
EPA ARARs-Assist System: Availability of CELDS Computerized Database for the Identification of ARARs.

Office of Emergency and Remedial Response
Office of Program Management OS-240

Quick Reference Fact Sheet

Section 121(d) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended by the 1986 Superfund Amendments and Reauthorization Act (SARA), ~~requires that on-site remedial actions must attain or waive Federal or more stringent State~~ applicable or relevant and appropriate requirements (ARARs) upon completion of the remedial action. The revised National Oil and Hazardous Substances Pollution Contingency Plan of 1990 (NCP) requires compliance with ARARs during remedial actions as well as at completion, and compels attainment of ARARs during removal actions to the extent practicable, considering the exigencies of the situation. See NCP, 40 CFR section 300.415(i) (55 FR 8666, 8843) and section 300.435(b)(2) (55 FR 8666, 8852) (March 8, 1990).

In order to facilitate the identification of requirements that may be potential ARARs, this Fact Sheet announces the availability of a computer database that can assist those Remedial Project Managers (RPMs), On-Scene Coordinators (OSCs), State personnel at State-lead CERCLA sites, potentially responsible parties (PRPs), and other persons involved in performing response actions at CERCLA sites. Also, the computer database is useful for persons who wish to search for State or Federal environmental requirements for non-ARAR related purposes. In addition, this Fact Sheet describes planned enhancements to the database.

DISCLAIMER: Note, however, that this system does not make judgments about the ARAR status of requirements.

The Office of Program Management (OPM) within the EPA Office of Emergency and Remedial Response (OERR) has convened a Federal Agency Users Group to help direct the development and operation of the ARARs-Assist system. Of the Users Group, the U.S. Department of Energy (DOE) is the first Agency to join with EPA to fund the database enhancements. Together with the DOE Office of Environmental Guidance, Office of Environmental Restoration, and Office of Environmental Compliance, OPM has engaged the Construction Engineering and Research Laboratory (CERL) of the U.S. Army Corps of Engineers to enhance the Corps' existing environmental regulations database, the Computer-aided Environmental Legislative Data System (CELDS). At the same time, the EPA Risk Reduction Engineering Laboratory is developing an expert system. This component will ultimately be linked to the database in a computerized ARAR selection system called "ARARs-Assist". The ARARs-Assist system will help to:

- Equalize the knowledge base of requirements that may be potential ARARs for all parties;
- Lessen costly delays due to disagreement over ARARs identification;
- Speed up progress toward remedial action by facilitating remedy selection; and thus,
- Build greater public confidence.

Even now, before completion of the enhancements, these goals can be partially met by using the CELDS database. Therefore, OPM recommends that persons involved in ARARs identification begin to take advantage of the capabilities offered by CELDS. Further, OPM requests that CELDS users offer suggestions on ways to improve the system.

What is the ARARs-Assist system?

The ARARs-Assist system consists of two parts. The first is an expert system that will be designed to guide the user through the ARARs identification process. The expert system will prompt the user to enter designated site characteristics (hydrogeologic information, contaminants, affected media, etc). Once these characteristics are defined, the expert system will search the database and identify Federal and State requirements that are potential ARARs for the site. The expert system being developed by EPA's Risk Reduction Engineering Laboratory in Cincinnati, Ohio, is scheduled to be available in prototype form for field-testing during FY 1993. This expert system will be linked with the enhanced CELDS database.

The second part of the ARARs-Assist system is the database. The Corps, at CERL in Urbana, IL, are developing the database. The ARARs-Assist database will be an enhancement of CELDS, which was initially developed in 1972 to provide Army planners and environmental officers rapid access to environmental regulations in order to comply with the National Environmental Policy Act. Updated continuously, CELDS makes new information available to the user at both the beginning and middle of each month.

CELDS is a collection of detailed abstracts of most Federal and State environmental regulations. Through the abstracts, CELDS provides quick access to current regulations that may affect the environment, as well as to data for environmental impact analysis and environmental quality management. The abstracts are written in a straightforward narrative style without legal jargon. Each regulation is examined for its relevancy to the database, abstracted, indexed, and entered into the database in a consistent format. While intended as a guide to the original statute and/or regulation, a CELDS abstract is not intended to replace the original documents or to resolve legal problems. *Where the Regions intend to rely upon specific provisions, it may be appropriate to consult the full text.*

How do I use CELDS?

Abstracts are retrieved using a personal computer as directed by the CELDS User's Manual. The user structures each step of the search by issuing a series of commands in combination with keywords, the names of political jurisdictions, and subject categories that relate to the user's search. The search process allows the user to examine the CELDS database and retrieve records that contain the information on the topics of interest.

The search strategy involves three basic steps. First, the user decides whether to search Federal regulations, State regulations, or both; second, the user determines which broad subject category to search (*see Highlight 1*); and third, the user identifies the keywords needed to retrieve the desired records. Keywords are the terms used by CELDS to index every record and can include, but are not limited to: chemical names; categories of pollutants; and, types of activities or products being regulated.

How do I access CELDS?

To access CELDS, the user needs a remote terminal, a modem, and a connection to a telephone line. Offices that use a Local Area Network (LAN) may place an interface with CELDS on their LAN, as OERR has done.

Since CELDS is part of the Corps' Environmental Technical Information System (ETIS), the user needs an ETIS login code for identification to gain access. A temporary login code, as well as an instruction manual on how to use CELDS, can be obtained by calling the ETIS Program Office, (217) 333-1369.

Ordinarily, individual users are charged at the rate of \$95 per hour for each minute that they are accessing CELDS. However, EPA and DOE intend to make special arrangements with CERL for agency-wide subscriptions to allow their personnel to use CELDS without being charged.

How will ARARs-Assist be completed?

EPA currently has an Interagency Agreement (IAG) in place with the Corps for the continued enhancement of the CELDS database. Both EPA and DOE are providing matching funds for the highest priority enhancements. These include the addition of the full texts of all Federal and State statutes and regulations and the creation of abstracts of all of the statutes. Other enhancements will be added as soon as funding is made available by other Federal Agency User Group participants.

What future enhancements are planned for CELDS?

CELDS currently contains abstracts for most Federal and State environmental regulations. If other agencies participate with EPA and DOE, the database enhancements to CELDS could be complete by the end of FY 1993. The completion of the expert system is expected to take longer, although a model system is scheduled to be integrated with CELDS and available for wide-scale field testing at EPA Regional Offices and DOE Operation Offices by October 1992 (*see Highlight 2*).

HIGHLIGHT 1

Subject Categories Covered Within Current CELDS and Future ARARs-Assist System:

- hazardous waste
- air quality
- solid waste
- potable water quality
- underground storage tanks
- surface and ground water quality
- pesticides
- oil and gas well management
- radiation
- toxic substances
- motor vehicles and aircraft/airplane noise control
- coastal zones
- dredging and channelization
- erosion and sedimentation
- wetlands
- historic preservation
- endangered species

Further information on ARARs-Assist and CELDS can be obtained from Rhea Cohen, of EPA/OPM (FTS or (202) 260-2200). Written inquiries and comments can be sent to Ms. Cohen either through the OPM FAX machine at (FTS or (202) 260-3847) or by mail to the U.S. Environmental Protection Agency, mail code (OS-240), 401 M Street, S.W., Washington, D.C. 20460.

NOTICE: The policies set out in this fact sheet are not final Agency action, but are intended solely as guidance. They are not intended, nor can they be relied upon, to create any rights enforceable by any party in litigation with the United States. Response personnel may decide to follow the guidance provided in this fact sheet, or to act at variance with the guidance, based on an analysis of site-specific circumstances. The Agency also reserves the right to change this guidance at any time without public notice.



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HIGHLIGHT 2

Completed ARARs-Assist System Will Include But Not Be Limited To the Following Features:

- Detailed abstracts and full text of the following requirements that address environmental protection and facility siting:
 - ◆ Federal and State statutes and regulations;
 - ◆ Indian Tribal laws;
 - ◆ Federal Agency Memoranda of Agreement;
 - ◆ International treaties; and,
- Additional components to simplify ARARs identification, as follows:
 - ◆ Electronic mail box;
 - ◆ Catalogue of EPA Superfund publications;
 - ◆ National Contingency Plan and Index;
 - ◆ Proposed Federal and State environmental requirements;
 - ◆ Tutorial on identification of potential ARARs;
 - ◆ EPA and DOE examples of ARARs selection;
 - ◆ Access to other systems developed by EPA and other Agencies;
 - ◆ System training for EPA Headquarters and Regional staffs, as well as those of other participating Agencies.