annual funding levels.** Estimates developed in April/May 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.

Exhibit II-2 describes the information flow and HQ and Regional responsibilities associated with integrated planning.

INTRODUCTION TO THE SUPERFUND COMPREHENSIVE ACCOMPLISHMENTS PLAN (SCAP)

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. An annual process has been established through which HQ and

EXHIBIT II-2
HQ/REGIONAL INTEGRATED PLANNING RESPONSIBILITIES

Regional Responsibilities	HQ Responsibilities
Manage projects to integrate Enforcement and Fund milestones and to ensure schedules and timelines are met	Establish a combined Fund and Enforcement hierarchy of program priorities in consultation with the Regions to be used in negotiations and adjustments of targets (See Integrated Priority Setting Matrix, Chapter I)
Negotiate and assess the status of response and enforcement mega-sites	Review integrated operating plans and site commitments proposed by the Regions prior to negotiations
Involve the State, ORC and finance offices in the planning process	Coordinate OSWER, OECA, OFFE, DOJ, Financial Management Division (FMD), and the Office of Administration and Resources Management (OARM) activities throughout the planning process
Provide accurate, complete and timely project planning data in WasteLAN and assure that data are accurately uploaded to CERCLIS	Work with Regional managers to formulate preliminary resource requests and determine how resources should be adjusted to meet program priorities
Follow established planning procedures and requirements so that HQ has a common basis with which to evaluate Regional proposals (See Chapter III and Volume II Appendices)	Negotiate and assess the status of response and enforcement mega-sites
Assess Federal agencies cleanup needs identified as part of the Office of Management and Budget (OMB) A-106 process	Communicate with the Regions on changes/additions to SCAP schedules
Identify multi-media planning and cleanup opportunities	Provide funding and FTE levels consistent with each Region's active pipeline phases, shifting Regional resources if needed to support priority activities
Recognize that missed commitments severely impact resource availability	Develop policy and guidance in response to Congressional or Agency initiatives
Identify potential unused funds and return them to HQ within reasonable timeframe for redistribution	

Regions formally negotiate plans for the future. CERCLIS serves as the conduit for the SCAP process by providing 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, including the EPA and Superfund strategic plans, the Superfund budget, Agency Operating Plan, STARS, and the Superfund workload models. SCAP/STARS targets/measures are designed to reflect the strategic plans and the Agency's goals and priorities for the upcoming year. In some cases, new SCAP categories are developed, or the projections for SCAP activities are adjusted to match the Agency's goals.

The Management Tools

Most of the Superfund program's budget is based on SCAP. The operating year's budget is developed 18 months prior to its beginning. For example, SCAP data existing in the third quarter of FY 94 will be used to formulate the FY 96 budget. The site schedules reflected in 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, early actions under remedial authority, and RDs dominate the overall Superfund budget, it is critical that SCAP identify RD, RA, and early action under remedial authority candidates and projected funding needs. Cost estimates for RAs and early actions under remedial authority should be derived using the draft FS or ROD 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. Enforcement operating plans are adjusted in the first quarter of the FY based on Regional contract carryover.

STARS is used by EPA to set and monitor the Agency's environmental objectives for a FY. National and Regional STARS goals for Superfund are established and tracked through SCAP and the STARS data base. STARS targets are a subset of those contained in SCAP. STARS targets and measures are reported quarterly by the Regions to the Office of Policy, Planning, and Evaluation (OPPE). OPPE tracks Regional progress toward STARS goals on a quarterly basis as part of the overall Agency performance evaluation process. HQ will not recognize a STARS accomplishment unless it is correctly recorded in CERCLIS and the STARS data base.

The Superfund workload models distribute FTEs for each program and Region. There are three Superfund program models: the Hazardous Site and Spill Response model, which distributes resources for the site assessment and response programs; the Technical Enforcement model, which distributes enforcement FTEs and extramural dollars; and the Federal Facilities Superfund Workload model, which distributes resources for response and enforcement activities at Federal Facilities. SCAP plans form the basis of the workload models. In FY 94, each Region's FTEs are frozen at the FY 90 levels. While the freeze ensures that the total Regional Superfund resources are not affected, shifting of resources within the Region among the different program areas to support Agency/Regional program priorities may occur. This includes shifts between the response and enforcement programs. All shifts will be based on the FY 94 national budget (see Chapter III) and the Integrated Priority Setting Matrix (see Chapter I). Shifts between program elements in excess of $500,000 require both HQ and Office of Management and Budget (OMB) approval. The workload models are expected to be unfrozen in FY 95 and new models are currently under development.

OFFE will coordinate with OERR and OECA throughout the SCAP process. OFFE will rely on CERCLIS data in planning, budgeting, tracking, and evaluating progress at Superfund Federal Facility sites. CERCLIS data are used, in part, to feed the Federal Facilities workload model. In addition to CERCLIS, OFFE and the Regions will utilize information gathered in conjunction with the A-106 Pollution Abatement Planning Process to evaluate the adequacy of other Federal agency budgeting for Superfund sites. These data will enable OFFE and the Regions to evaluate actual outlays and accomplishments at Superfund sites as they relate to 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 will enable improved planning and 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 support.

The Superfund Information Systems

Effective management of the Superfund program requires the availability of accurate information on Superfund sites throughout the country. CERCLIS was developed in the mid-1980s as an integrated system to hold national site assessment, remedial, removal, enforcement, and financial information. To facilitate Regional use of the information in the centralized CERCLIS data base, a local area network (LAN) version of CERCLIS, called WasteLAN, was implemented. In this Manual, the term CERCLIS is used when discussing official program data and HQ information management tools as well as to encompass both the CERCLIS (site specific) and CERHELP (non-site specific) data

bases. WasteLAN is used when discussing rules for the Regions to follow when entering and updating site and non-site specific information. For additional information on the many Superfund information systems and tools available, see Volume II, Appendix E.

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.

The SCAP cycle was revised in FY 93. Instead of a semi-annual, formal update and negotiations process, the SCAP planning cycle begins in late April/early May and ends with formal negotiations in late August. Therefore, it is essential that SCAP data remain current and up-to-date throughout the year and that accomplishments be reported as soon as they occur. Site schedules and financial planning information should be reviewed and updated on an ongoing basis (at a minimum on a monthly basis).

Following is a summary of the revised SCAP cycle:

- *Late April/early May* – HQ prepares the response and enforcement Regional operating plan based on the past three years of Regional obligations and tasking averages. The enforcement program will also consider unliquidated balances in relation to current invoicing rates. The proposed operating plan will be coupled with an analysis of where each Region is in the Superfund pipeline. HQ will distribute 90 percent of the budget, holding a 10 percent reserve to negotiate in August. At this time, HQ will also pull data from CERCLIS to determine the number of active sites and the phase each site is in for the initial run of the workload model.

- *Mid-May/late June* – Regions should do their site planning using CERCLIS as in years past. The Regions should focus on their individual pipeline, the overall goals and priorities of the program, and how they can achieve their portion of the national effort given proposed resources.

- *July* – The Regional Federal Facility operating plan is developed based on the Region's percentage of NPL sites. HQ generates each Region's proposed workload and budget, reviews past Regional accomplishments and planned durations/dollars, and reviews Regional requests for the 10 percent reserve.

A preliminary round of Regional conference calls are conducted to share the HQ analysis with the Regions.

- *August* – Final negotiations on Regional budgets and targets occur between HQ and the Regions.

- *November* – Enforcement extramural budget carryover amounts are calculated and the FY 94 Regional enforcement budget allocation is finalized. Regions revise their final negotiated targets based on commitments that were not met the previous year.

Regions are required to manage their funds and operate within the annual budgets established. Non-RA funds within the Region's budget must be reprogrammed to meet unexpected needs.

SCAP CHANGE CONTROL REQUIREMENTS

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 SCAP:

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

- 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. Copies of all final decisions should be provided to all program offices and Regions. If the proposed change will be implemented, an addendum to the Superfund Program Implementation Manual may be issued.

HQ/REGIONAL ROLES AND RESPONSIBILITIES

Maintaining SCAP in CERCLIS

Exhibit II-3 describes the HQ/Regional responsibilities for maintaining SCAP data in CERCLIS/WasteLAN.

EXHIBIT II-3
HQ/REGIONAL SCAP AND CERCLIS RESPONSIBILITIES

Regional Responsibilities	HQ Responsibilities
Maintaining CERCLIS/WasteLAN and selected portions of the CERHELP data base	Entering negotiated final SCAP/STARS targets and measures and site back-up in the CERHELP Targets and Accomplishments data file
Planning and scheduling all events and enforcement activities from site assessment and PRP search through NPL deletion	Updating the numbers and site back-up in the Targets and Accomplishments data file to reflect approved amendments to the SCAP throughout the year
Keeping SCAP planning data current in WasteLAN, including updating site schedules established at the ESI/RI stage and cost estimates for long-term action and early action under remedial authority when better planning data become available	Entering preliminary and final budget data in the CERHELP Budget Control (BC)/AOA system
Updating site back-up in the CERHELP Targets and Accomplishments data file to reflect adjustments to SCAP throughout the year	Determining the AOA based on SCAP planned activities in CERCLIS
Reporting accomplishments in WasteLAN as they occur	Entering and maintaining AOA data in the CERHELP BC/AOA system
Reconciling WasteLAN financial data with Integrated Financial Management System (IFMS) and Technical Enforcement Support Work Assignment Tracking System (TESWATS) data	Responding to Regional requests for changes in plans through the amendment/change request process
Uploading WasteLAN data to CERCLIS on a regular basis	
Entering and maintaining quarterly planning, budget, and accomplishment reporting in CERHELP for non-site specific activities	
Preparing SCAP amendments and change requests	
Tracking and maintaining the enforcement extramural budget and the Federal Facilities budget	

The Information Management Coordinator (IMC) is a senior position which serves as Regional lead for all Superfund program and CERCLIS/WasteLAN 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 in WasteLAN are completely and accurately reflected in CERCLIS;
- Ensure nationally established CERCLIS core data requirements are met;
- Reconcile Integrated Financial Management System (IFMS) and Technical Enforcement Support Work Assignment Tracking System (TESWATS) data with CERCLIS/WasteLAN financial data;
- Ensure WasteLAN data are complete, accurate, and up-to-date;
- Provide liaison to HQ on SCAP/STARS and program evaluation issues;
- Coordinate Regional evaluations by HQ; and
- Ensure that the quality of CERCLIS data is such that accomplishments and planning data can be accurately retrieved from the system.

Program Assessment

HQ and the Regions have different roles and responsibilities in Superfund program evaluation and management, as shown in Exhibit II-4.

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/redirecting resources.

The strategy for assessing the performance of the Superfund program is comprised of the following:

- Establishing semi-annual and annual targets and planning measures;

EXHIBIT II-4
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 reporting, the mid-year assessment, the year-end assessment, and Regional reviews
Provide quarterly SCAP and STARS data to HQ through CERCLIS	Implement and report on follow-up action items from the Superfund quarterly and/or mid-year assessment and Regional reviews
Maintain CERCLIS data quality at high levels for Superfund program and project management	Review performance data reported by the Regions and assist Regions having difficulties in meeting targets
Negotiate performance standards that provide individual accountability for targets	Conduct Regional reviews
Assess Federal agency needs identified during the OMB A-106 process	Continually assess program performance and analyze timeliness and quality of work
Participate in the Regional reviews	Recommend resource reallocation based on Regional needs and performance
	Assure that all staff are informed of the results of performance reporting
	Compare Federal agency budget authorities, obligations and outlays to monitor cleanup activities

- Quarterly reporting of response and enforcement SCAP/STARS accomplishments based on CERCLIS data;
- Semi-annual reporting of response internal measures and Federal Facility SCAP/STARS accomplishments based on CERCLIS data;
- Quarterly evaluation of enforcement accomplishments against internal measures;

- Semi-annual performance evaluation; and
- Regional reviews.

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, OFFE 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 OFFE, Regions, OMB, other Federal agencies, and Congress with improved information to evaluate accomplishments at Federal Facilities.

PROCEDURES FOR ANNUAL TARGET SETTING

The process for developing SCAP and STARS targets/measures for a FY begins with the SCAP developed during the third quarter of the previous FY. All targets/measures are established in August only after negotiations between OERR, OECA, OFFE, and the Regions. In the Regions, a joint review of commitments should be undertaken by the program office and ORC. The dates for pulling CERCLIS data that will be used in developing the proposed Regional operating plan, generating the Regional workload and budget, and negotiations can be found in the Manager's Schedule of Significant Events presented at the beginning of this Manual.

The Region's focus in preparing for negotiations should be on its individual pipeline (i.e., more site assessments or more construction completion oriented), the overall goals and priorities of the program, and how it can achieve its portion of the national effort given proposed resources. HQ compares Regional plans with program goals and resource allocations. In addition, HQ reviews past Regional accomplishments and planned durations/dollars to ensure that the Region is planning the appropriate amount of work given the dollars it is requesting. This provides HQ with a benchmark going into negotiations on what the Region should be able to accomplish based on its unique pipeline status.

The procedures for target setting for the upcoming FY are contained in Exhibit II-5.

EXHIBIT II-5
PROCEDURES FOR ANNUAL TARGET SETTING

Month	Regional Responsibilities	HQ Responsibilities
April/May	Consult with States and ORC on FY 95 activities	• Prepare program and enforcement Regional operating plan based on past three years average Regional obligations/tasking • Analyze Regional pipelines • Allocate 90 percent of FY 95 budget to Regions (proposed operating plan)
May/June	Update site schedules and funding needs based on proposed operating plan, Regional pipeline, and national goals and priorities	
June	Submit enforcement mega-site plans	
July	Participate in HQ conference calls on analysis of Regional plan	• Review Regional SCAP/STARS and pipeline workload and budget • Review past Regional accomplishments and planned durations/dollars • Review Regional requests for 10 percent budget reserve • Prepare Federal Facility Regional operating plan based on the number of NPL sites • Conduct Regional conference calls on the results of the analyses
August	•Negotiate final targets/ measures and budget •Enter schedule or target changes that result from the negotiations into WasteLAN	• Negotiate final targets/ measures and budget • Enter final commitments and site specific back-up into CERHELP
September		• Send targets/measures, site backup, and Regional budgets to AAs for approval • Submit final STARS targets to OPPE
November	Revise negotiated targets during STARS open season based on commitments missed in the prior year	• Calculate Technical Enforcement Support carryover funds • Revise Regional Enforcement operating plans

PLANNING FOR NEGOTIATIONS

Regions are required to keep the SCAP data in WasteLAN and CERCLIS up-to-date and accurate. Changes in planning information (schedules and funds) should be entered into WasteLAN within five days after the Remedial Project Manager (RPM)/On-Scene Coordinator (OSC)/Site Assessment Manager (SAM) are aware of the need for the change. If changes affect a SCAP or STARS target or measure or the approved funding level for a site, the Activity/Event Planning Status (C1725 and C2110) and Funding Priority Status (C2625 and C3225) fields in WasteLAN must also be updated.

Planning Process

Exhibit II-6 outlines the steps a Regions must go through to prepare for negotiations. Exhibit II-7 provides an example of the use of the Funding Priority Status field (C1725 and C2110) to show funding requirements.

As a final check to ensure that SCAP data are up-to-date, Regions should generate CERCLIS SCAP and Audit reports routinely, especially those Regions that have delegated responsibility for entering information into the WasteLAN data base to RPMs, OSCs, and SAMs. At an absolute minimum, reports should be generated prior to HQ development of the proposed operating plan and in late 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. Alternatives to using the CERCLIS SCAP reports are to use the SCAP Management and Reporting System (SMRS) to ensure that SCAP data in WasteLAN are up-to-date (see Volume II, Appendix E).

On the fifth working day of July, HQ pulls SCAP reports from CERCLIS. The data in these reports serve as the basis for HQ/Regional 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.

EXHIBIT II-6
REGIONAL PLANNING FOR NEGOTIATIONS

Month	Activity
May/June	Identify response, enforcement, and Federal Facility projects as "Primary" (P) or "Alternate" (A) in the Activity/Event Planning Status field (C1725/C2110). (See Exhibit II-7.) – Primary projects have the greatest likelihood of meeting schedules and are used to determine SCAP/STARS commitment. – Alternates are projects that can be substituted for primary targets that slip or are deferred.
July/August	Identify events/activities requiring funding by placing "Approved" (APR) in the Funding Priority Status Field (C2625/C3225). **The total of all approved funding must not exceed the proposed operating plan.** – Only "Primary" targets/measures should have an "Approved" funding status. – Projects the Regions would like to conduct with the 10 percent budget reserve should have a Funding Priority Status of "Alternate" (ALT). – Projects may also be identified with a Funding Priority Status of "CON" (planned contingency funds), indicating projects that have a medium or high potential for the PRP to assume lead responsibility. The funds for the event/activity that has the greatest likelihood of proceeding would be coded as "APR"; the funds for the event/activity that has the least likelihood of proceeding would be coded as "CON". (See Exhibit II-7.)

EXHIBIT II-7
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

CERCLIS Reports for SCAP Planning/Target Setting

Exhibit II-8 presents the CERCLIS reports used by HQ and the Regions in the development and negotiation of Regional targets/measures. Following is a description of these reports:

- The *Site Summary Report (SCAP-2)* is used by EPA to report planned and actual events at NPL and non-NPL sites. It incorporates event information from *SCAP-1, Non-NPL Site Summary Report* and *SCAP-27, Event/Activity Summary Report for NPL Sites*, which have been archived.

- The *SCAP Financial Report (SCAP-4), Financial Summary for Enforcement (SCAP-4E),* and *Financial Summary for Federal Facilities (SCAP-4F)* aggregate dollars by program area and provide both site specific backup from CERCLIS and non-site specific backup from CERHELP. These reports should be used to compare the funding requests contained in CERCLIS and CERHELP to the Regional budgets. Regions are prompted for "APR," "ALT," "CON" and "TOTAL." The SCAP-4F Report is currently under development.

- The *Remedial Pipeline Report (SCAP-7)* is used to assist the Regions with planning sites from the ROD through the RA start.

EXHIBIT II-8
SCAP PLANNING/TARGET SETTING CERCLIS REPORTS

SCAP-2:	NPL Site Summary Report
SCAP-4:	SCAP Financial Report
SCAP-4E:	Financial Summary for Enforcement
SCAP-4F:	Financial Summary for Federal Facilities
SCAP-7:	Remedial Pipeline Report
SCAP-16:	Negotiation/Accomplishment Report
SCAP-16F:	Federal Facility Negotiation/Accomplishment Report
SCAP-20:	Target Financial Report
SCAP-21:	Budget Control Report
SCAP-21E:	Financial Report for Enforcement
ENFR-9:	NPL Site Summary Using Links
ENFR-17:	SOL Management Report
ENFR-25:	Administrative/Unilateral Orders Issued
ENFR-47:	Case Budget Requests for Activity/Event Supporting Primary Targets
ENFR-49:	Case Budget Modeling Audit Report
AUDT-26:	Underlying Data and Error Types Report
AUDT-31:	Enforcement Data Audit Report
AUDT-40:	Enforcement Financial Audit Report

- The *Negotiations/Accomplishment Report (SCAP-16)* combines the old SCAP-16, Target/Negotiation Report with SCAP-14, SCAP/STARS Targets and Accomplishments Summary Report. The new SCAP-16, currently under development, will be 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. The new *Federal Facility Negotiations/Accomplishment Report (SCAP-16F)*, also under development, will contain the same information for Federal Facilities.

- The *Target Financial Report (SCAP-20)* combines the financial information in the SCAP Financial Report (SCAP-4) with the target information in the Negotiations/Accomplishment Report (SCAP-16).

- The *Budget Control Report (SCAP-21)* and *Financial Report for Enforcement (SCAP-21E)* are similar to the SCAP 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 *NPL Site Summary Using Links (ENFR-9)* links planned and actual removal and response events and enforcement activities to portray a comprehensive and integrated site picture.

- The *SOL Management Report (ENFR-17)*, which is currently under development, identifies planned and actual completion dates and obligations for response activities.

- The *Administrative/Unilateral Orders Issued (ENFR-25)* contains a list of Administrative Orders (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 extramural budget data quality problems.

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

- The *Enforcement Data Audit Report (AUDT-31)* is used to monitor enforcement data quality. The report lists enforcement activities with and without data quality issues and response actions.

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

REGIONAL ACCOMPLISHMENT REPORTING

Accomplishments data are entered into WasteLAN by the IMC, RPM, OSC, SAM or other designated program staff (i.e., PRP search, cost recovery) 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 WasteLAN by the IMC or designee. Data on accomplishments should be entered into WasteLAN within five working days of the event or activity occurring. **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 Negotiations/Accomplishment Report (SCAP-16), SCAP/STARS Measures Report (SCAP-13), or Federal Facilities Negotiations/ Accomplishment Report (SCAP-16F), please contact the appropriate HQ office.**

Prior to the fifth day of each month, Regions should generate CERCLIS SCAP reports for internal review or review WasteLAN data using SMRS or the

Superfund Management and Reporting Technology System (SMARTech). Regions can use the reverse function in SMARTech to compare WasteLAN data to the select logic used for reporting accomplishments on the SCAP/STARS Negotiations/Accomplishment Report (SCAP-16). Regions should perform data quality checks and make adjustments to WasteLAN if the data base does not reflect actual accomplishments. If a Region is having a problem with WasteLAN data and/or the WasteLAN to CERCLIS upload process, accomplishment data may be entered directly into CERCLIS. In any event, Regions need to be sure the information reflected in CERCLIS is up-to-date and accurate.

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 (e.g., construction completions, early action completions, site characterization starts, negotiations, RODs, on-site construction starts, response settlements and referrals, cost recovery actions/decisions). These numbers will be the official numbers used in any reports of progress given to the Administrator, the AA SWER, the AA for OECA, Congress, and the news media.

On the fifth working day of each quarter, HQ pulls SCAP reports from CERCLIS. It is important to note that in addition to reporting accomplishments through WasteLAN to CERCLIS, Regions must enter STARS accomplishments for the second, third, and fourth quarters directly into the OPPE STARS system. (OPPE will not track STARS first quarter accomplishments.) HQ will compare the STARS data entered by the Regions into the OPPE STARS system with SCAP reports. If HQ identifies a discrepancy in the accomplishments reported by a Region, they will note it in the STARS system and contact the Region. Discrepancies between HQ and the Regions on STARS accomplishments must be resolved, generally by the 18th working day of a quarter.

Preliminary end of the year accomplishments will be pulled on the fifth working day of September; it is the starting point for preparing for the end of the year assessment in November. Since many senior managers and Congress request final accomplishments immediately following the end of the year, CERCLIS accomplishment reports will be pulled on the fifth and the tenth working days of October and reported to OPPE in mid-November (See Manager's Schedule of Significant Events at the beginning of this Manual for specific dates). This allows the Regions ample opportunity to review end-of-year financial data, ensure that all accomplishments are accurately reflected in CERCLIS, and determine which commitments were not met.

CERCLIS Reports for Accomplishment Reporting

Exhibit II-9 presents the CERCLIS reports HQ uses to evaluate Regional accomplishments. All are used for reporting and crediting accomplishments for SCAP/STARS targets and internal reporting measures. Following is a description of these reports:

- The SCAP/STARS Measures Report (SCAP-13), Negotiations/ Accomplishment Report (SCAP-16), and Federal Facilities Negotiations/ Accomplishment Report (SCAP-16F) are used by the site assessment, response, enforcement, and Federal Facility programs to provide planned and actual information on events and activities. SCAP-16 and SCAP-16F are currently under development.

- Financial information and the status of obligations are provided by the SCAP Financial Report (SCAP-4), Financial Summary for Enforcement (SCAP-4E), Financial Summary for Federal Facilities (SCAP-4F), Budget Control Report (SCAP-21), and the Financial Report for Enforcement (SCAP-21E). SCAP-4F is currently under development.

- Trend Measures Reports Package - OERR, OECA, and OFFE are using SCAP to evaluate the trends in the average duration for many activities in the remedial pipeline. These trend measures include RI/FS durations (SCAP-31), ROD to RD/RA negotiation starts (SCAP-28), ROD to RD/RA negotiations completions (SCAP-29), RD/RA negotiation durations (SCAP-30), ROD to RD start (SCAP-32), and ROD to RA start (SCAP-33). Other trend reports are being developed to reflect the FY 94 SCAP/STARS measures.

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

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

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

- Cost Recovery Category Report (ENFR-46) – This report lists all completed removals, RA starts, and certain 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.

EXHIBIT II-9
PROGRAM EVALUATION CERCLIS REPORTS

SCAP-4:	SCAP Financial Report
SCAP-4E:	Financial Summary for Enforcement
SCAP-4F:	Financial Summary for Federal Facilities
SCAP-13:	SCAP/STARS Measures Report
SCAP-16:	Negotiations/Accomplishments Report
SCAP-16F	Federal Facilities Negotiations/Accomplishments Report
SCAP-21:	Budget Control Report
SCAP-21E:	Financial Report for Enforcement
SCAP-28-33:	Trend Measures Report Package
ENFR-3:	Settlements Master Report
ENFR-6:	Litigation Master Report
ENFR-25:	Administrative/Unilateral Orders Issued
ENFR-46:	Cost Recovery Category Report

- Under Section 116(e) of SARA, EPA was required to initiate continuous and substantial remedial action at 200 new NPL facilities during the period of October 18, 1989 through October 17, 1991. EPA acknowledged that the mandate goal could not be achieved. HQ is tracking the progress being made toward meeting the SARA mandate. Information on RA start accomplishments will be pulled from the RA on-site construction data field (C2101 = RA and C3101 = RO) in CERCLIS, per OSWER Directive 9355, O-24A, dated December 22, 1992. This data is captured in the *Negotiations/Accomplishment Report (SCAP-16).*

HQ EVALUATION OF REGIONAL PERFORMANCE

Accomplishment data for SCAP and STARS are pulled from CERCLIS at the close of business on the fifth working day of the quarter. HQ management bases its evaluation of Regional program performance on these data. The data are pulled on a selected number of key indicators of progress in the Superfund program (e.g., construction completions, early action completions, site characterization starts, response settlements and referrals, RODs, on-site construction starts, and cost recovery activities). These numbers are the official numbers used in any reports of progress given to the Administrator, Deputy Administrator (DA), AAs, Congress, and the media. Detailed HQ management evaluation occurs at two points during the FY: after the second quarter (mid-year assessment) and after the fourth quarter (end-of-year assessment). (See Exhibit II-10.) In addition, HQ will be conducting Regional reviews in FY 94.

Quarterly Reporting

The purpose of quarterly reporting is to track Regional progress toward accomplishing SCAP and STARS targets. HQ divisions are tasked quarterly in OECA and semi-annually in OERR and OFFE, usually through a memorandum, to provide a narrative of activities taking place in the Regions. The primary purpose of this memo is to provide an opportunity for top Agency managers to share their candid assessment of the program goals and initiatives where the Regions are experiencing success as well as problems, and the actions HQ can take to improve Regional performance. These narratives, in conjunction with the quarterly or semi-annual performance numbers, are placed in a memorandum to the DA, giving a more balanced and thorough view of program status and issues. The memoranda contain the most significant issues/activities and performance highlights from the previous quarters, and may include information on early actions in the news, emergency response activities, a Total Quality Management (TQM) project taking place in a Region, and the like. It gives OERR, OECA, and OFFE the opportunity to convey important issues, instead of merely presenting SCAP/STARS numbers.

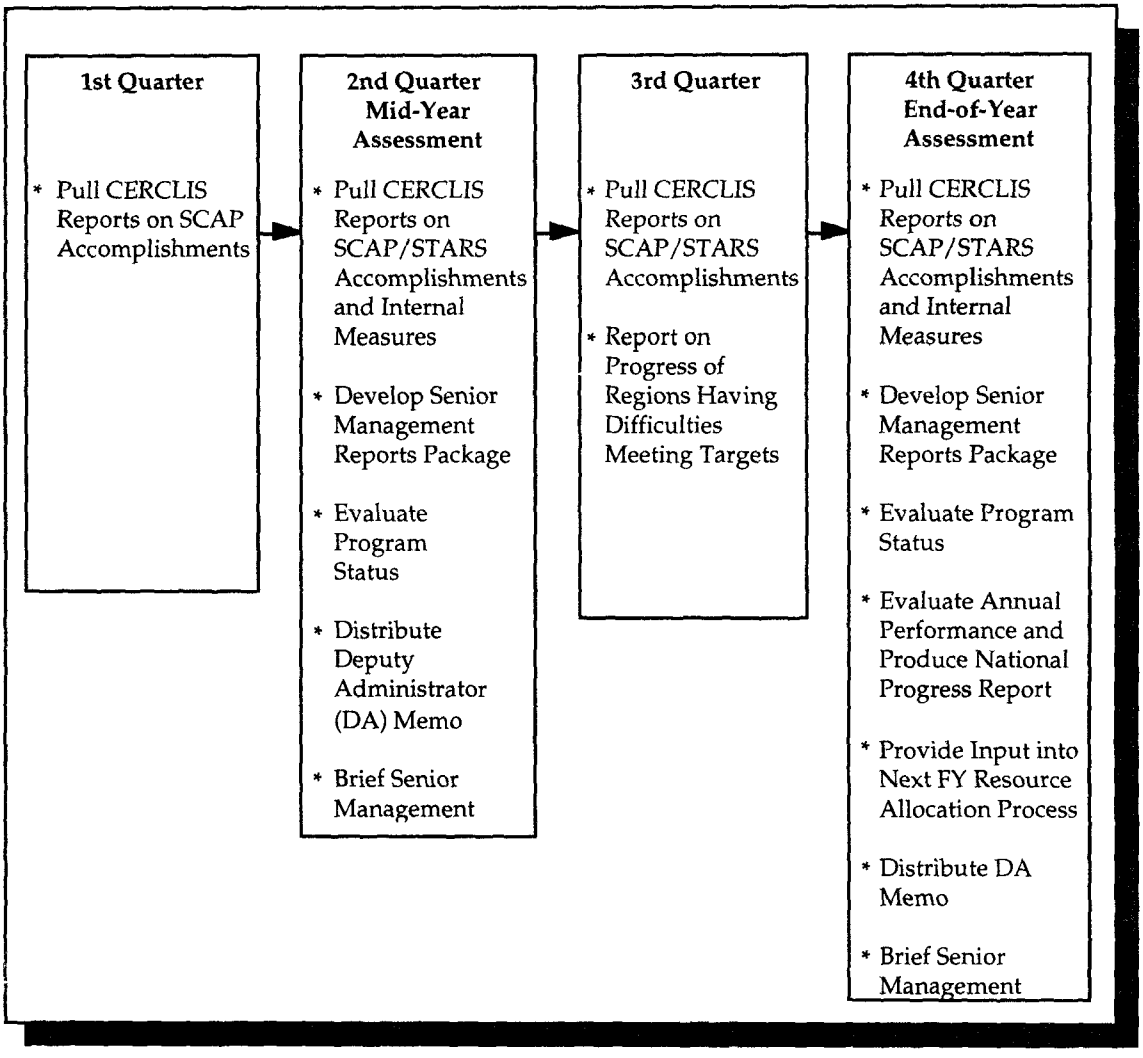
In addition to reporting accomplishments through CERCLIS, Regions must enter STARS accomplishments into the OPPE STARS system.

Mid-Year Assessment

The purpose of the mid-year assessment is to:

- Track Regional progress toward accomplishing SCAP and STARS targets;
- Evaluate Regional accomplishments against internal planning and reporting measures;
- Identify and assess problems impacting performance;
- Work with Regions experiencing difficulty in meeting their targets;
- Provide both HQ and the Regions with an opportunity to assess performance;
- Consider the impact of Regional program performance on the Superfund pipeline; and
- Identify trends in program performance and adjust program management strategies accordingly.

EXHIBIT II-10
THE REGIONAL EVALUATION PROCESS



On the fifth working day of April, second quarter SCAP data are pulled from CERCLIS. Prior to the mid-year STARS briefing (the second week in May), OERR, OFFE, and OECA Directors have briefed the AA SWER on the steps being taken to ensure the accomplishment of annual targets. To ensure that these actions are implemented, HQ will track follow-up items and reallocate resources. The results of the mid-year assessment can also affect resource allocations for the next FY. The measure of a Region's ability to meet their targets will be considered in August when final FY 95 SCAP/STARS commitments and Regional budgets are established.

End-of-Year Assessment

Before the end of the fourth quarter, there is a preliminary pull for end-of-year accomplishments (the first week of September). This pull is used to project end-of-year accomplishments. It is important to stress that this is only a projection and that the actual pulls, on the fifth and tenth working days of October, are likely to be somewhat different than the projected numbers. Since many Superfund managers and Congress request final accomplishments immediately, Regions should make every attempt to update CERCLIS at the earliest possible date and, in no event, any later than the fifth working day after the end of the year.

In November, HQ conducts the official 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 (e.g., slipped targets and their impact on commitments for the next year). 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 final SCAP/STARS target and measures. In this way, the results of the end-of-year assessment have a double impact.

Regional Reviews

Before the beginning of the FY, the program offices and Regions identify key program areas and issues in the strategic plans or individual program management guidance. Those issues that HQ program managers believe to be important to the general success of the program's mission are selected for discussion during the Regional reviews. Recent audits of Regional accomplishment reporting have identified the need for improvements, specifically in the area of:

- Documentation of accomplishments;
- Consistent understanding/application of definitions; and
- CERCLIS/WasteLAN data quality.

On-site visits to all ten Regions will be conducted by senior program managers. Region specific agendas will be developed. The on-site visits will include discussions on the program areas and issues identified. The product of the review would be negotiated plans for continued improvement.

Management Reporting

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 close of business on the fifth working day of the following 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. It is strongly recommended that planning and accomplishment data be entered into WasteLAN as events, activities, and slippage occur.

The following sections provide a brief description of the reports available to support Superfund program management.

Superfund Management Reports

The implementation of an integrated CERCLIS data base and the improvement of CERCLIS data quality led to the development of a series of senior management reports. These management tools are designed to supplement conventional quarterly SCAP/STARS accomplishment reporting by providing a more comprehensive examination of program activity. The format and content of the reports package has evolved over time to address a variety of project needs. Using data that is downloaded from CERCLIS, the INSITE II system provides EPA senior managers with summary graphic reports and backup site detail information.

The FY 94 packages provide graphical representations of the status of SCAP/STARS targets and accomplishments, as well as analytic summaries of key aspects of the program including: status and duration of events; trend analysis of PRP involvement; the current status of ESI/RI/FS and RA projects; cost recovery candidates; and the current status of negotiations, settlements, and litigation. Analysis of the status of ESI/RI/FS and RA projects is used to support the review of the worst sites first initiative.

The reports, produced semi-annually, illustrate the progress being made by the Agency in both the movement of projects through the Superfund pipeline and in the trend toward increased involvement by PRPs. The semi-annual packages produced by OERR are divided into three distinct sections:

- *Report I: Targets and Accomplishments* – This section graphically displays specific SCAP/STARS program targets and accomplishments by Region, the percent of annual targets achieved in the major site assessment and response program areas, and annual target and accomplishment totals by SCAP/STARS activity for each Region.

- *Report II: Trends Analysis* – These graphs present the duration analyses of pipeline events, including RI/FS Start to RA Start, ROD to RD Start, and new SACM duration trends. Users can request that the duration reports be run for a given FY or Region.

- *Report III: Superfund Historical Performance* – These reports provide graphical presentations of progress made at NPL and non-NPL sites. Various information, including site, enforcement, budget, and project data, are used to present an overall picture of the Superfund program activities.

Additional management reports produced by OECA include:

- *SOL Management Report (ENFR-17)* (under development) – This report lists all planned and actual completion dates for removals, site assessments, and remedial activities by FY quarter. Planned and actual obligations for each activity are linked with cost recovery actions.

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

- *Enforcement Data Audit Report (ENFR-8)* – This is a comprehensive report used to monitor enforcement data quality. The report consists of two pages per site; the first page lists all enforcement data and the second page lists all response data by site. Enforcement actions without a quality flag are printed on this report. Summary pages are currently being developed.

Annual Reporting Requirements

The Chief Financial Officer's (CFO) Act of 1990 requires all agencies with a trust fund program to submit, in addition to an annual financial statement, a report on program performance measures. Agencies have been directed to establish long-term goals and develop measures that are understandable to the general public. HQ relies heavily on SCAP/STARS data to develop and report on these measures. The FY 93 measures are presented in Exhibit II-11. Similar types of data will be reported in FY 94.

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. Regional requests for amendments must be provided in writing to the appropriate HQ office. **Amendments require HQ concurrence and approval.** Adjustments do

EXHIBIT II-11
CFO PERFORMANCE MEASURES

- The ratio of NPL sites where cleanup started to the number of sites on the NPL
- The number of non-NPL sites where EPA has begun cleanup action
- The ratio of the number of NPL sites where a decision was made (ROD) on how to cleanup at least a significant portion of the site to the total number of NPL sites
- The ratio of the number of NPL sites where a significant portion of the site (OU) has been cleaned up to the total number of NPL sites
- The ratio of the number of NPL sites where cleanup has been completed to the number of NPL sites
- The ratio of the number of enforcement actions EPA has taken at NPL sites to the total number of NPL sites
- The number of major enforcement actions (>$200K)
- The ratio of the amount of money EPA has collected from PRPs to the total amount achieved in settlements and judicial actions
- The ratio of the amount of money PRPs have agreed to spend on cleanup to the total amount spent on site cleanup by the Superfund

not require HQ approval, but may require HQ notification. **Any exceptions to the SCAP/STARS accomplishment definitions contained in Volume II, Appendices A-D are considered an amendment. These exceptions will be reviewed on a case-by-case basis.**

Regions should note that changes made in WasteLAN or CERCLIS to site schedules and other planning data will not automatically result in changes to SCAP/STARS targets. Amendments and adjustments should be reflected in CERCLIS by updating the WasteLAN site specific data base and the CERHELP Targets and Accomplishments data file on an ongoing basis.

Amendments or adjustments that modify the Region's AOA require a change request. In these situations, the change request becomes the SCAP amendment. Chapter III outlines the change request procedures. Exhibit II-12 lists the major

types of Superfund amendments and adjustments. Exhibit II-13 describes the procedures that must be followed when processing amendments.

SCAP/STARS 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.

The Office of Program Management (OPM) coordinates change requests/SCAP amendments for the program offices in OERR. OPM, the CERCLA Enforcement Division (CED) of OECA, and the Program Operations Division (POD) of OFFE provide input on SCAP/STARS amendment approval decisions.

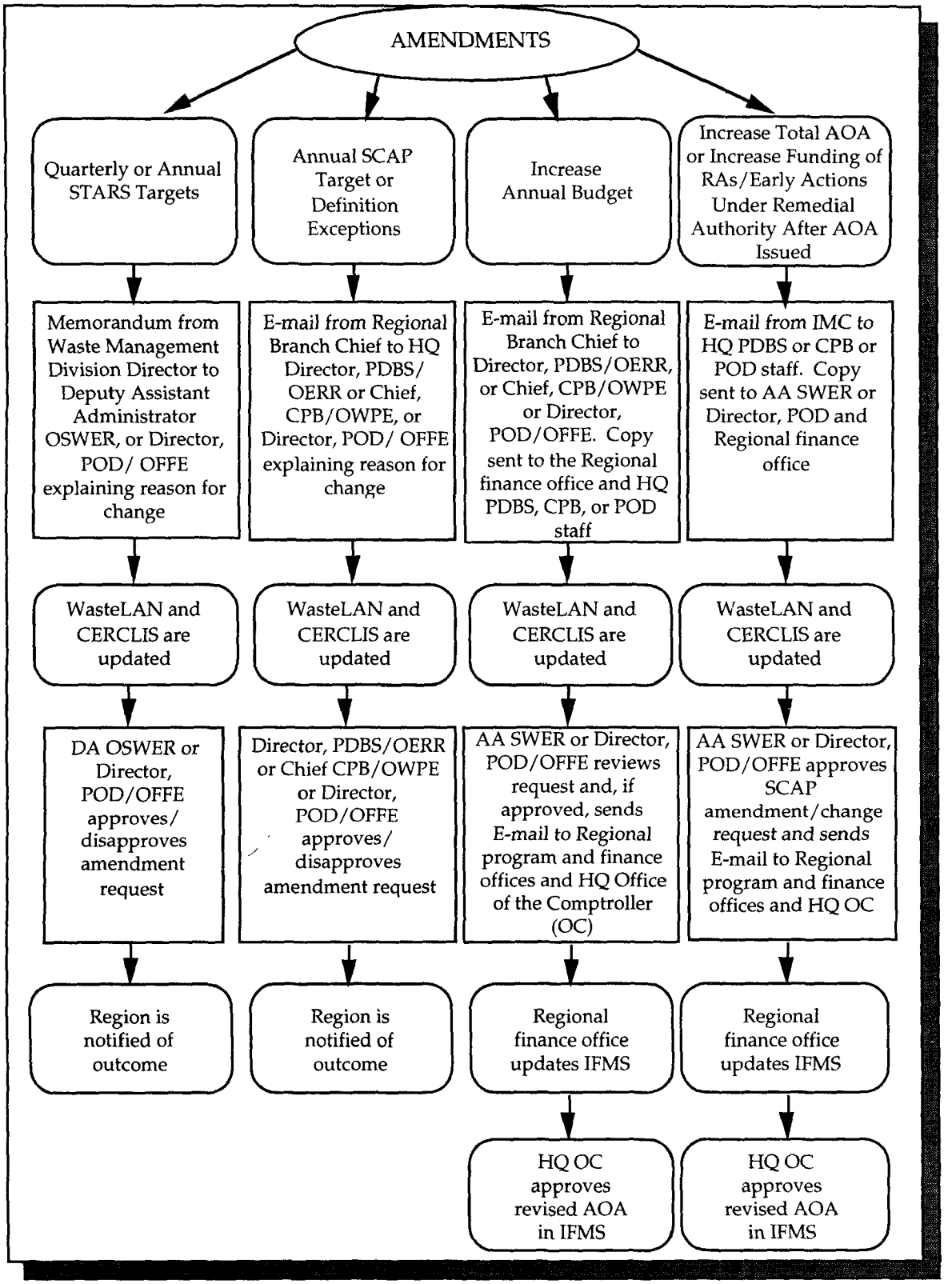
Although Regions have the flexibility to alter plans, they are still accountable for meeting the targets negotiated at the beginning of the FY. Changes to STARS commitments should not be made simply because targets will not be met. However, in some cases, amendments to targets may be necessary and may 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);
- Measure or definition in system is creating an unanticipated negative impact;
- Major shifts in project approach associated with SACM and the need to conduct early response actions; or
- Need to address newly identified site which represents a significant human health or ecological risk.

EXHIBIT II-12
AMENDMENTS AND ADJUSTMENTS

Situation	Amendment or Adjustment	Change Request Required	Procedures
Increase Annual Budget	Amendment	Yes, If Approved	See Exhibit II-13 or Chapter III, Exhibit III-3
Decrease Annual Budget	Adjustment	No	Revise WasteLAN/CERCLIS; Notify HQ Program Development and Budget Staff (PDBS), OERR, or Contracts and Planning Branch (CPB), OWPE, or POD, OFFE
Increase Total (OECA and OERR) AOA After Issuance Within Annual Budget	Amendment	Yes	See Exhibit II-13 or Chapter III, Exhibit III-3
Decrease Total (OECA and OERR) AOA After Issuance	Adjustment	Yes	See Chapter III, Exhibit III-3
Increase/Decrease RA or Early Actions under Remedial Authority Funding Before AOA Issued	Adjustment	No	Revise WasteLAN/CERCLIS
Decrease RA or Early Actions under Remedial Authority Funding After AOA Issued	Adjustment	Yes	See Chapter III, Exhibit III-3
Increase RA or Early Actions under Remedial Authority Funding After AOA Issued	Amendment	Yes	See Exhibit II-13 or Chapter III, Exhibit III-3
Shift Funds Within Allowance After AOA Issued	Adjustment	No	Revise WasteLAN/CERCLIS
Shift Funds Between Allowances After AOA Issued	Adjustment	Yes	See Chapter III, Exhibit III-3
Change Annual SCAP Target	Amendment	No	See Exhibit II-13
Change STARS Quarterly or Annual Targets	Amendment	No	See Exhibit II-13
Target Site Substitutions	Adjustment	No	Revise WasteLAN/CERCLIS
Definition Exceptions	Amendment	No	See Exhibit II-3

EXHIBIT II-13
SCAP AMENDMENT PROCESS



OSWER and OECA require that all STARS amendments be submitted to HQ by April 15 in order to meet the April 30 deadline for changing targets imposed by OPPE. STARS amendments must be approved by the Deputy Assistant Administrator OSWER or OECA or the POD Director in OFFE. The OPM and program offices in OERR and OECA provide input on STARS amendment approval decisions.

All amendments should be recorded in WasteLAN as an "approved" action after the Region issues the change request or memorandum to OSWER or OECA. Regions should not initiate any obligation against change requests until the HQ Office of the Comptroller (OC) and the AAs, or the POD Director in OFFE, approve the revised AOA in IFMS. The site back-up in the CERHELP Targets and Accomplishments and Budget Control/Advice of Allowance (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 WasteLAN 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. Volume II, Appendices A-D, contain tables that 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 WasteLAN 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 long-term action starts, 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 WasteLAN that can be used to replace the TBD sites as soon as possible. TBDs are not allowed for site assessment activities.

- Regions **must** ensure that a site and its associated events/activities that are planned site specifically be recorded in CERCLIS before they are recorded in the CERHELP Targets and Accomplishments file.

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

CHAPTER III

SUPERFUND FINANCIAL MANAGEMENT AND FTE DISTRIBUTION

October 1993

CHAPTER III - SUPERFUND FINANCIAL MANAGEMENT AND FTE DISTRIBUTION

This chapter discusses the impact of the SCAP process on the development of the outyear budget, the Regional operating budget and AOA, outlines Superfund financial management responsibilities and provides an overview of the FTE distribution process. General information on the FY 94 Response budget, Enforcement budget, and Federal Facility budget as well as a general discussion of each workload model is provided in this chapter. Appendices A-D in Volume II provide detailed information on the budget and AOA considerations specific to each of the response program areas, enforcement, and Federal Facilities. It is anticipated that new Superfund workload models will be used to distribute resources beginning in FY 95.

Like the program planning and reporting requirements, the enforcement-specific financial management procedures may be affected by the OWPE reorganization. If necessary, an addendum to the Manual may be issued to reflect any changes that are a result of the reorganization.

OUTYEAR BUDGET DEVELOPMENT

The preliminary outyear budget request is developed in May, 18 months before the operating year begins. This means that SCAP data existing in the third quarter of FY 94 is used to formulate the FY 96 budget request. The schedules for all response, enforcement, and Federal Facilities activities, and the planned obligations for RAs and early actions under remedial authority reflected in CERCLIS serve as the foundation for determining 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 process. Following are the procedures for developing the outyear budget:

- In June, the OSWER and OECA strategic plans are updated and the FY 96 goals and priorities are presented to the Administrator. The Administrator may change the priorities based on overall Agency goals;

- Once a decision is made by the Administrator on the final Superfund goals, the site data in CERCLIS are re-evaluated to ensure that the dollar levels accurately reflect these goals;

- Budget requests that reflect the OSWER and OECA strategic plans and the data in CERCLIS are prepared and sent to the Administrator in July;

- The Administrator makes any changes to the budget requests and passes them back to the program offices;

- The budget requests are revised and submitted to the OMB in September;
- OMB makes any changes to the budget requests and passes them back to EPA in November;
- If the program offices do not agree with the budgets that are passed back from OMB, EPA initiates an appeals process in December; and
- In mid-January, EPA prepares and submits the President's budget request.

FY 95 BUDGET DEVELOPMENT

The process for developing the FY 95 budget is essentially the same as the process being followed for the development of the outyear budget. The base budget process that is being used to develop the FY 95 budget consists of the following three phases and builds on the budget that was developed for FY 94, the Agency's strategic plans, and investments for the future.

- *Program Characterization* — The first phase consisted of a thorough program characterization by the HQ program offices with the participation of the lead Region. This characterization grouped related activities within each program area. It identified the statutory basis for the activities, the associated resources, the type and number of outputs, the environmental results derived from these activities, and the major strategic choices facing each program.

  The Program offices also summarized the FY 94 resource distribution by function (e.g., regulation development, enforcement, research, etc.) and major statutes. This phase was completed in mid-May.

- *Review Phase* — During the second phase HQ program offices met with the Administrator to discuss the program, strategies, and goals. There also were small group meetings of Office/Division Directors and the Planning and Budgeting Workgroup to review FY 94 budget information and make recommendations on issues that should be considered in developing the FY 95 budget. This phase was completed at the end of May.

- *Budget Formulation* — The third phase is the actual development of the budget. This phase is a multi-step process that began in June with an AA/Regional Administrator forum to discuss FY 94 budgeting, recommend Agency priorities for FY 95, and set longer-term Agency direction.

  The Administrator then provided guidance on investment priorities for FY 95 and overall policy guidance for budget formulation. Using this guidance, the program offices developed and submitted the budget to OC at the end of June.

The program offices and lead Regions made presentations to the Administrator/Deputy Administrator on the program priorities in mid-July. The Administrator made the budget passback at the end of July, and the program offices began development of the budget for submission to OMB.

Based on the Administrator's priorities and results of the budget formulation process, a strategy for presenting the Agency's budget to OMB will be developed. The focus will be to describe the Agency's long-term goals and how the FY 95 request will, or will not, support them. The budget will be submitted to OMB in October.

DEVELOPMENT OF THE FY 94 NATIONAL BUDGET

In FY 94 there are insufficient resources for all ongoing activities plus the new activities the Regions planned to begin. As a result, resource decisions were made that address the implementation of SACM, are consistent with the Integrated Priority Setting Matrix, and are based on the following program priorities:

- Move sites to construction completion and NPL deletion;
- Handle classic emergencies;
- Use enforcement tools to equitably maximize PRP participation;
- Make funding decisions, where resources are constrained, based on the worst problems first strategy;
- Identify viable cases for pursuit of cost recovery (both administrative and judicial) in order to maximize cost recovery to the Trust Fund;
- Support ongoing projects to completion;
- Initiate new work to keep the pipeline full; and
- Maintain essential program management elements within the limited budgets.

As shown by these criteria, reducing imminent threats to human health and the environment and optimizing site completions (and deletions where feasible) are the highest program priorities while using enforcement tools to ensure maximum but equitable PRP involvement. However, those activities that contribute to other program goals, and more generally contribute to the long-term effectiveness of the program, need to be supported to the maximum extent possible. Examples of such activities are those that meet equity goals (*de*

minimis and municipal settlements, PRP compliance oversight, and pursuing non-settlors) and worst sites first initiatives. Worst sites first is a guiding principle within the context of optimizing the number of site completions. However, given limited Trust Fund resources, maximum PRP involvement will be necessary to ensure that site completion goals are met.

Applying these criteria and long-term goals, the response, enforcement, and Federal Facilities programs made specific budget decisions. These budgets and program decisions are discussed in this chapter and Appendices A and B (Response), Appendix C (Enforcement), and Appendix D (Federal Facilities).

FY 94 REGIONAL BUDGET

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 approved planned and actual obligations and actual commitments must be less than or equal to the annual Regional budget or the AOA will not be approved.** In the case of enforcement, the Regional budget refers to new current year operating plan dollars plus prior year enforcement support contract carryover.

Response Budget

The FY 94 response budget (President's Budget) contains $983.5 million for direct cleanup activities, including site screening and assessment, early actions, long-term actions, PRP oversight, and laboratory support. Approximately $47.9 million is available to support other response actions, program support, information management, and contract management. In light of this and consistent with the Integrated Priority Setting Matrix (see Chapter I), resources will be provided for:

- Ongoing RA projects to construction completion;
- Early actions under removal authority at historical rates and within the budget constraints;
- All long-term action and early action under remedial authority starts;
- Oversight of all RP-lead RD, RA, NTC removal, and early action under remedial authority projects;
- Ongoing RI/FS projects started as part of the "full funding strategy";
- All RD starts; and
- Five-year reviews.

To the greatest extent possible the following activities will be supported:

- New first and subsequent ESIs/RIs/FSs;
- Listing of new sites on the NPL; and
- Support activities, such as the laboratory support.

The first priority for response funding are activities at sites that will be used to meet the national construction completion goals and classic emergencies.

Enforcement Budget

The enforcement extramural budget for FY 94 is approximately $56.7 million, $47.8 million of this in extramural resources for Regional use. The budget provides support for PRP searches, PRP time critical and emergency removal actions, PRP ESI/RI/FS projects, 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 (see Chapter I). Within the matrix, the following activities are priorities:

- Maintaining ongoing PRP oversight of removals and RI/FSs and compliance enforcement of all response actions;
- Negotiating PRP response actions;
- Negotiating settlements with collateral PRPs, including *de minimis* and municipal solid waste contributors;
- Maintaining ongoing litigation for response and cost recovery; and
- Referring removal and remedial cost recovery cases greater than $200K with SOLs that will expire during the budget year.

Within this context, it is important to consider that the enforcement program has changed significantly to take into account a greater PRP participation, dealing with recalcitrant PRPs, and addressing collateral PRPs, with an emphasis on *de minimis* parties and municipalities. Therefore, activities that reinforce these criteria need to be supported to the maximum extent possible within available resources.

Federal Facilities Budget

The Federal Facilities extramural budget for FY 94 is approximately $13.46 million. This budget provides support for oversight of response work at all NPL

Federal Facilities, the negotiation and implementation of Federal IAGs, and activities necessary to facilitate the closure of the military bases designated by Congress that are on the NPL. As with the response and enforcement budgets, decisions on which activities will be funded are based on the Integrated Priority Setting Matrix (see Chapter I). Within the matrix, the following activities are priorities:

- Targeting activities at bases to be closed;
- Maintaining ongoing oversight activities; and
- Expediting response where possible.

No funds are available for projects at non-NPL sites. Oversight activities at non-NPL sites are the responsibility of the State.

RELATIONSHIP BETWEEN SCAP AND THE ANNUAL REGIONAL BUDGET

The SCAP process is the planning mechanism used by the Superfund program to identify site screening and assessment, early action, long-term action, enforcement, and Federal Facility funding needs for the 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 budgets, adjustments within this budget can be made during the FY.

The actual allocation of funds is accomplished 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 the 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. 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 removal, remedial, enforcement, and Federal Facility programs. The criteria discussed below were used to develop the FY 94 budgets. These criteria will also be used to prepare the initial FY 95 budgets.

The criteria used to develop the FY 94 Regional response budget is different from the allocation process used in previous years. In the past, the initial Regional response budgets were based on site schedules in CERCLIS and project/activity specific criteria. The FY 94 Regional response budgets were allocated as follows:

- 90 percent of a Region's budget was based on its FY 90, FY 91, and FY 92 actual response obligations; and

- The remaining 10 percent was allocated to the Region based on the final negotiated targets.

For enforcement, FY 94 initial operating plans were based on the relative percentage of the FY 93 budget and will be adjusted in first quarter FY 94 based on FY 93 utilization rate, including FY 93 Technical Enforcement Support (TES) contract carryover. Regional targets should be developed consistent with initial operating plans.

The FY 94 Regional Federal Facility budget was allocated based on a Region's percentage of NPL sites, with an initial reserve of $500,000 per Region to fund emergencies.

Regions are required to plan their obligations within the program-specific allocations. Final budgets will be developed upon completion of the fourth quarter negotiations between HQ and the Regions. For enforcement, the operating funds will be adjusted in first quarter of FY 94 based on end-of-year FY 93 utilization rates, including consideration of TES carryover. Planned obligations for Regional activities must fall within the total identified budget levels, and should be shown by entering "approved" (APR) in the Funding Priority Status data field (C2625, C3225, or P1419). 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, the activities the Region would like to conduct with the budget reserve, the activities that 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 are within the proposed total Regional budget levels.

In the past, the AOA obligation rate through the first two quarters of the FY has been low. As a result, HQ has implemented the following measures to improve performance:

- **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.** For example, 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.

- **Regions must obligate and task 60 - 65 percent of the enforcement Regional extramural funds received in their first and second quarter AOA and task 60-65 percent of TES obligations including FY 93 carryover in order to receive their third quarter enforcement AOA.** If a Region does not receive its third quarter enforcement AOA due to such an obligation shortfall, it is required to

produce a site specific spending plan in WasteLAN for both the third and fourth quarters by mid-May.

- **Regions must obligate 60 - 65 percent of their current year Federal Facility AOA in the first and second quarter in order to receive their third quarter AOA.** The Region's annual budget may be reduced by the third quarter amount if 60 - 65 percent of the first and second quarter AOAs have not been obligated by the start of the fourth quarter.

For those Regions that continue to have a low rate of commitment/ obligation/tasking, OSWER and OECA will renegotiate the Region's operating plan for the remainder of the year during June. **This may result in a reduction in the Region's annual budget.**

For further information on the Regional response, enforcement, and Federal Facility annual budget requirements, see Appendices A through D in Volume II.

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 or Director, POD, OFFE. **No money 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

For FY 94, OERR proposed a restructuring of the AOAs. This proposal combines the RD, RI/FS, and site characterization allowances into one allowance. Based on this restructuring, the OC would issue the following allowances to the Regions in FY 94:

- Site Characterization (non-site specific "site" allowance), which includes funds for:

  - PAs, SIs, ESI/RI, FS, RD, treatability studies, EE/CAs, design assistance, community relations, support agency assistance, technical assistance, and ground water monitoring; and

  - Oversight of RDs, RAs, early actions under remedial authority, NTC removals, five year reviews, O&M, and LTRA;

- RA (site-specific "site" allowance), which includes funds for RAs, early actions under remedial authority, LTRA, and five year reviews;

- Removal (non-site specific "site" allowance), which includes funds for emergencies, time critical, and NTC early actions under removal authority;

- Other Response (non-site specific "regular" allowance), contains funds for response program and project support including ARCS program management, Technical Assistance Grants (TAG), Core Program Cooperative Agreement (CPCA), and pollution liability insurance;

- Enforcement (non-site specific "regular" allowance); and

- Federal Facilities (non-site specific "regular" allowance).

The "site" allowance is an event-specific allowance. It 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 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 94 is based on the final SCAP plans developed in the fourth quarter of FY 93. In the case of enforcement, operating plans are adjusted after the start of the FY based on prior year contract utilization. Funds available for obligation, however, are limited to projected needs for the upcoming quarter. Where Regional TES carryover exists, only the funds necessary to cover the non-TES needs will be issued in the AOA until the Region has tasked 65 percent of its TES carryover.

Approximately four weeks before the end of each quarter, HQ will generate AOA reports (SCAP-4, SCAP-4E, and SCAP-4F) that reflect the approved planned obligations in CERCLIS. If the planned and actual obligations and commitments in CERCLIS exceed the Regional budget, the Region will be contacted. CERCLIS must be revised to match the Regional budget before HQ will proceed with the AOA process in the Region. After discussions with the Regions to clarify questions or issues and after ensuring that the Regional budget was not exceeded, HQ will enter the AOAs into the CERHELP BC/AOA system two weeks before the end of the quarter. Regions must pull these reports from CERHELP and enter these amounts into IFMS.

The AAs, the Director, POD, OFFE, and the OC review the funding levels entered into IFMS 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 AAs or Director, POD, OFFE approve the AOA in IFMS and the funds are available for obligation. If the AOA entered into IFMS 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 III-1 illustrates the AOA process. Regional IMCs should work closely with their Regional finance office on the entry of the correct AOA into IFMS.

The HQ OC Budget Division monitors obligations against the AOA weekly. If a Region exceeds any of the allowances or a site-specific RA or early action under remedial authority 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 of site or allowance allocations may result in partial or total withdrawal of the Region's site allowance.

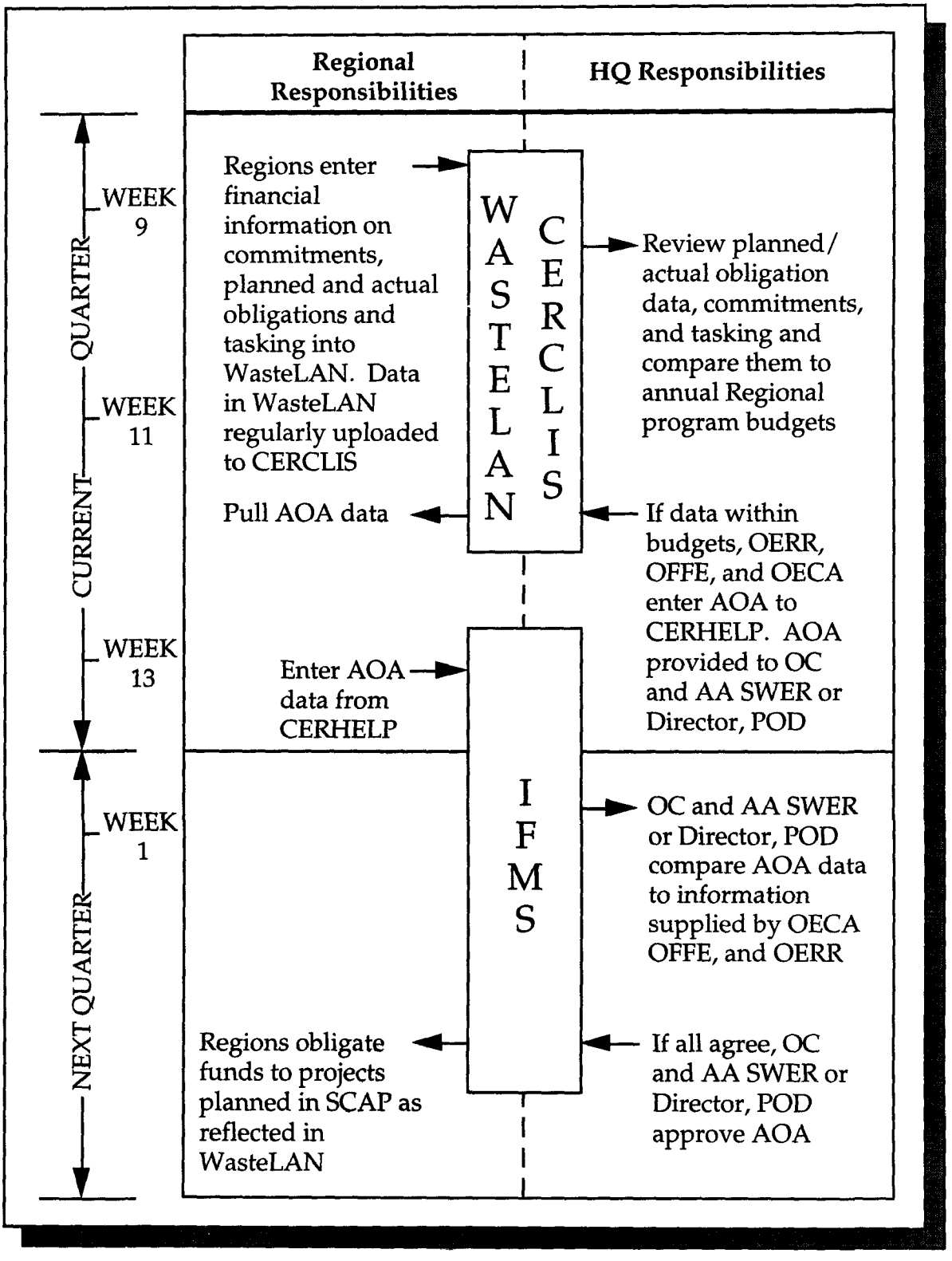
As is standard Agency policy, if a Region exceeds either the regular or site allowance, the HQ OC Budget Division will withdraw obligation authority in accordance with existing procedures. During the last quarter of the year, the HQ OC Budget Division will work with the Regions, OSWER, and OECA as necessary to ensure that all allowances and obligations are aligned prior to year-end closing.

If a Region receives funds in their AOA which were not obligated during the quarter received, the relevant planned obligation data in WasteLAN 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, site characterization, enforcement or Federal Facility by the amount that was not committed or obligated; or

- Request that Regions follow the OC's change request procedures to return early action under remedial authority or RA funds to HQ.

EXHIBIT III-1
THE ADVICE OF ALLOWANCE PROCESS



The Financial Reports (SCAP-4, SCAP-4E, and SCAP-4F) and the Budget Control Reports (SCAP-21 and SCAP-21E) will be used to evaluate the status of the 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.

The enforcement, Federal Facility and response programs have developed rules for utilization of extramural budget funds. See Appendix A and B for the response requirements, the HQ/Regional Adjustment section in Appendix C for additional information on enforcement requirements and financial planning for the AOA, and Appendix D for the Federal Facilities financial management.

Based on a decision to continue to manually enter financial data into WasteLAN, it is especially important that Regions reconcile IFMS and WasteLAN data on a quarterly basis at a minimum. Regions will not receive their FY 94 second quarter AOA until the FY 93 financial data in CERCLIS, IFMS, and TESWATS agree.

AOA Flexibility

Some flexibility exists within the AOA structure to shift funds both within and between allowances. Regions can shift funds between projects **within** the other response, site characterization, removal, enforcement, or Federal Facility allowances without HQ approval. With HQ approval, funds can also be shifted **between** the site characterization, and enforcement allowances, out of (but not into) the other response budget, and into (but not out of) the RA allowance. However, funds cannot be shifted into or out of the Federal Facility allowance.

Shifting funds between projects **within** the other response, site characterization, removal, enforcement, or Federal Facility allowance is a SCAP adjustment. It does not require HQ approval or a change request, but WasteLAN must be revised to reflect the shift. Allowable shifts **between** allowances are also SCAP adjustments; 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

RAs and early actions under remedial authority will be funded on a first ready/first funded basis. The Regions' ability to redirect RA and early action under remedial authority funds is limited. Approval from the AA for Administration and Resources Management (ARM) and AA SWER is required. Given the constraints in RA funding, HQ approval is highly unlikely. Funding for ongoing projects, mixed funding settlements, LTRA, and five year reviews, however, may be reprogrammed by the Regions. RA or early action under remedial authority 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 and early actions taken under remedial authority. In some cases, HQ may recommend that the Region retain the funds to support unanticipated cost escalations for RAs or early actions under remedial authority.

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. Though the practice is not encouraged, if the PRPs take over the RA or early action under remedial authority 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. In the situation where the PRPs take over after the obligation of funds for RA or early action under remedial authority, the program office will need to work with the Regional Financial Management Office (FMO) to revise the Account Number (AN) since the Agency is acting in an oversight role instead of performing the response action.

Non-Site Specific Funding Flexibility

Regions may redirect funds within the other response, removal, site characterization, 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. Funds also cannot be shifted into or out of the Federal Facility allowance.

Funds saved within the site characterization account 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 site characterization projects. In addition, Regions may retain and redirect non-RA response funds made available as a result of the following actions:

- PRP takeovers or settlements (to cover those costs through the remainder of the FY);

- ESI/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:

- Ongoing RA projects;
- Classic emergencies;
- Early actions to make NPL sites safe; and
- Funds necessary to oversee PRP activities.

Regions may redirect RD funds to RD oversight 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 reprogrammed to activities outside the allowance.

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.

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 made available:

- As a result of PRP takeovers;
- By RD bids coming in under projected amounts; or
- 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 WasteLAN. 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.

AOA Change Request Procedures

Regions are required to operate within their quarterly AOA and their annual Regional budget. Each Region will receive a RA and early action under remedial authority budget based on the schedules in CERCLIS for implementing these actions. 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, site characterization, removal, Federal Facility or enforcement allowances. HQ approval is not required;

- Shift existing funds **between** certain allowances (site characterization and enforcement allowances). HQ approval of a change request is required. Funds **cannot** be shifted into the other response allowance, out of the RA or removal allowance, or into or out of the Federal Facility 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 SCAP. Chapter II identifies SCAP amendments and adjustments, and describes when a change request is needed. Exhibit III-2 discusses flexible funding and other situations where an AOA change request is required. Exhibit III-3

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.

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 WasteLAN should be revised at the time the change request is transmitted. Regions should not initiate any obligations against the change until the OC, AAs or Director, POD, OFFE 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

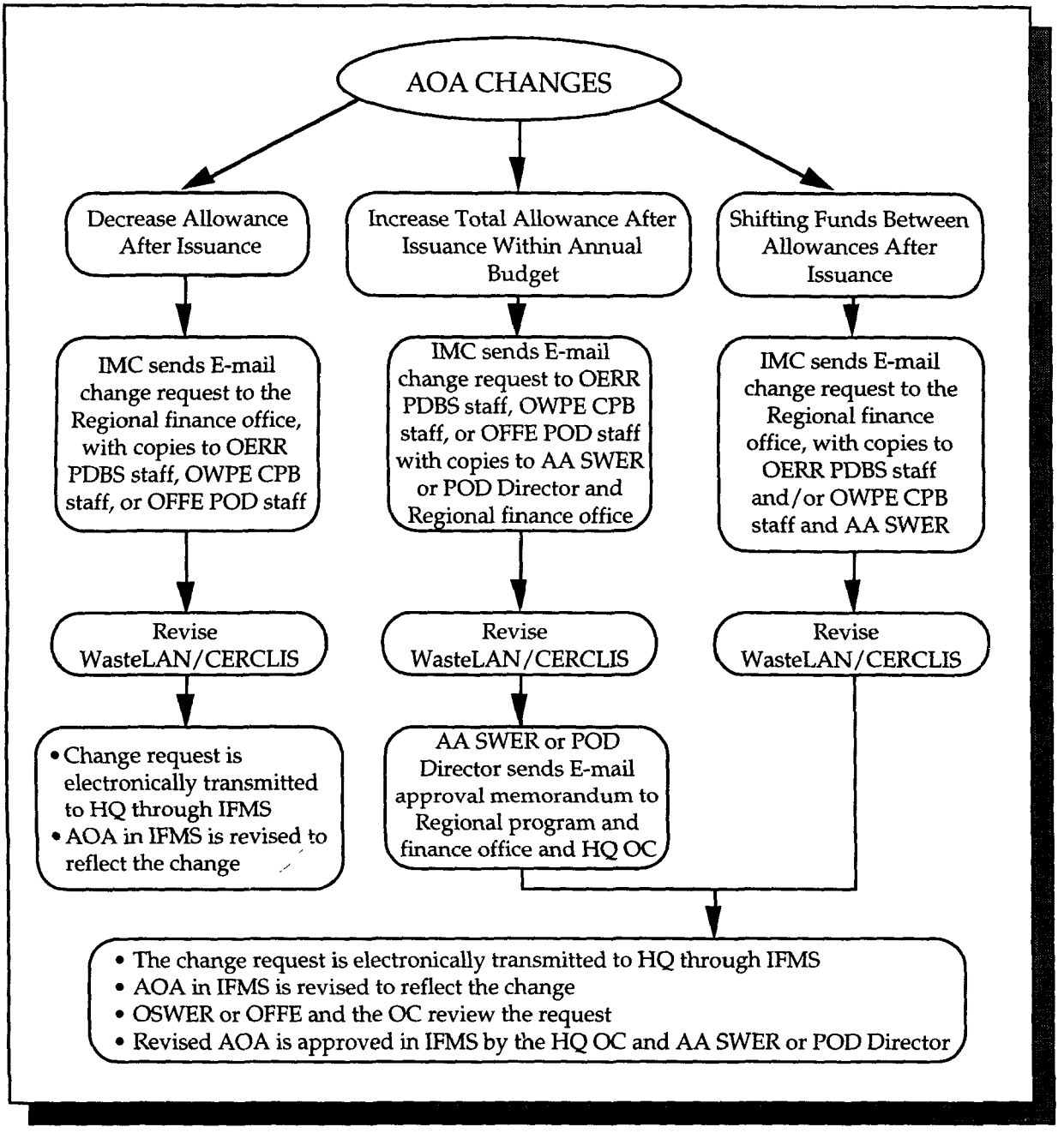
In 1989, Congress imposed reporting requirements on the response program element in the following four categories:

- RI/FS;
- RD;
- RA; and
- Removal actions.

EXHIBIT III-2
CHANGE REQUEST REQUIRED

Change Request Situation	Procedures in Exhibit III-3 to Be Followed:
Allocation transfer IAGs	Decrease allowance after issuance
Transfer fund to the Environmental Monitoring Systems Laboratory (EMSL) or other entity within EPA	Decrease allowance after issuance
Shifting funds where allowable 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 or early action under remedial authority funding after allowance is issued	Increase total allowance after issuance within annual budget
Decrease RA or early action under remedial authority funding after allowance is issued	Decrease allowance after issuance
Decrease RA or early action under remedial authority funding as a result of PRP takeover	Decrease allowance after issuance
New RA or early action under remedial authority funding after allowance is issued	Increase total allowance after issuance within annual budget

EXHIBIT III-3
AOA CHANGE PROCESS PROCEDURES



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 for these categories. Immediate Congressional notification is required if the cumulative changes in a single category exceed any of the funding levels by $2 million or more, except in the RA category where the 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.

RELATIONSHIP BETWEEN SCAP AND THE AOA

Within the SCAP process, obligations are planned either site, project or 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 WasteLAN and CERCLIS data bases have been designed to accommodate site and non-site specific planning. Exhibit III-4 lists the events and enforcement activities for which obligations are planned on a site, project, or OU specific basis vs. non-site basis.

WasteLAN and CERCLIS track only extramural funding needs. Therefore, Regions should be certain all their extramural funding needs are reflected in WasteLAN and CERCLIS such that there is a crosswalk between the WasteLAN 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 (C2629, C3229, or P1416) identifies which program pays for the planned events/activities. Exhibit III-5 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 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 III-6 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 the Federal Emergency Management Agency (FEMA) should be given a budget source of "M" or "D" after the IAG is signed and funds are transferred to HQ using the change request procedures. Funds for aerial surveys and topographical mapping that are being conducted by EMSL 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 WasteLAN should be changed to a HQ budget source code.

EXHIBIT III-4
SITE VS. NON-SITE SPECIFIC PLANNED OBLIGATIONS

Site Specific	Non-Site Specific*
Admin. Cost Recovery	ARCS Contractor Management
Administrative Record**	Aerial Surveys**
CR**	Contract or Program Management
Cost Recovery Referral Preparation	CPCA
Design Assistance**	Emergency Response Cleanup Services (ERCS) or Emergency and Rapid Response Services (ERRS) Management
Early Actions	Geophysical Support/ Topographical Mapping**
Endangerment Assessment	Information Management
ESI/RI	Multi-site Cooperative Agreement
Federal Facility Oversight	PA/SI
Five Year Reviews	Preliminary Natural Resource Surveys (PNRS)
Forward Planning**	Records Management
FS	Senior Environmental Employee Program
Litigation Support	State Enforcement Management Assistance
LTRA	Technical Enforcement Support (TES) Contractor Management
Negotiations:	Training
–Cleanup	
–Cost Recovery	
–IAG	
Non-Binding Allocation of Responsibility (NBAR)**	
Other**	
Oversight of PRP:	
–ESI/RI/FS	
–Early Actions	
–Long-Term Actions	
–O&M; LTRA	
PRP Search**	
RA	
RD	
Referrals	
–104(e)	
–106	
–106/107**	
–107**	
–Bankruptcy Claims	
Support Agency Assistance**	
Technical Assistance**	
TAGs**	
Treatability Study	

* For these activities, Regions must enter the number of sites involved and the contract vehicle.

** These activities may be planned site specifically or non-site specifically

EXHIBIT III-5
BUDGET SOURCE CODES

E	=	Enforcement	**M**	=	HQ Removal
V	=	Removal	**D**	=	HQ Remedial
R	=	Remedial	**L**	=	Federal Facility

Since FY 92, the lead for project support activities has not been coded based on national rules, but left to the Regions' discretion. As a result, the budget source code is even more important. For example, an EPA funded community relations (CR) activity at an RP-lead ESI/RI 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 ESI/RI projects should be included in the ESI/RI oversight request.

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.

SUPERFUND FINANCIAL MANAGEMENT

The purpose of the following section is to assist Regional program offices in carrying out their financial management responsibilities.

Financial Management Tools and Systems

Exhibit III-7 discusses the financial management tools and systems used by HQ and the Regions.

EXHIBIT III-6
WHO PAYS FOR WHAT

Event/Activity	Event/Activity Codes		Lead	Budget Source
	WasteLAN site-specific	WasteLAN non-site specific		
ARCS Management		AC		R
Administrative Cost Recovery	AV		FE	E
CPCA		SC	S	R, V
Early Actions:				
Early Action under Remedial Authority	RA		F,S,MR	R
Early Action under Remedial Authority Oversight	RA		RP,PS,MR FF	R L
Removal Contingency		RC		V
Emergency Removal	RV		F	V
Time Critical Removal	RV		F	V
Time Critical Removal Oversight	RV		RP FF	E L
NTC Removal	RV		F,S	V
NTC Removal Oversight	RV		RP,MR,PS FF	R L
ERCS Management:				
Zone		EZ		V
Regional		RE		V
ESI/RI	SS		S,F	R
ESI/RI Oversight	SS		RP,MR,PS FF	E L
Five Year Review	FA		F,EP,MR,S FF	R L
FS	FS		S,F,EP,MR	R
FS Oversight	FS		RP,MR,PS FF	E L
Litigation Referrals and Ongoing Support:	LT		FE	E
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, FF	R L
Negotiations (including development of site workplans):				
Cleanup	NG	NG	FE	E
Cost Recovery	NE		FE	E
IAG	IN		FE	L
IAG (formerly owned Federal Facilities)	IN		FE	E
O&M Oversight	OM	OM	F,S	R
PA/SI		PA	S,F	R
PRP Searches	NS,RP	PS,RP	FE	E

EXHIBIT III-6 (continued)
WHO PAYS FOR WHAT

Event/Activity	Event/Activity Codes		Lead	Budget Source
	WasteLAN site-specific	WasteLAN non-site specific		
Project Support:				
Aerial Surveys	AS	AS	*	R,V
Administrative Record	AR	AR	*	R,E,V
			FF	L
Contract Program Management		PM		R,E,L
CR	CR, RC	CR	*	R,E,V,L
Design Assistance	DA	DA	*	R
Endangerment Assessment	ED		*	R,E
Evacuation	EV		F	V
Federal Facility Docket		FD	FF	L
Forward Planning	FP		*	R
Geophysical Support	GS	HG	*	R
Information Management		IM	F	E,L,R
Multi-Site Cooperative Agreement		MS	*	R,E
NBAR	NB	NB	FE	R
Other (Specify)	OH	OH	*	E,L
Preliminary Natural Resource Surveys		PN	*	E,L
Prepare Cost Documentation Package	PC		FE	E
Records Management		RM		R,E,L
Senior Environmental Employee Program		SE		E
State Enforcement Management Assistance		EM	*	E
			FF	L
Support Agency Assistance	MA	MA	*	R,E
			FF	L
Technical Assistance	TA	TA	*	R,E
			FF	L
TAGs	TG	CT	*	R
			FF	L
Temporary Relocation	TR		F	R,V
TES Program Management		TM		E
Topographical Mapping	TO	TO	*	R,V
Training		TR		E
Treatability Studies	TS		*	R,E
Removal Investigations		RS	F	V
RI	RI		F,S,EP	R
RI Oversight	RI		RP,MR,PS	E
			FF	L
RI/FS	CO		F,S,EP	R
RI/FS Oversight	CO		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

* Lead left to the Regions' discretion

EXHIBIT III-7
FINANCIAL MANAGEMENT TOOLS AND SYSTEMS

Tool/System	Description
Integrated Financial Management System (IFMS)	The Agency's official automated accounting, funds control and monitoring system. Encompasses all of the Agency's financial systems for planning, budget formulation and execution, program and administrative accounting, and audit. Maintained by the Administrative Systems Division of the Office of Information Resources Management.
Management and Accounting Reporting System (MARS)	IFMS application that identifies the status of commitments, obligations, and payments for a site. MARS can select any data element maintained in IFMS, arrange those elements in any desired format, and print a report. Regional program office staff can request MARS reports from the Regional SFO.
Account Number (AN)	A 10-digit number that identifies costs associated with a specific site and activity. EPA documents and records its direct and indirect costs for each cleanup action and tracks costs through IFMS.
Document Control Number (DCN)	A six digit number assigned by the Regional SFO to Procurement Requests (PRs) and Commitment Notices (CNs). This same number is carried over from the PR or CN to the obligating document. Identifies the spending action in IFMS, just as a check number identifies a check.
Automated Document Control Register (ADCR)	Allowance holder's mechanism for maintaining a running balance of all funds available to the allowance holder. Maintained in the SFO. Funds Certifying Officer (FCO) checks the ADCR balance when certifying availability of funds, then assigns a DCN and records it in the ADCR.
Site/Spill Identification Number (S/S IDs)	Two-digit number to identify costs associated with a specific site. Established by the Regional office or PDBS. Before assigning a S/S ID, an EPA Identification Number (EPA ID) must exist. Also need to ensure that the site is not listed under another name. One S/S ID for each EPA ID. Sites should receive identifiers if it appears more than $5,000 will be spent on a response action.

"ZZ" Accounting Information

When committing or obligating funds at sites where a S/S ID has not yet been assigned, the Region may use "ZZ" in the S/S ID positions where the AN is placed. **The "ZZ" should only be used if a site does not have a S/S ID.** Once a S/S ID has been established for the site, Regions **must** revise all the financial accounting information (in IFMS, WasteLAN, and on the obligating document) with the correct S/S ID. The "ZZ" AN should not be used for future obligations at this site and should no longer be found in IFMS. Information on changing IFMS data can be found later in this chapter.

Regional Financial Management Responsibilities

Due to the complexities 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 in Exhibits III-8 through III-10.

For the purposes of this document, the Regional Management Division is the organization in which financial management, budgetary, accounting, planning and assistance agreements, and administration functions are carried out. The Regional Servicing Finance Office (SFO) and the Contracting Officers (CO) for the ARCS, Emergency Response Cleanup Services (ERCS), and Emergency and Rapid Response Services (ERRS) contracts are considered to be a part of this division.

EXHIBIT III-8
REGIONAL FINANCIAL MANAGEMENT RESPONSIBILITIES

Regional Administrator	Regional Program Office	Regional Management Division
• Approves cleanup actions under removal authority • Approves consistency exemptions at NPL sites where the removal costs more than $2 million • Awards CAs • Awards IAGs • Enters into Superfund State Contacts (SSCs) • Initiates response planning activities • Awards TAGs All of these authorities may be redelegated with the exception of removal actions deemed "nationally significant," consistency exemptions.	• Provides technical support to the CO • Reviews vouchers and/or financial reports • Manages CAs and IAGs • Prepares CNs and PRs • Develops SSCs • Negotiates CAs • Issues S/S IDs or requests that they be issued • Manages the Region's allowances • Approves Request for Proposals (RFPs) or Request for Bids and contracts developed by the States • Participates in pre-award financial management system reviews • Enters financial data on contracts, IAGs, and CAs into WasteLAN • Works with Regional Management Division to reconcile IFMS and WasteLAN data	• Assigns AN, DCN, and CA identification numbers • Enters quarterly AOA into IFMS, controls Regional allowance, maintains ADCR, and reconciles transactions • Issues S/S IDs • Sets up Regional account numbers in IFMS • Processes PRs, IAGs, and CAs • Enters commitments, obligations, and drawdowns into IFMS • Reviews invoices, monthly financial reports, and payment requests • Obligates Regional contracts and modifications • Assists Regional program office in the pre-application phases of the CA development • Maintains Superfund document files on Regional costs and work performed and supports the preparation of documentation for cost recovery • Maintains accounts receivable for cost recovery, cash outs, and SSC cost share, oversight billings, and maintains billing and collection system • Provides Regional program office with financial data

EXHIBIT III-9
DESCRIPTION OF REGIONAL PROGRAM OFFICE FINANCIAL MANAGEMENT STAFF

OSC	Ordering Officer	RPM	Regional Project Officer (RPO)/ Deputy Project Officer (DPO)	Administrative Support Unit (ASU)
• Employee of EPA or U.S. Coast Guard (USCG) • Reacts to hazardous substance spills and releases, or threats of release • Initiates and manages cleanup actions under removal authority • Aware of, in control of, and responsible for site charges • Ensures costs are reasonable and necessary	• Typically an OSC • Must have a written "Delegation of Procurement Authority" signed by a Senior Procurement Manager	• Employee of EPA • Initiates and manages early actions under remedial authority and long-term actions • Manages enforcement costs and activities • Aware of, in control of, and responsible for site charges • Ensures costs are reasonable and necessary	• Employees of EPA • Manage remedial, enforcement, removal, and general site support contracts	• Established in each Regional program office • Staffed with EPA staff or the non-government functions may be performed by a contractor • Provides administrative support to the OSC/RPM • Provides liaison between OSC/RPM and other groups involved in administrative matters • Provides support to Regional program management

HQ Financial Management Responsibilities

Selected offices in HQ have Superfund financial management responsibilities. Those offices that the Regional program office may come in contact with are highlighted in Exhibits III-11 and III-12.

EXHIBIT III-10
RESPONSIBILITIES OF REGIONAL PROGRAM OFFICE FINANCIAL STAFF

OSC	Ordering Officer	RPM	RPO/DPO	ASU
• Prepares site budgets and contract action requests • Completes Action Memoranda • Prepares delivery orders and PRs • Establishes and maintains official site file • Reviews and approves cleanup contractors' charges on a daily basis • Tracks site costs against the established site ceiling • Approves contractor invoices	• Obligates a maximum of $250,000 for removal actions • Develops statements of work and cost ceilings for removal actions	• Reviews contractor invoices and financial reports • Establishes and maintains official site files • Initates Work Assignments (WAs), CAs, IAGs, and contracts • Approves site-specific IAG invoices	• Evaluates and designates contractor award fees • Monitors contractors' activities • Reviews monthly contractor reports and site-specific attachments • Initates WAs, CAs, IAGs, and contracts • Approves site-specific IAG invoices • Identifies Regional and site-specific contract requirements • Reviews invoices • Provides general contract management support	• Assists OSC/RPM in administrative duties • Assists in developing removal site budgets and Action Memoranda • Assists in daily cost monitoring via daily contractor reports • Maintains the Removal Cost Management System (RCMS) • Sets up and maintains active site files • Completes PRs and CNs • Reviews IFMS reports

Financial Management and Funding Processes

Regional financial authority consists of three distinct, but interrelated, parts: approvals, commitments, and obligations. The payment and deobligation processes result in drawdowns from obligated funds. **Due to limited resources to fund FY 94 activities, it is essential that Regions deobligate unneeded prior-years funds so they can be used to close the funding gap.** The funding processes are outlined in Exhibit III-13. Exhibit III-14 indicates the process by which the Regions commit and obligate funds.

EXHIBIT III-11
RESPONSIBILITIES OF HQ PROGRAM OFFICES

Program Development and Budget Staff (PDBS)/OERR	Contracts and Planning Branch (CPB)/OWPE	Program Operations Division (POD)/OFFE
• Provides financial management, accounting support and guidance to OERR and Regional program offices • Maintains OERR ADCR and controls HQ allowances • Commits funds for HQ OERR contracts and IAGs • Assigns accounting data to monthly site-specific invoices • Processes and monitors HQ OERR IAGs • Maintains central S/S ID system and assigns S/S IDs to USGS-lead early actions • Negotiates Regional budgets • Approves Regional allowances and processes change requests • Provides liaison with Regional program office regarding OERR financial issues • Provides OERR financial policies to Regions	• Provides financial management, accounting support and guidance to OWPE and Regional program offices • Initiates procurement of TES contracts • Processes and monitors WAs in Technical Enforcement Support Work Assignment Tracking System (TESWATS) • Processes and monitors OWPE IAGs • Processes invoices for TES contracts • Negotiates Regional budgets • Coordinates issuance of Regional allowances and process change requests • Provides liaison with Regional program offices on OWPE financial issues • Provides OWPE financial policies to Regional program offices	• Provides financial management, accounting support and guidance to OFFE and Regional program offices • Initiates procurement of Federal Facility contracts • Negotiates Regional budgets • Coordinates issuance of Regional allowances and processes change request • Provides liaison with Regional program offices on OFFE financial issues • Provides OFFE financial policies to Regional program offices

EXHIBIT III-12
FINANCIAL RESPONSIBILITIES OF HQ MANAGEMENT OFFICES

Financial Management Division (FMD)/OC	Office of Acquisition Management (OAM)	Grants Administration Division (GAD)/Office of Administration	Budget Division/OC	Financial Management Center-Cincinnati (FMC)	Research Triangle Park (RTP) Office of Administration
• 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 • Establishes Superfund ANs in IFMS	• Conducts Superfund contracting program • Negotiates, awards, monitors, modifies, and terminates contracts • Provides technical guidance on contract administration • Provides cost and price analysis	• Issues policies, regulations, and guidance for processing, awarding, and managing financial assistance agreements and IAGs • Issues identification numbers for all IAGs • Processes and awards HQ IAGs	• Allocates Superfund allowances among HQ and Regions • Approves Regional allowances • Monitors obligations against regular and site allowances • Processes transfer allocations • Processes change requests • Reprograms allowances	• Provides accounting support for all Superfund IAGs • Processes disbursement requests from other agencies • Processes billings for reimbursable activities • Enters IAG obligations and disbursements into IFMS	• Provides accounting support for all Superfund contracts • Enters contract award and obligation data into IFMS • Processes contractor invoices • Enters payments into IFMS via the Contract Payment System

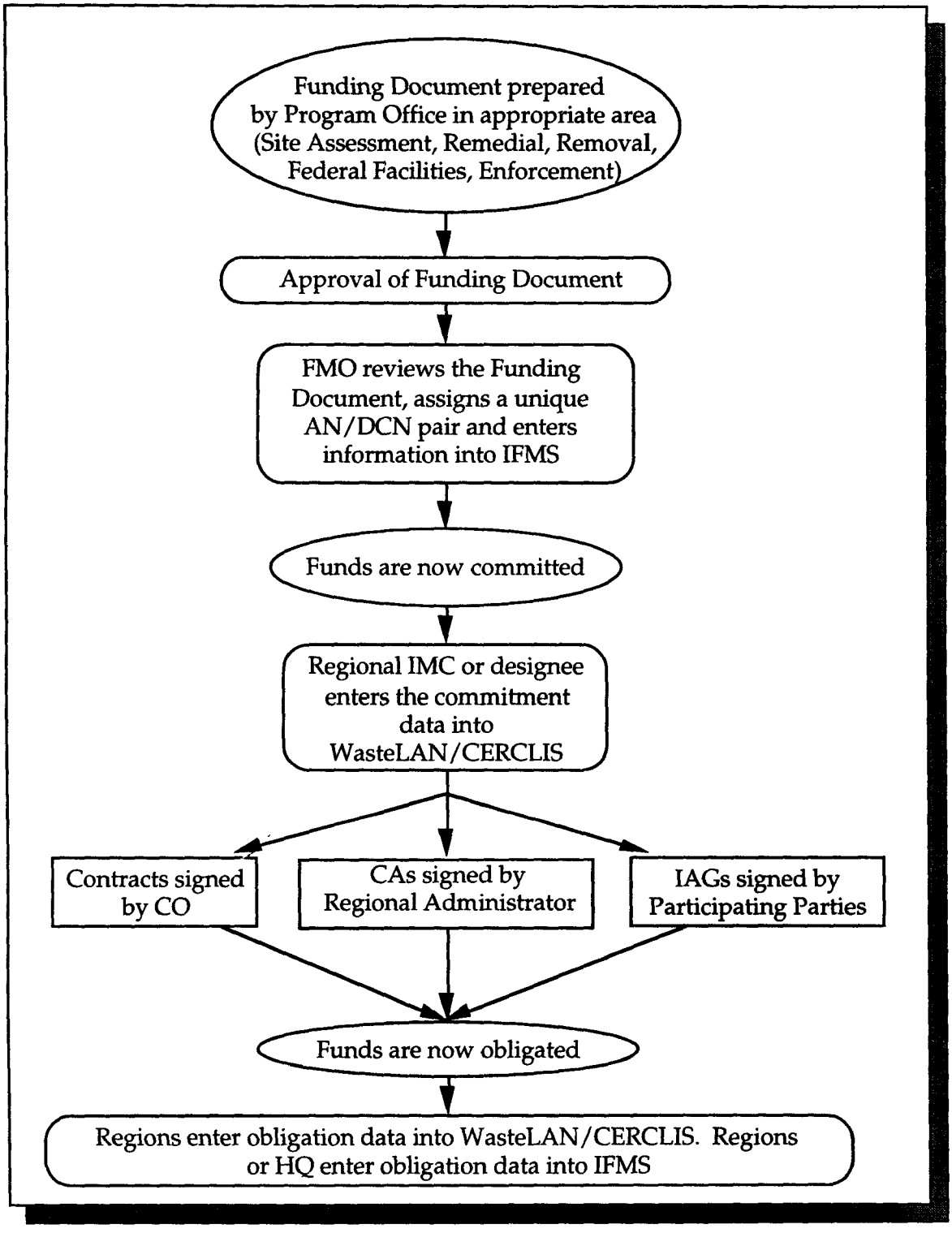
EXHIBIT III-13
FINANCIAL MANAGEMENT AND FUNDING PROCESSES

Activity	Discussion
Approvals	An approval by the AA SWER, AA OE, Regional Administrator or official designee is authorization to undertake a CERCLA-funded response action. • Early Actions Under Removal Authority: - Regional Administrator approves actions costing up to $2 million, grants exemptions to twelve month and $2 million statutory limits based on consistency with the long-term action, and may re-delegate to the OSC the authority to approve actions costing up to $50,000 in emergency situations. - Except in emergency situations, before taking action, an Action Memorandum must be approved. The Action Memorandum documents the release meets the criteria of CERCLA and the NCP, and includes an estimated total project ceiling. The OSC uses the estimate of duration and cost in order to determine the proper approval authority. - In extreme emergencies, the OSC may initiate activities without preparing the necessary documentation in advance. The OSC must document the decision within 24 hours of initiating the response. • Early Actions Under Remedial Authority, RD, RA, Site Screening and Assessment, Enforcement, and Federal Facilities: - Planning is accomplished through SCAP. Funds cannot be committed or obligated unless the project is in SCAP. - Obligation planned and executed on an OU or site basis. Outlays (payments) should be attributed to the appropriate OU. - ROD is required for all early actions under remedial authority and long-term actions. ROD is signed by the Regional Administrator/Deputy Regional Administrator, the AA SWER or AA OE. ROD documents the alternative decision-making process, demonstrates that the requirements of CERCLA and the NCP have been met, and provides the basis for future cost recovery actions.
Commitments	• Commitments are a reservation of funds but not a legal promise to pay a supplier. Once the Regional FCO certifies the availability of funds, a spending action becomes a commitment. Funds that are committed but not obligated are called open commitments. • Two types of commitment documents: PR and CN. PRs commit funds for contracts; CNs commit funds for CAs and reimbursable IAGs.

EXHIBIT III-13 (continued)
FINANCIAL MANAGEMENT AND FUNDING PROCESSES

Activity	Discussion
Obligations	• Obligations legally bind the government to pay a supplier for goods or services. Obligated funds can no longer be used for another purpose. • A contractor, another Federal agency, or State cannot start work until funds have been obligated. Funds can only be used for the purpose for which they were obligated, unless they are deobligated. • Obligating documents must be processed in accordance with guidance issued by OAM, GAD, and FMD. Some contracts are awarded by OAM and entered into IFMS by the SFO/RTP, others are handled by the Regions. Obligations for CAs are entered into IFMS by the Regions; IAGs are entered by FMC-Ci.
Payments (Outlays)	• Invoices from contractors/suppliers are submitted to proper SFO for payment. Before payment, there must be an obligating document and a receiving report to verify that the work was completed or the goods received were satisfactory. Unpaid obligations remain in IFMS until paid or until the allowance holder or obligating official notifies the SFO that no further payments will be made.
Deobligations	• Handled similarly to obligations. Same commitment and obligation documents and procedures are used, except that the dollar amount is a reduction. Availability of funds after deobligating depends on when the funds were obligated. Current year funds are available as soon as the deobligation is effective. Prior year funds revert back to HQ for redistribution. In order to reuse prior year funds, allowance holders must request a recertification of funds to their allowance. • Regions should regularly review the status of all contracts, IAGs, and CAs. If all activities have been completed, remaining funds should be deobligated immediately to make them available for other activities.

EXHIBIT III-14
HANDLING FINANCIAL DATA IN THE CERCLIS ENVIRONMENT



Financial Management Funding Mechanisms

EPA uses a variety of funding mechanisms to carry out CERCLA-funded response actions. These include the following:

Contracts

The Agency's LTCS identifies the long-term contracting needs of the Superfund program and provides a portfolio of Superfund contracts to meet those needs over the next ten years. During FY 94, implementation of the strategy will continue.

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 III-15 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 to support the cost recovery process. Cost recovery negotiations with PRPs or court actions require careful documentation of Federal costs incurred at each site/spill. Exhibits III-16 and III-17 describe key financial management processes for each of the primary categories of Superfund contracts, both site and non-site specific.

Interagency Agreements (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 to provide ongoing support or services. The Regional program office initiates and manages site-specific IAGs. U.S. Coast Guard (USCG)-lead removal IAGs and the DOJ IAG are negotiated, approved, awarded, and managed at HQ. The IAG specifies the services required and identifies the method of payment. Exhibit III-18 discusses IAG financial management.

EXHIBIT III-15
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 the procurement of any goods or services. Used 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 or contract as an obligation.
1900-59	Delivery Order for ERCS and ERRS	Used by OSCs to order services (up to $250,000) from the ERCS or ERRS 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 or ERRS contract. Order must be made final by a designated CO. FMO will process orders as an obligation.

EXHIBIT III-16
FINANCIAL MANAGEMENT OF SITE-SPECIFIC CONTRACTS

Contract Type	Commitment	Obligation	Payment
• Obligated and tracked on a site-specific basis. • Includes ARCS, ERCS, RAC, Superfund Technical Assistance and Response Team (START), and ERRS.	• PR is used to commit funds. • Usually prepared in advance of the obligating document except in emergency situations when they are prepared simultaneously or out of sequence. • Regional program office (OSC, Ordering Officer, RPM, RPO) prepares the PR for site-specific activities, obtains the necessary Regional office approvals, and forwards the document to the SFO for certification of funds and addition of accounting information (DCN and AN). • SFO enters the commitment into the ADCR and IFMS.	• Obligated by the Regional CO, the Regional Ordering Officer (OSC), or HQ PCMD. Obligational authority is determined by the type and amount of contract. • In emergency situations, OSCs have contractual authority to obligate up to $250,000 via a delivery order under an existing contract. Regions have limited this authority to $50,000. • SFO/RTP enters the obligation into IFMS.	• OSC or DPO reviews contractor invoices for early actions under removal authority and signs statement indicating the services have been provided. • CO and RPM review contractor invoices for early actions under remedial authority and long-term actions. RPM informs PO if the invoice accurately reflects contractors' activities. • Invoices must be reviewed within 5 days. • If the OSC disallows or disputes charges, copies of the invoice is sent to CO with an explanation. OSC sends original voucher with a copy of the explanation to RTP. • If the RPM identifies a problem, it should be reported to the PO for resolution. • Certified copies of invoices are sent to SFO/RTP for processing and payment.

EXHIBIT III-17
FINANCIAL MANAGEMENT OF NON-SITE SPECIFIC CONTRACTS

Contract Type	Discussion	Payment
General Site Support	• Not obligated on a site-specific basis • Capable of providing broad technical and planning support on an "as needed" basis • Includes Technical Assistance Team (TAT) and the replacement contract START, Contract Laboratory Program (CLP), and Environmental Services Assistance Team (ESAT)	• Contractors submit site-specific attachment that includes invoiced costs for: - Each site with an S/S ID - All other sites - Program management - Base and award fee - Non-site activities (e.g., training) - Non-Superfund costs • Contractors submit original invoice to RTP and copies to HQ PO • PO reviews invoice • RPOs and DPOs may conduct concurrent reviews
Enforcement	• Combination of general site support and site-specific contracts; however, not obligated on a site-specific basis • Regions issue WAs against the contract on a site-specific basis • Site-specific WAs are not entered into IFMS	Information can be found in Appendix C
General Program Support contracts	• Provides support to HQ and Regional program offices • Not for site-specific work • Not obligated site-specifically	Administered totally by HQ

EXHIBIT III-18
IAG FINANCIAL MANAGEMENT

Type of IAG	Commitment	Obligation	Payment	Closeout
Disbursement	• Regional program office initiates • Regional SFO determines availability of funds • Program office prepares IAG funding package, including CN, transmittal memo, EPA Form 1610-1, and Decision Memo that verifies legal authority • Decision Official in Region approves • Administrative Assistance Unit (AAU) conducts administrative review • SFO adds accounting data and enters commitment into ADCR and IFMS	• AAU obtains IAG number from GAD • Action Official signs IAG • AAU sends IAG to other Federal agency for signature • AAU distributes executed IAG to program office, GAD, and FMC-Ci, where obligation is recorded in IFMS	• If other agency does not have reimbursable authority, FMC-Ci pays before activities begin • If other agency has reimbursable authority, service is provided first • If the Simplified Interagency Billing and Collection system (SIBAC) or the On-line Payment and Collection system (OPAC) is used, payment is made before Region certifies. Region may request adjustments • If paying by check, voucher submitted to FMC-Ci - FMC-Ci forwards voucher to Region - Region reviews and certifies - FMC-Ci pays voucher • U.S. Army Corps of Engineers (USACE) direct site payment process allows EPA to directly pay for long-term actions with USACE certification	• Regional program office accepts final report • AAU queries Regional program office when project period expires or no project activity shown for two quarters • Regional program office determines whether IAG should remain open or be closed. Notifies AAU • Regional program office prepares closeout request. Sends it to AAU • AAU determines from FMC-Ci that IAG is closed • AAU sends closeout letter to other agency, and notifies GAD and Regional program office

EXHIBIT III-18 (continued)
IAG FINANCIAL MANAGEMENT

Type of IAG	Commitment	Obligation	Payment	Closeout
Allocation Transfer IAG	• Regional program office initiates • Develop preliminary cost estimate with other agency • Regional program office prepares funding package, *including EPA Form* 1610-1, transmittal memo, and Decision Memo • Decision Official reviews and approves funding package and submits to AAU	• AAU obtains IAG number from GAD • GAD enters IAG data into Grants Information Control System (GICS) • Action Official signs IAG package • AAU submits IAG to other agency for signature • AAU distributes IAG to program office, GAD, and OC • Program office submits change request to the Budget Formulation and Control Branch • OC withdraws funds from Region's allowance and transfers them to the EPA transfer allocation account • Financial Reports and Analysis Branch executes transfer	• Obligational authority is transferred to other agency, EPA monitors expenditures • Other agency submits monthly SF 133, Budget Execution reports on obligations and expenditures to FMD • Other agency submits periodic status reports to program office and HQ Superfund Budget Branch • Other agency maintains records and documentation, submits to EPA upon request • Program office reviews progress reports	• Same as disbursement IAG; however, AAU asks EPA Office of Inspector General (OIG) to request the other agency's OIG to determine financial status of the IAG

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EXHIBIT III-20
SSC FINANCIAL MANAGEMENT

Requirements	• In place before EPA or political subdivision begins Fund-financed early action under remedial authority, RA, or NTC removal where the State is sharing the cost • If USACE is performing the action, SSC must be signed before construction contract is signed • Assures State will pay its cost share of 10% of an early action under remedial authority, RA, or NTC removal for privately operated sites or 50% of the ESI/RI/FS, RD, RA, and early action for publicly operated sites. At the time of the early action under remedial authority or RA start, the State is required to pay 50% of all prior Superfund response activities • Contains program assurances and payment schedule
Development	• Developed by Regional program office
Accounts Receivable	• State may be required to provide cash payments to EPA • RPM/RPO forwards copy of SSC to Regional Management Division for accounts receivable processing • RPM/RPO forwards SSC modifications to Regional Management Division
Payment Schedule	• State cost share must be received and recorded in IFMS before EPA pays for the work • State payments should be scheduled two weeks ahead of expected outlay date • Payment may be spread out over the life of the early action under remedial authority or RA • State payment scheduled to ensure deposit in Treasury and recording in IFMS no later than EPA payment
Billing	• 30 days prior to SSC payment schedule, Regional Management Division will send notice of amount required and due date to State • Payment is sent to Regional Superfund lockbox address • Regional Management Division will reference SSC, including site name and identifier on invoice • State must include a copy of the invoice with any remittance
Receipt of Payment	• If funds not received when due, Regional Management Division follows up with RPM/RPO • RPM/RPO follow up with State and advise Management Division • No interest will accrue on invoiced amount if State dollars are provided before EPA obligates funds for an early action under remedial authority or RA. In this case, the Region deposits money in Trust Fund and receives a reimbursable allowance
Closeout	• RPM/RPO responsible for notifying Regional Management Division to close out SSC • Regional Management Division reconciles financial data

To ensure that Fund monies are effectively used, procurement activities should be initiated with RD funds only when the Region is confident the SSC will be signed before bids are opened.

Exhibit III-20 explains the SSC financial management requirements. For additional information on financial management responsibilities related to SSCs, refer to the *Resources Management Directives Systems 2550D*, Chapter 9.

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 primary 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. Exhibit III-21 is provided as a brief guide to the cost recovery case development process, which is typically completed within an eight week timeframe.

HANDLING FINANCIAL DATA IN THE CERCLIS/WASTELAN ENVIRONMENT

The implementation of IFMS has affected the handling of financial data in WasteLAN. Currently, there is no automated link for downloading IFMS data to CERCLIS/WasteLAN.

Entering Response and Federal Facility Data into WasteLAN

Once the funding document has been processed by the Region, the planned financial data (C3202 = P) **must** be deleted and the commitment (C3202 = C) or obligation (C3202 = A) data entered. The funding amount in WasteLAN and on the funding document must agree. If a Region wants to retain planned financial data, it must enter the planned obligation into WasteLAN with a Regional Financial Type (C3202) 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

EXHIBIT III-19
COOPERATIVE AGREEMENT FINANCIAL MANAGEMENT

Commitment	Obligation	Payment	Deobligation	Transfer of Funds
• Regional program office prepares CN and obtains all necessary program approvals • Regional Management Division certifies availability of funds, assigns accounting data, sets aside the funds on the ADCR, and enters commitment into IFMS • AAU assigns CA identification number	• Regional Administrator or his designee signs CA • Regional Management Division processes obligation in accordance with OAM, GAD, and FMD requirements • Regional Management Division enters obligation into ADCR and IFMS	• By EPA-Automated Clearing House (EPA-ACH) Payment System • Uses Department of Treasury electronic payment mechanism • Payment request submitted to SFO • SFO reviews to determine if: - Budget period is valid - Correct EPA-ACH AN and summary detail - Project numbers valid - Funds available - Reports received - Balance on hand not excessive • All or part of request may be approved • SFO notifies recipient of modified or rejected payment • If approved, EPA electronically transfers to recipient's financial institution • Region monitors monthly	• Handled same as obligation except dollar amount is reduction • Availability of funds after deobligation depends on when they were originally obligated • Current FY funds are available as soon as deobligation is effective • Prior year funds revert to HQ for redistribution • Regions should regularly review status	• Under multi-site CA, funds can be transferred from one site to another site or one response phase to another response phase at the same site • Called a transwitch • Requires formal CA amendment • CA amendment shows transfer of funds by changing accounting information

Cooperative Agreements (CAs)

A CA transfers property, funds, and/or services from EPA to States, political subdivisions, or Indian Tribal governments to undertake the lead for a site-specific response, to defray the costs associated with participation in Federal-lead responses, or to build State or Indian Tribal capability to implement CERCLA responses. CAs provide funding assistance to the State, political subdivision, or Indian Tribal government, document responsibilities, and obtain 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 in Exhibit III-19.

For additional information on the financial management of CAs, refer to the *Resources Management Directives Systems 2550D*, Chapter 9.

Superfund State Contracts (SSCs)

When EPA or a political subdivision has the lead for an early action under remedial authority or RA, a SSC is used to describe the State's role. A 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 documents responsibilities for implementation of response activities at a site. When a political subdivision has the lead, 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 Procurement Request (PR) with a contractor or an IAG with another agency. Funds for response actions conducted by a political subdivision are provided through a CA (see previous section).

The SSC must be signed prior to the obligation of funds for a RA or early action under remedial authority. EPA may obligate RD funds to initiate the RA or early action under remedial authority procurement process, up to the point of soliciting for construction bids. In cases of extreme urgency, a solicitation (for bids on RA or early actions under remedial authority work) may be issued before a SSC is signed. The solicitation must notify prospective bidders that the availability of funds for the contract is contingent on EPA and the State concluding a SSC. If the SSC is not signed before the bid opening one of the following decisions must be made:

- The solicitation may be canceled; or

- The bid opening date may be postponed (giving bidders an opportunity to withdraw, modify, or submit new bids).

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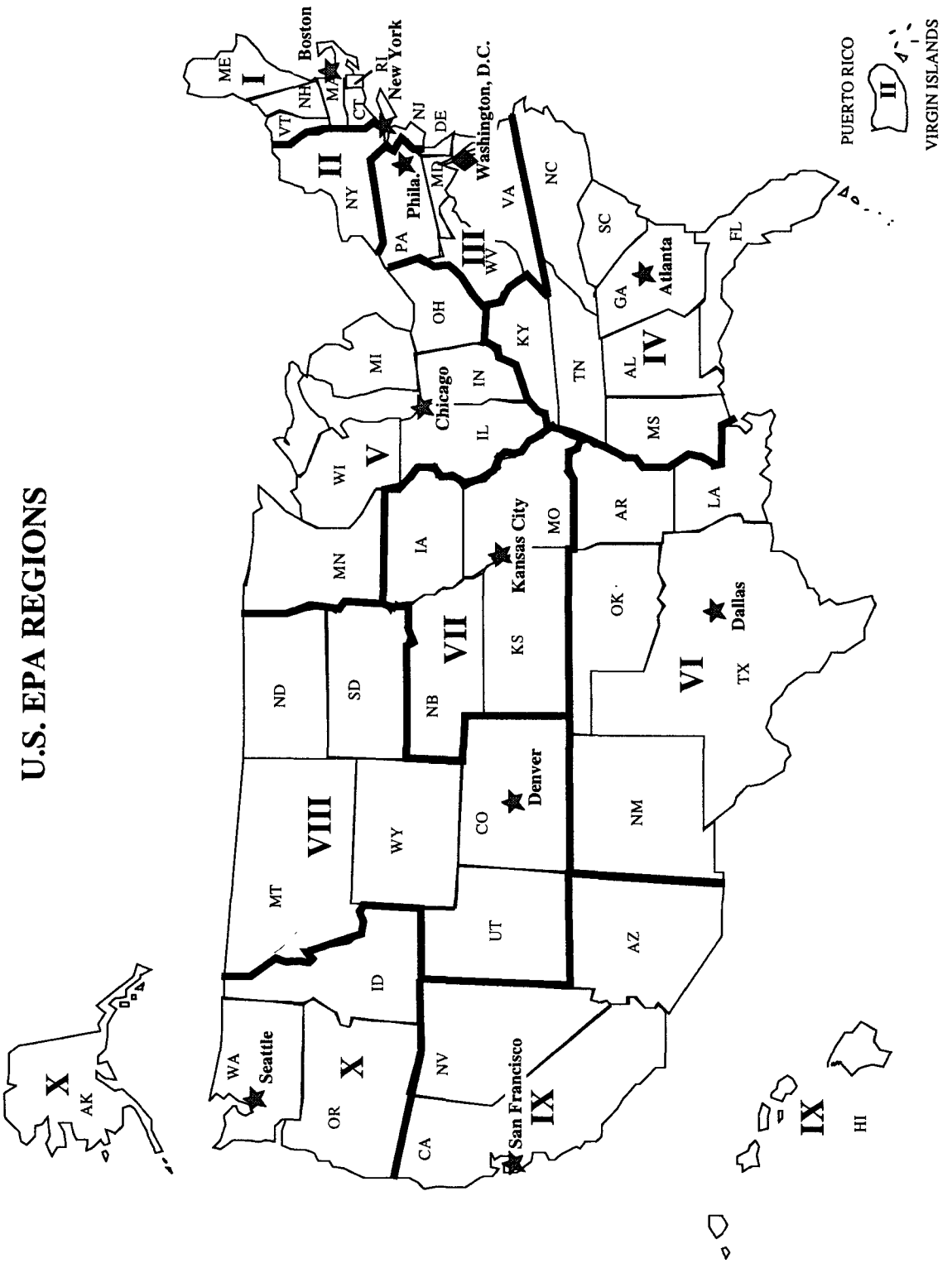
U.S. EPA REGIONS
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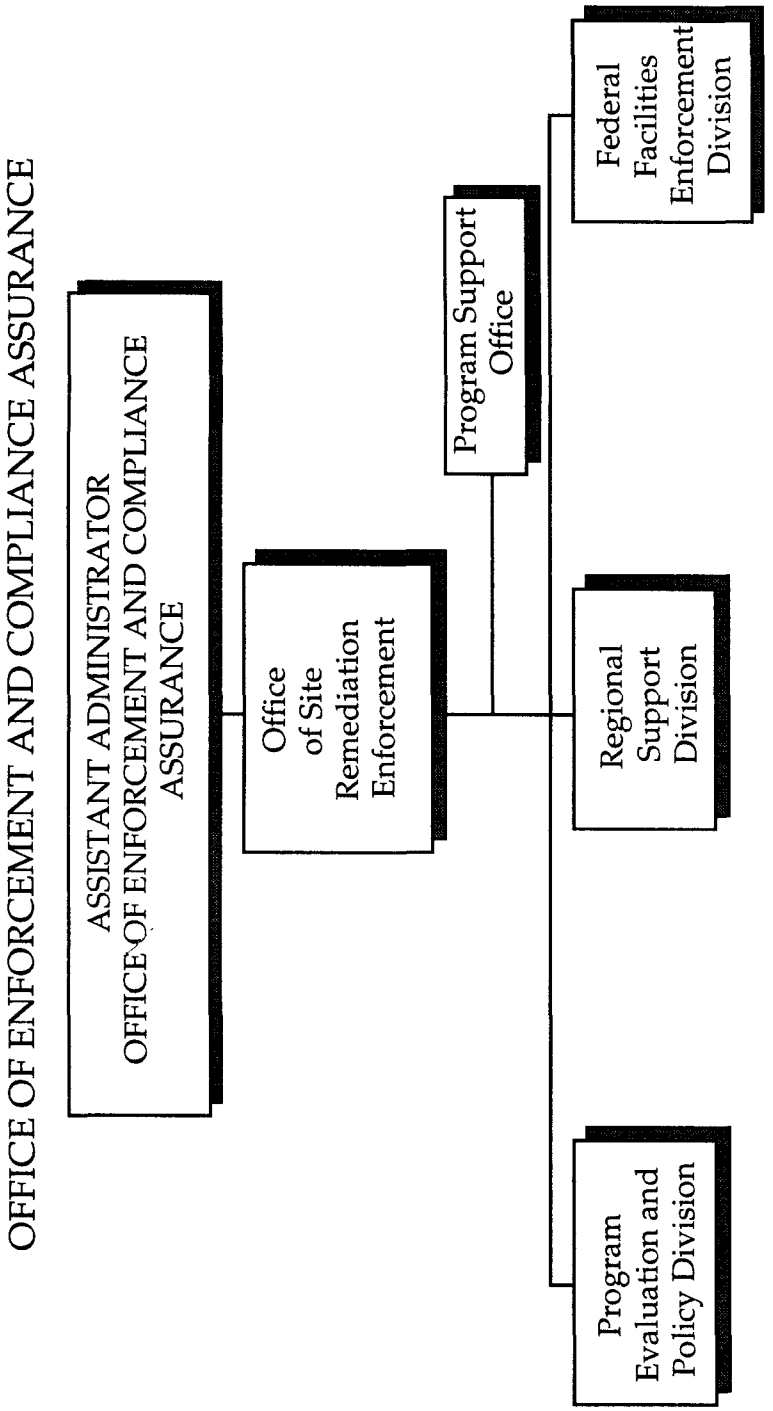
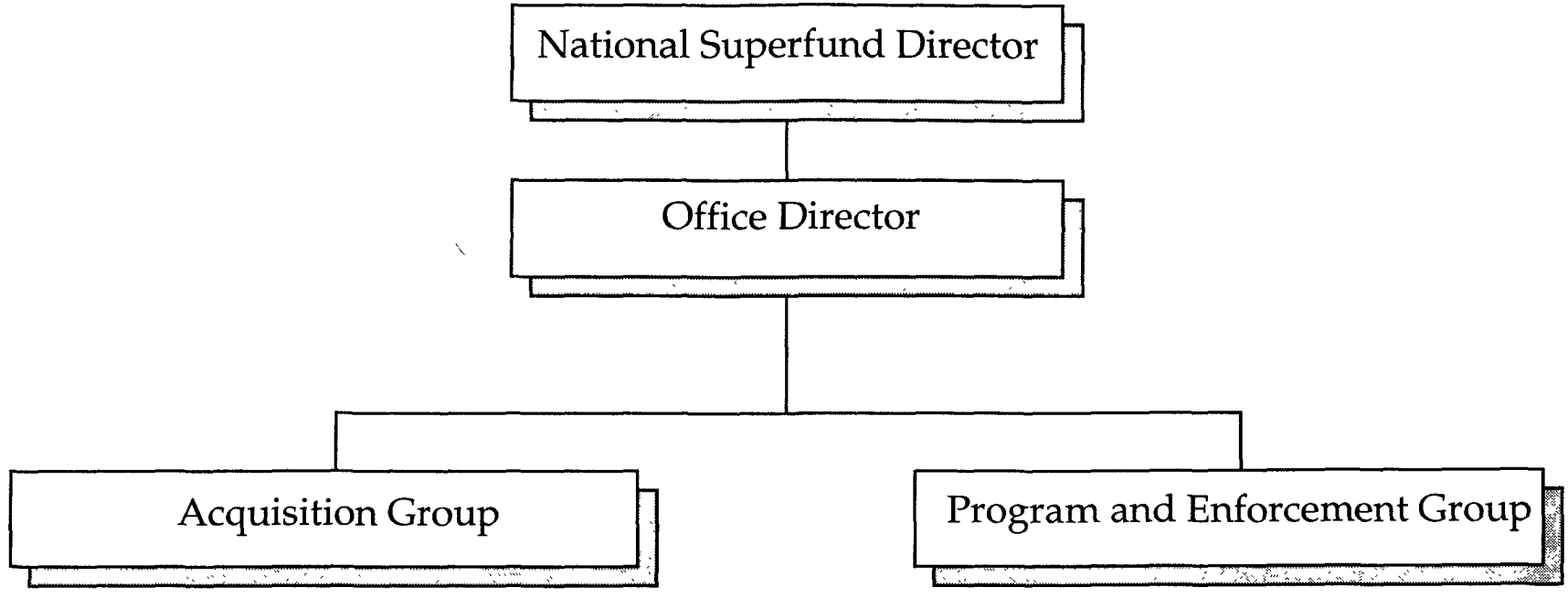
REGIONAL MAP

October 1993


OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE
ASSISTANT ADMINISTRATOR
OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE
Office of Site Remediation Enforcement
Program Support Office
Federal Facilities Enforcement Division
Regional Support Division
Program Evaluation and Policy Division

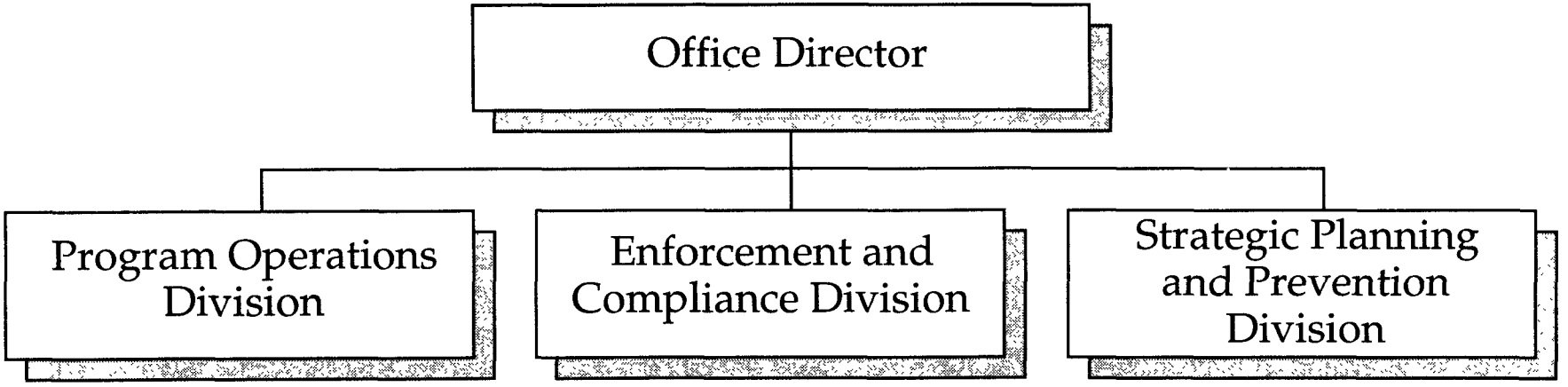
SUPERFUND REVITALIZATION OFFICE



- ARCS Task Force Implementation
- CLP Task Force Implementation
- Long-Term Contracts Strategy Implementation
- Response Action Contracts (RACs) Indemnification Guidelines Implementation
- Contracts Management Issues
- Contracts Management Training
- Regional Contract Management Reviews

- Construction Completions
- 30-Day Study Implementation
- Risk Assessment and Risk Management Issues
- Department of Justice Issues
- Other Enforcement Issues
- State Issues
- Streamlining Issues
- Federal Facilities Issues
- Site-Specific Issues

OFFICE OF FEDERAL FACILITIES ENFORCEMENT



- Program Management
  - -Budget Analysis and Execution
  - -Contract Management
  - -Workload Model
  - -Docket
- Program Analysis
  - -OMB A-106 Evaluation and Implementation
  - -OMB A-11 Implementation

Program Coordination

Information Management
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- -Other Media Data Systems
- -Reporting Systems
- -Organization and management special projects

- Enforcement Policy and Guidance
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  - -Compliance Analysis, Strategy and Agreements
  - -Dispute Resolution Policy
  - -Legislative Initiatives
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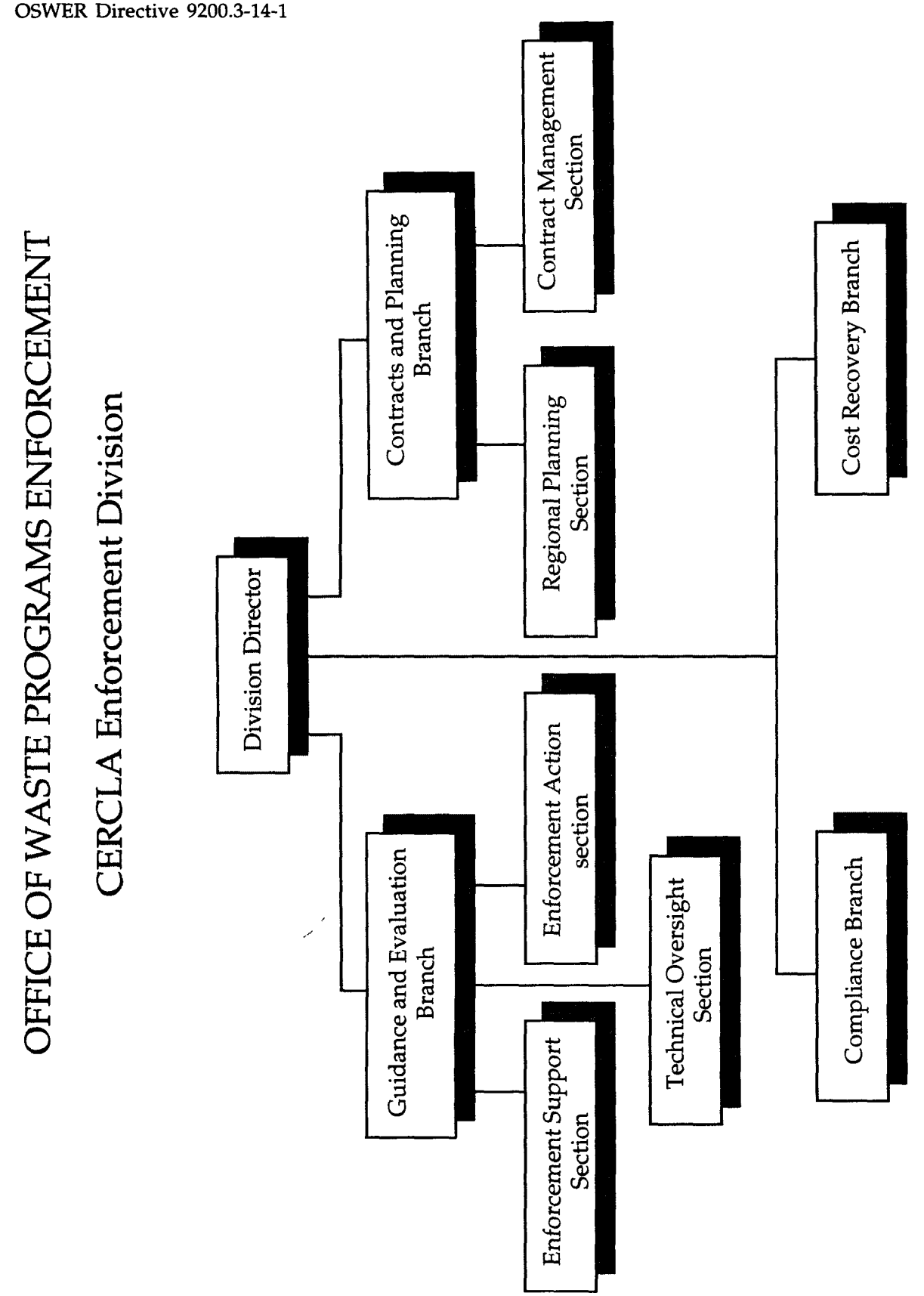
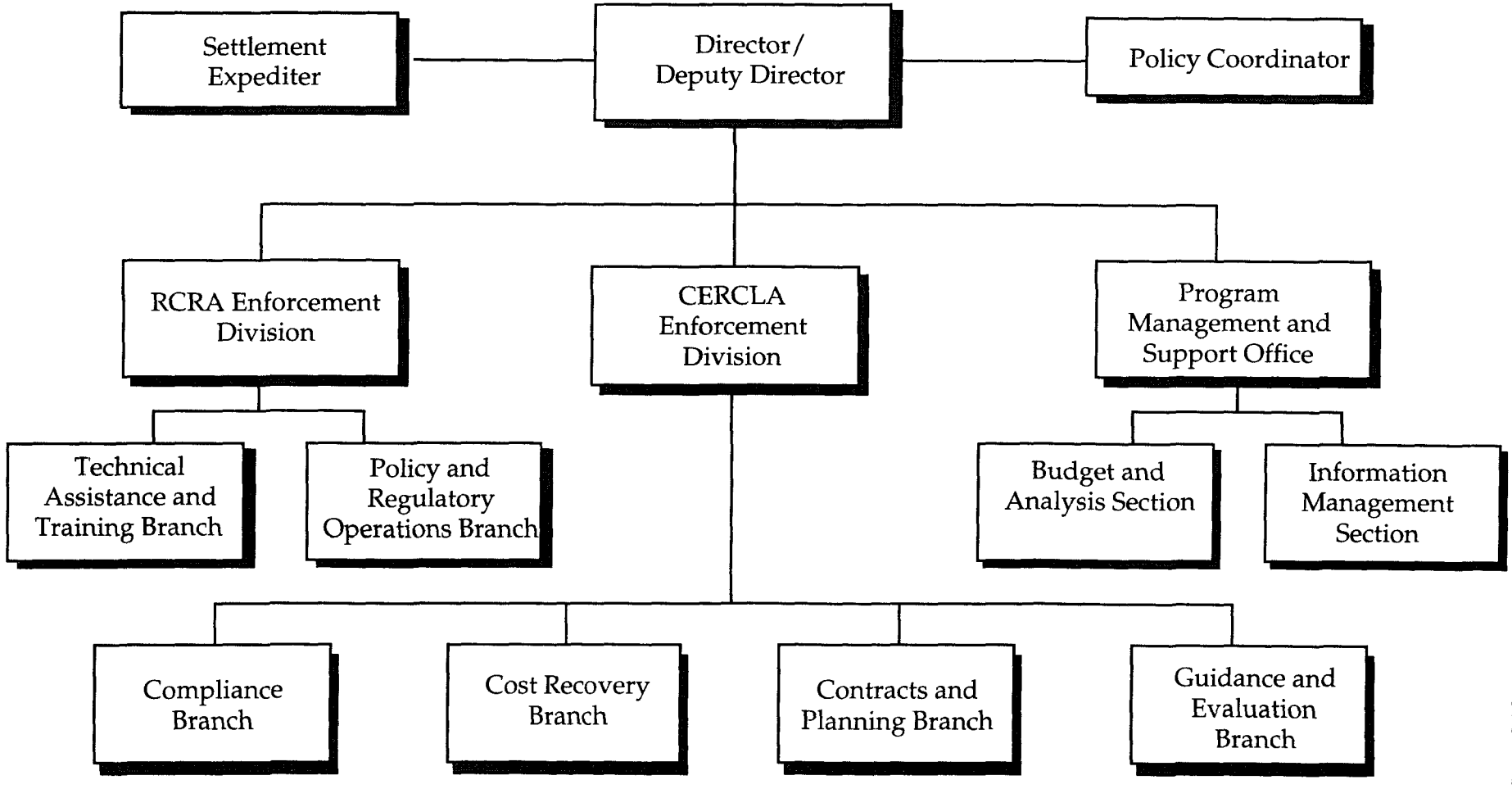
- Accomplishment Planning and Tracking
- Compliance and Enforcement Actions
- Special Program Initiatives

-Policy Development
-Inspection Oversight

- Strategic Planning
  - -National Priorities
  - -Operating Guidance
- Outreach
- Training
- Technology Development
- DOE Compliance
- Expedited Claims


OFFICE OF WASTE PROGRAMS ENFORCEMENT
CERCLA Enforcement Division
Division Director
Contracts and Planning Branch
Contract Management Section
Regional Planning Section
Guidance and Evaluation Branch
Enforcement Action section
Enforcement Support Section
Technical Oversight Section
Cost Recovery Branch
Compliance Branch

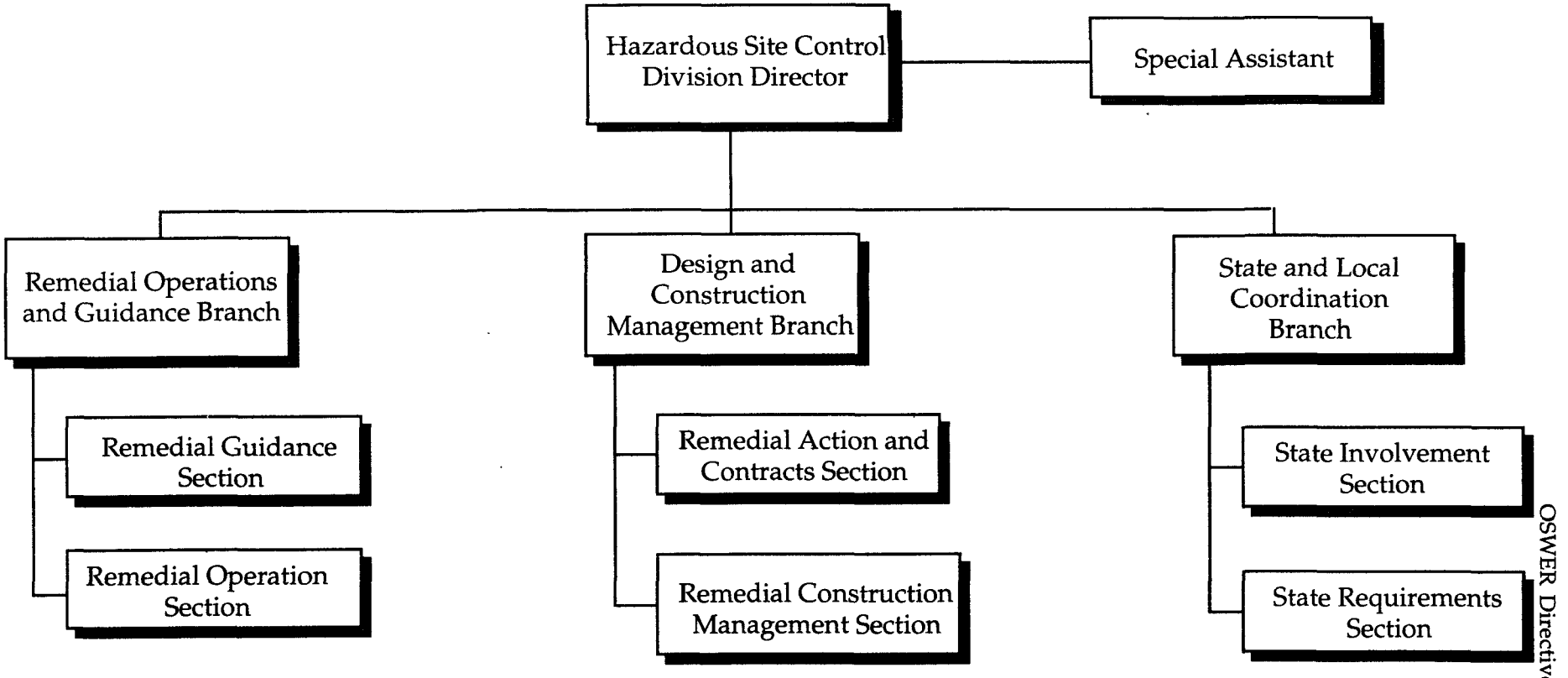
OFFICE OF WASTE PROGRAMS ENFORCEMENT



The Office of Waste Programs Enforcement (OWPE), CERCLA Enforcement Division (CED), Office of Federal Facilities Enforcement (OFFE), and Superfund Revitalization Office (SRO) are currently undergoing a reorganization. Also included is a proposed organization chart of the new Office of Enforcement and Compliance Assurance (OECA). The following organization charts illustrate how these offices currently exist. Headquarters will keep the Regions informed of any further organizational changes as reorganization continues.

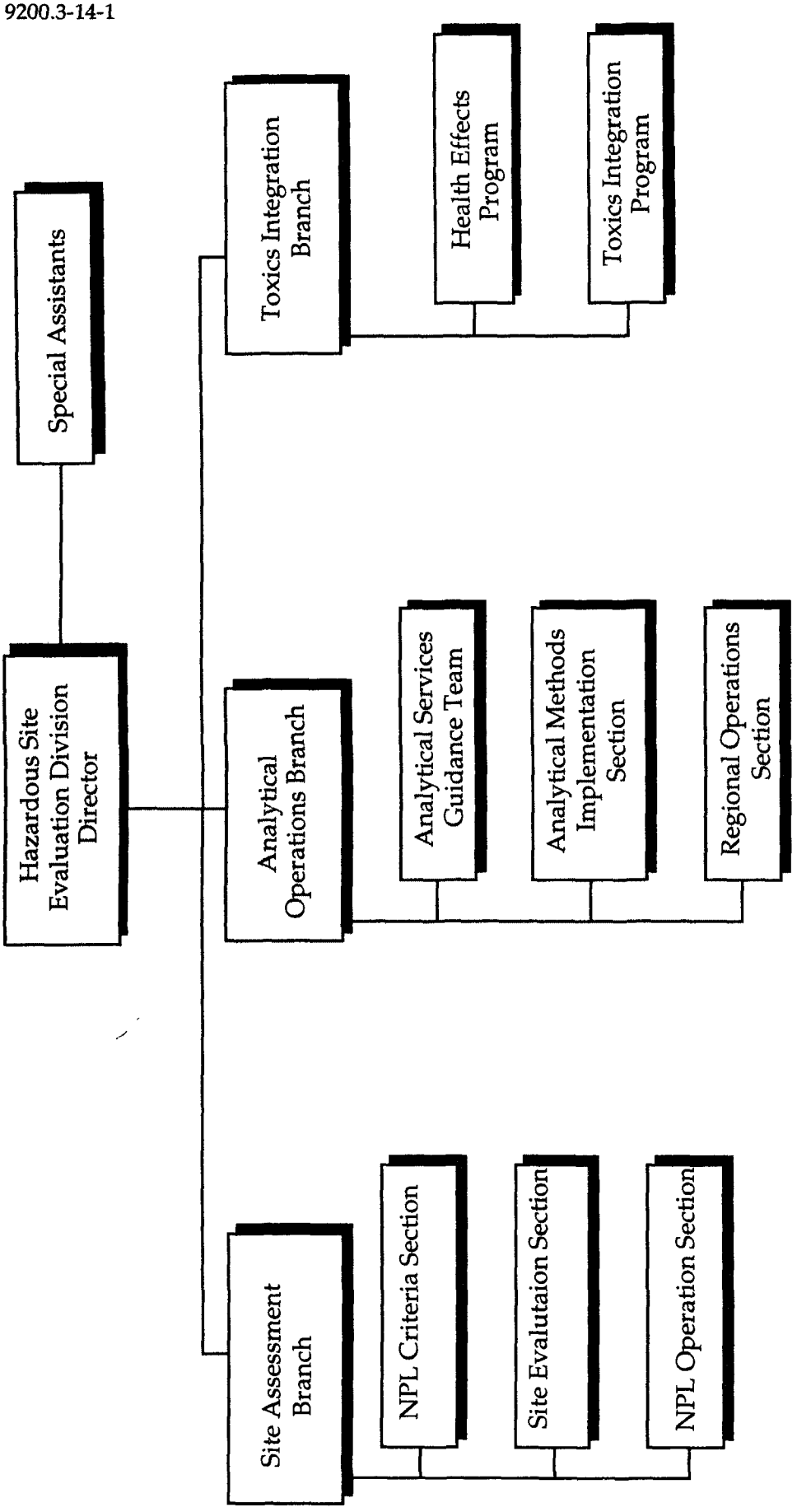
OFFICE OF EMERGENCY AND REMEDIAL RESPONSE

Hazardous Site Control Division



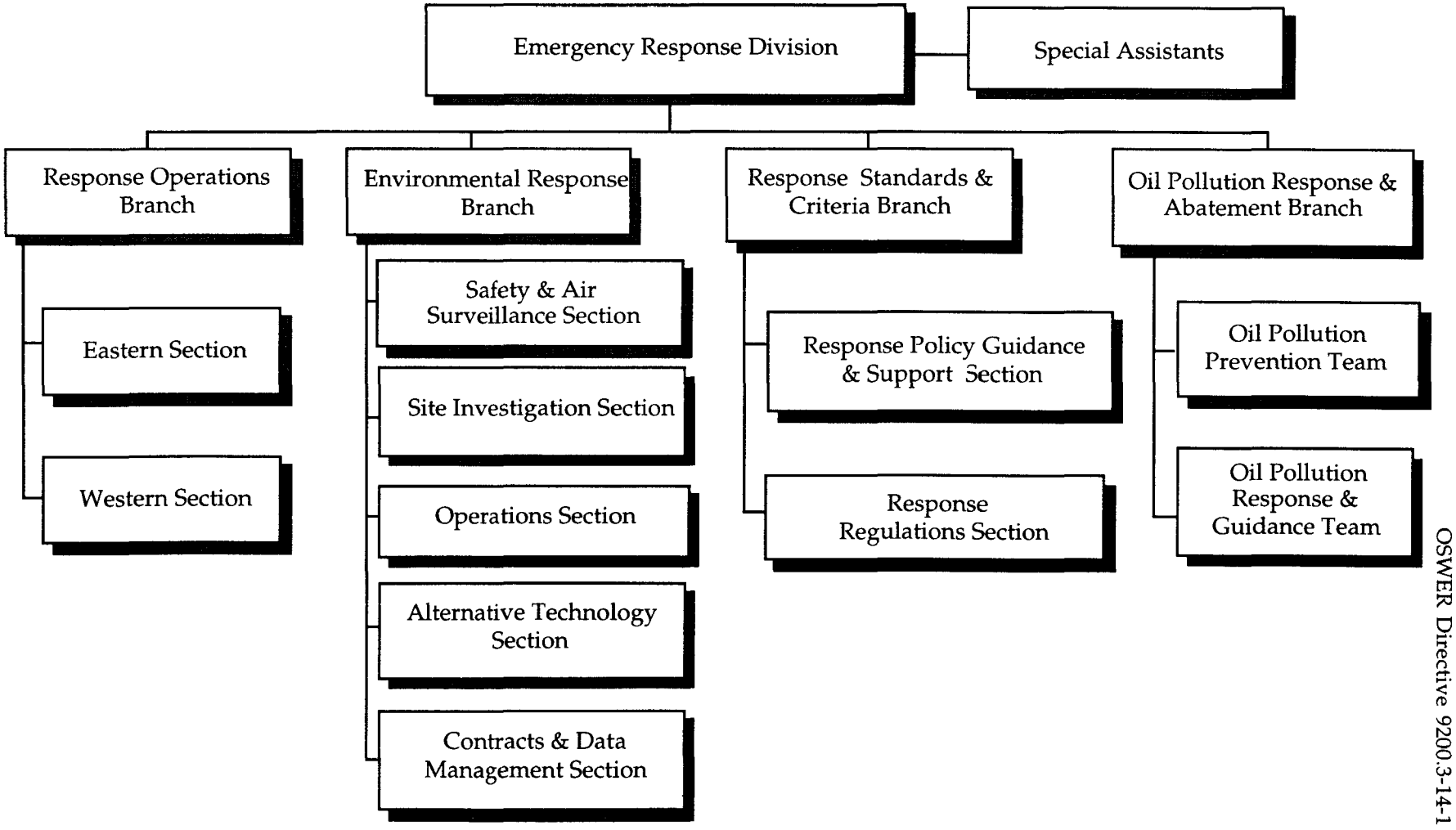
OFFICE OF EMERGENCY AND REMEDIAL RESPONSE

Hazardous Site Evaluation Division



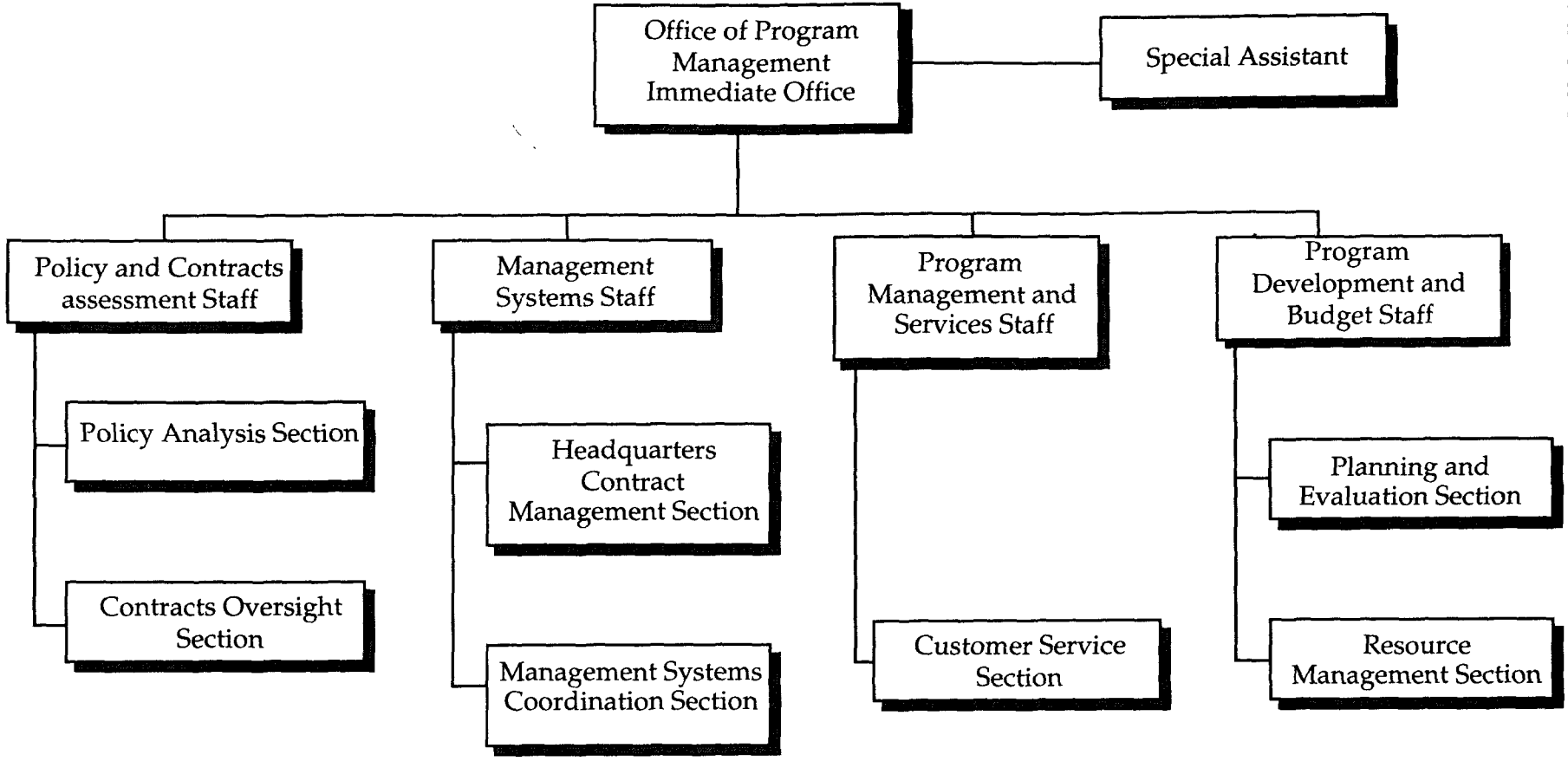
OFFICE OF EMERGENCY AND REMEDIAL RESPONSE

Emergency Response Division

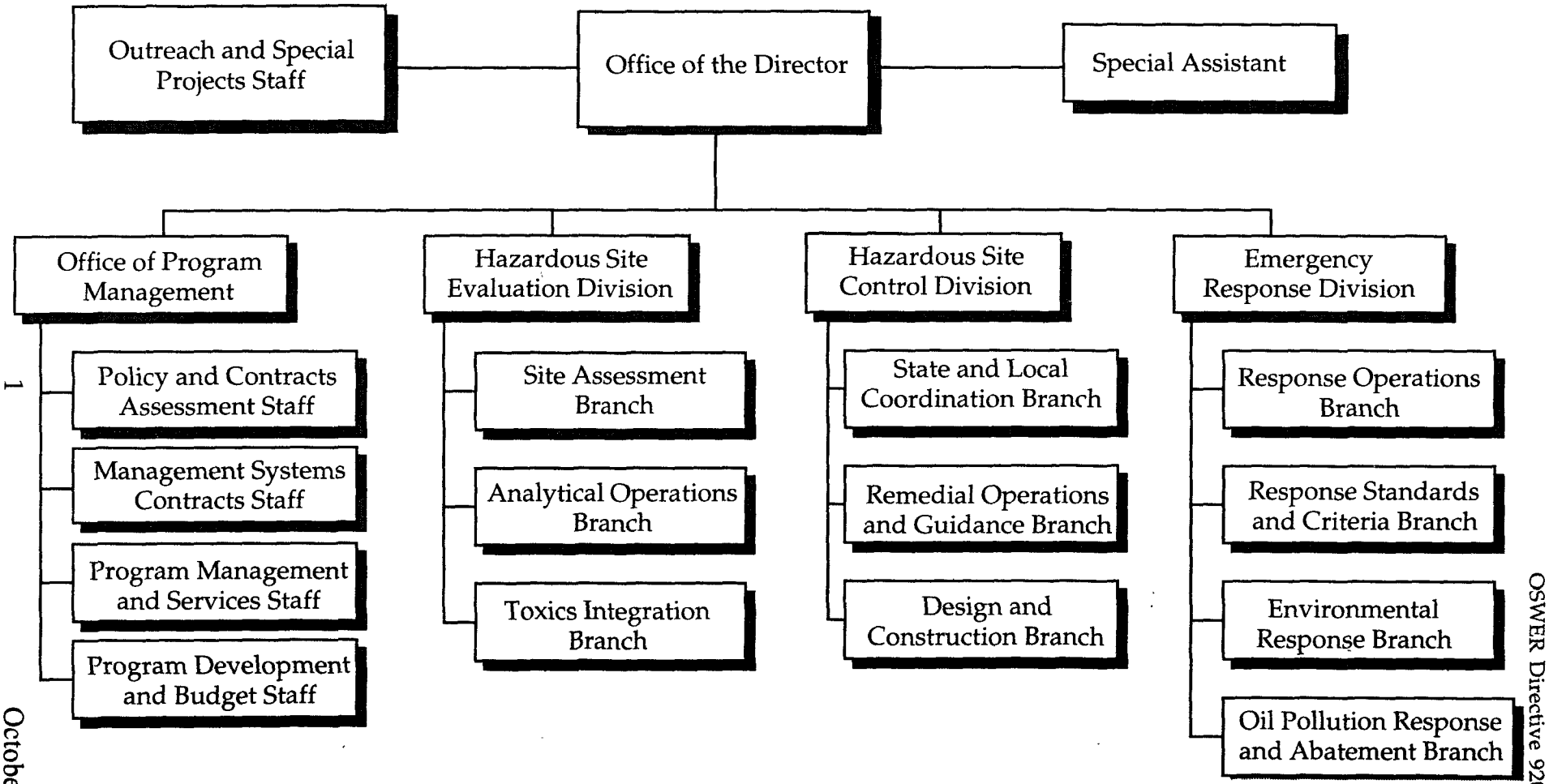


OFFICE OF EMERGENCY AND REMEDIAL RESPONSE

Office of Program Management



OFFICE OF EMERGENCY AND REMEDIAL RESPONSE



ORGANIZATION CHARTS

October 1993

RPM — Remedial Project Manager
RPO — Regional Project Officer
RRT — Regional Response Team
RTP — Research Triangle Park
SACA — Site Assessment Cooperative Agreement
SACM— Superfund Accelerated Cleanup Model
SAM — Site Assessment Manager
SARA — Superfund Amendments and Reauthorization Act of 1986
SCAP — Superfund Comprehensive Accomplishments Plan
SEA— Site Evaluation Accomplished
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
SIP — Site Inspection Prioritization
SITE — Superfund Innovative Technology Evaluation
SMARTech — Superfund Management and Reporting Technology
SMOA — State Memorandum of Agreement
SMP — Site Management Plan
SMRS — SCAP Management Reporting System
SMSA — Standard Metropolitan Statistical Area
SNAP — Superfund National Assessment Program
SNL — Special Notice Letter
SOL — Statute of Limitations
SOW — Statement of Work
SPCC — Spill Prevention Control and Countermeasure
SRIS — Superfund Report Information System
SSA — Site Screening and Assessment
SSAB — Site Specific Advisory Board
SSC — Superfund State Contracts
S/S ID — Site/Spill Identification Number
SSP — Site Safety Plan
STARS — Strategic Targeted Activities for Results System
START — Superfund Technical Assistance and Response Team
TAG — Technical Assistance Grants
TAT — Technical Assistance Team
TBD — To Be Determined
TES — Technical Enforcement Support
TESWATS — Technical Enforcement Support Work Assignment Tracking System
TSCA — Toxic Substances Control Act
TQM — Total Quality Management
TRC — Technical Review Committees
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 Geological Survey
WA — Work Assignment
WAM — Work Assignment Manager
ZPO — Zone Project Officer

O&M —	Operation and Maintenance
OMB —	Office of Management and Budget
OPA —	Oil Pollution Act
OPAC —	On-line Payment and Collections
OPM —	Office of Program Management (OERR)
OPPE —	Office of Policy, Planning, and Evaluation
ORC —	Office of Regional Counsel
ORD —	Office of Research and Development
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 (OSWER)
OWPE —	Office of Waste Programs Enforcement (OSWER)
PA —	Preliminary Assessment
PAH —	Polyaromatic Hydrocarbons
PC —	Personal Computer
PCB —	Polychlorinated biphenyls
PDBS —	Program Development and Budget Staff (OERR)
PES —	Planning and Evaluation Section (OERR)
PMSO —	Program Management Support Office (OWPE)
PNRS —	Preliminary Natural Resource Surveys
PO —	Project Officer
POD —	Program Operations Division (OFFE)
POLREP —	Pollution Report
PQOP —	Pre-Qualified Officers Procurement
PR —	Procurement Request
PRP —	Potentially Responsible Party
PRSC —	Post Removal Site Controls
QA —	Quality Assurance
QAPP —	Quality Assurance Project Plan
QAT —	Quality Action Team
RA —	Remedial Action
RAC —	Response Action Contracts
RADS —	Risk Assessment Data System
RCMS —	Removal Cost Management System
RCRA —	Resource Conservation and Recovery Act
RCRC —	Regional Cost Recovery Coordinator
RD —	Remedial Design
RDT —	Regional Decision Team
RELAI —	Responsive Electronic Link and Access Interface
REMT —	Regional Emergency Preparedness Team
RESAT —	Regional Environmental Services Assistance Team
RFP —	Request for Proposal
RI —	Remedial Investigation
RIDS —	ROD Information Data System
RI/FS —	Remedial Investigation and Feasibility Study
ROD —	Record of Decision
RODEIS —	ROD and Enforcement Information System
RP —	Responsible Party
RP2M —	Remedial Pipeline Project Management

FSS — First and Subsequent Start
FTE — Full-time Equivalent
FUDS — Formerly Used Defense Sites
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
HAZDAT — Hazardous Data System
HQ — Headquarters
HRS — Hazard Ranking System
HSCD — Hazardous Site Control Division (OERR)
HWC — Hazardous Waste Collection
IAG — Interagency Agreement
IFMS — Integrated Financial Management System
IMC — Information Management Coordinator
IOTV — Interoffice Transfer Voucher
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
MOU — Memorandum of Understanding
MSCA — Multi-Site Cooperative Agreement
NAPL – Non-Aqueous Phase Liquid
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
NPL — National Priorities List
NPL-PAD — National Priorities List – Production Assistance Database
NRC — National Response Center
NRT — National Response Team
NSEP — National Security Emergency Preparedness
NTC — Non-Time Critical
OAM — Office of Acquisition Management
OC — Office of the Comptroller
OE — Office of Enforcement
OECA — Office of Enforcement and Compliance Assurance
OERR — Office of Emergency and Remedial Response (OSWER)
O&F — Operational and Functional
OFFE — Office of Federal Facilities Enforcement (OE)
OIG — Office of the Inspector General

CRCR — Cost Recovery Category Report
CRP — Community Relations Plan
CWA — Clean Water Act
3DB — Decision Document Database
DA — Deputy Administrator
DAS — Delivery of Analytical Services
DCN — Document Control Number
DNAPL — Dense Non-Aqueous Phase Liquids
DOD — Department of Defense
DOE — Department of Energy
DOI — Department of the Interior
DOJ — Department of Justice
DPO — Deputy Project Officer
EBS — Environmental Baseline Survey
EE/CA- Engineering Evaluation/Cost Analysis
EI — Environmental Indicators
EMSL — Environmental Monitoring Systems Laboratory
ENRD — Environment and Natural Resources Division (DOJ)
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 — Early Remedial Action
ERCS — Emergency Response Cleanup Services
ERD — Emergency Response Division (OERR)
ERNS — Emergency Response Notification System
ERRS — Emergency and Rapid Response Services
ESAT — Environmental Services Assistance Team
ESC — Enforcement Support Contract
ESD — Explanation of Significant Differences
ESF — Emergency Support Function
ESI — Enhanced Site Inspection
ESI/RI — Expanded Site Inspection/Remedial Investigation
ESS — Enforcement Support Services
FCO — Funds Certifying Officer
FE — Federal Enforcement
FEMA — Federal Emergency Management Agency
FFA — Federal Facility Agreement
FFCA — Federal Facility Compliance Agreement
FFIS — Federal Facilities Information System
FFS — Focused Feasibility Study
FINDS — Facility Index System
FMC-Ci— Financial Management Center - Cincinnati
FMD — Financial Management Division
FMFIA — Federal Managers Financial Integrity Act
FMO — Financial Management Office
FOIA — Freedom of Information Act
FR — Federal Register
FS — Feasibility Study
FSC — First and Subsequent Completion

AA —	Assistant Administrator
AA OE —	Assistant Administrator for the Office of Enforcement
AA SWER —	Assistant Administrator for the Office of 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
AOG —	Agency Operating Guidance
APR —	Approved
AR —	Administrative Record
ARAR —	Applicable or Relevant and Appropriate Requirements
ARCS —	Alternative Remedial Contracting Strategy
ARIP —	Accidental Release Information Program
ARM —	Administration and Resources Management
ASU —	Administrative Support Unit
ATSDR —	Agency for Toxic Substances and Diseases Registry
ATSDR HAZDAT —	Agency for Toxic Substances and Diseases Registry Hazardous Data System
BC/AOA —	Budget Control/Advice of Allowance
BLM —	Bureau of Land Management
BTAG —	Biological Technical Assistance Group
BUREC —	Bureau of Reclamation
CA —	Cooperative Agreement
CADD —	Corrective Action Decision Document
CAS No. —	Chemical Abstract Number
CD —	Consent Decree
CED —	CERCLA Enforcement Division (OWPE)
CEPP —	Chemical Emergency Preparedness and Prevention Program
CEPPO —	Chemical Emergency Preparedness and Prevention Office (OSWER)
CERCLA —	Comprehensive Environmental Response, Compensation, and Liability Act of 1980
CERCLIS —	Comprehensive Environmental Response, Compensation, and Liability Information System
CERFA —	Community Environmental Response Facilitation Act
CERHELP —	CERCLIS non-site specific data base
CFO —	Chief Financial Officer
CLP —	Contract Laboratory Program
CN —	Commitment Notice
CO —	Contracting Officer
CORA —	Cost of Remedial Action
CPB —	Contracts and Planning Branch (OWPE)
CPCA —	Core Program Cooperative Agreement
CR —	Community Relations

ACRONYMS

October 1993

Facilities activities. The workload models are currently designed to reflect priorities and policies contained in both the budget and planning processes. For the most part, the existing workload models are a straight forward application of FTE pricing factors from the national budget to Region-specific SCAP/STARS targets and ongoing activities. **No FTEs are given to projects that are incorrectly coded and scheduled in CERCLIS.**

In FY 94, each Region's Superfund FTEs are 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 as described earlier in this chapter. This includes shifts between the response and enforcement programs. All shifts will be based on the national budget and the Integrated Priority Setting Matrix (see Chapter I).

During August negotiations of SCAP/STARS targets, Regions may propose changes to the targets to match the Regional Superfund resource level. These proposals also must be made in accordance with the Integrated Priority Setting Matrix. HQ will ensure that the cumulative Regional targets meet national budget commitments.

The three workload models are under review and will be revised based on SACM, changing program priorities, and the desire to simplify the workload allocation process. It is anticipated that the FY 95 resources will be distributed based on the revised Superfund workload model. The revisions being discussed for the response and enforcement models include distribution of resources based on the number of "active sites," not STARS/SCAP targets and measures; FTEs specifically allocated for fiscal and contract management; and pricing factors for specific activities within the following categories:

- Site assessment;
- Removal;
- Remedial; and
- Enforcement.

For detailed instructions on entering enforcement financial data into WasteLAN, see Appendix C. For instructions on entering Federal Facilities enforcement financial data into WasteLAN, see Appendix D.

Correcting Financial Data

The IMC can request, on a regular basis, a report from the Regional financial office that contains all Superfund financial transactions in IFMS. The information in this report can be compared with the funding documents and the information in WasteLAN. If there is a discrepancy between the financial data in WasteLAN and IFMS, the funding document should be used to verify the information in both systems. There are three kinds of corrections which may be needed on financial information in IFMS, as shown in Exhibit III-22.

Upon determining that the data on the funding document are correct and are correctly entered into WasteLAN, 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 Region's IFMS administrator is the only person authorized to correct data entry errors or change financial information in the IFMS data base. The OC has issued standard procedures for correcting IFMS data. The IMC or designee should work with the Regional FMO on a regular basis to make sure that all IFMS errors are corrected.

Errors in AN/Document Control Number (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 III-22
CORRECTIONS TO FINANCIAL INFORMATION

- 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

OVERVIEW OF THE FTE DISTRIBUTION PROCESS

Regional FTE allocations are made through the Hazardous Spill and Site Response Model for site assessments, early actions, long-term actions, and program and project support, the Technical Enforcement Model for enforcement activities, and the Federal Facilities Superfund Workload Model for Federal

its annual budget, which will result either in withholding AOA approval, or a reduction in next quarter's AOA.

Until an automated link between CERCLIS and IFMS is established, Regions are required to enter financial information into WasteLAN. This includes commitment/decommitment or obligation/deobligation date (C3220), amount (C3230), financial type (C3202), contractor vehicle (C3229), and contractor name (C3241). In addition, the obligating document must be placed in the official site file. Regions are not required to enter outlay or credit information into WasteLAN.

It is important for the Regions to note that they are ultimately responsible for the accuracy of the WasteLAN and 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 94 second quarter response or Federal Facility AOA until the FY 93 CERCLIS and IFMS data agree.**

For detailed instructions on entering Federal Facility response financial data into WasteLAN, see Appendix D.

Entering Enforcement Extramural Budget Data into WasteLAN

The Region will be responsible for entering obligations/tasking (Work Assignments (WA)) issued into WasteLAN. Responsibility for verifying the information in IFMS and WasteLAN for obligations or deobligations, and information in IFMS on outlays incurred resides with the Regions.

To ensure that all appropriate financial data are reflected in WasteLAN, the following information should appear on obligation documents: EPA identification number (EPA-ID), S/S ID, WasteLAN 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.

EXHIBIT III-21
COST RECOVERY REFERRAL DEVELOPMENT PROCESS

Activity	Description
Initiation of Cost Recovery Process	• Regional program office prepares and submits cost recovery checklist through Regional Cost Recovery coordinator (RCRC) to Regional SFO. Checklist identifies date through which costs are to be documented and date documentation is required. • Documentation process for HQ and Regional costs begins. • RCRC obtains cost documentation package from SFO and prepares "merged" cost summary. • RCRC requests site-specific reports generated by MARS to provide cost basis for negotiations with PRPs.
Cost Documentation and Reconciliation	• Involves collecting and reviewing documentation to ensure accounting and cost information are recorded correctly, costs are properly charged, ANs refer to the appropriate site, and costs on documents are accurately reflected in IFMS. • Regional SFO documents Regional Superfund costs and prepares cost summary, computes indirect costs, provides expert and factual financial witness testimony, interprets financial documents and MARS reports, and provides CA cost documentation. • ORC reviews final cost summary and documentation in preparation for litigation and takes appropriate action pursuant to the Privacy Act and Confidential Business Information requirements.
Work Performed Documentation and Reconciliation	• Involves collecting and reviewing documentation to ensure that costs are being pursued for appropriate site activities. • RCRC assembles copies of any task creating document (WA, Purchase Order, Delivery Order, etc.) as well as amendments or modifications, progress reports and close-out reports for the tasks included in the cost recovery referral. • RCRC works with the SFO to ensure correspondence between the cost and work performed documentation. • ORC reviews final work performed documentation package and takes appropriate action pursuant to the Privacy Act and Confidential Business Information requirements.
Site File Maintenance	• Diligent maintenance is crucial to cost recovery and is a Regional responsibility. • Financial files maintained by the FMO until 2 years after all cost recovery litigation is complete. • Work performed files maintained by contracts officials or RCRC in accordance with Agency disposal guidance. • Disposal of files is permitted after 20 years. • Cost recovery documentation should be maintained by the RCRC until required by the litigation team.