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TITLE: FY92 Themes for Regional Coordination to
Support Continuous Improvements of Superfund's
Remedial Program

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☐ DRAFT

LEVEL OF DRAFT

☐ A — Signed by AA or DAA

☐ B — Signed by Office Director

☐ C — Review & Comment

REFERENCE (other documents):

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United States Environmental Protection Agency
Washington, DC 20460

OSWER Directive Initiation Request

1. Directive Number
9355.0-36

2. Originator Information

Name of Contact Person	Mail Code	Office	Telephone Code
Betti VanEpps	5201G	OERR	260-9760

3. Title
FY92 Themes for Regional Coordination to Support Continuous Improvements of Superfund's Remedial Program

4. Summary of Directive (include brief statement of purpose)

This memorandum outlines the FY92 themes for regional coordination to support continuous improvements of Superfund's remedial program.

5. Keywords

Regional Coordination, remedial program

6a. Does This Directive Supersede Previous Directive(s)?

☒ No

☐ Yes

What directive (number, title)

b. Does It Supplement Previous Directive(s)?

☒ No

☐ Yes

What directive (number, title)

7. Draft Level

☐

A - Signed by AA/OAA

☐

B - Signed by Office Director

☐

C - For Review & Comment

☐

D - In Development

8. Document to be distributed to States by Headquarters?

☐

Yes

☒

No

This Request Meets OSWER Directives System Format Standards.

9. Signature of Lead Office/Directives Coordinator

Betti VanEpps

Date

12/22/92

10. Name and Title of Approving Official

Date

EPA Form 1315-17 (Rev. 5-87) Previous editions are obsolete.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 11 1991

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

OSWER Directive 9355.0-36

MEMORANDUM

SUBJECT: FY 92 Themes for Regional Coordination to Support Continuous Improvements of Superfund's Remedial Program

FROM: *(for)* Henry L. Longest II, Director *Jim Fields*
Office of Emergency and Remedial Response
for Bruce M. Diamond, Director *Elaine Stanley*
Office of Waste Programs Enforcement

TO: Directors, Waste Management Division, Regions I, IV, V, VII, VIII
Director, Emergency and Remedial Response Division, Region II
Directors, Hazardous Waste Management Division, Regions III, VI, IX
Director, Hazardous Waste Division, Region X

Purpose: This memorandum outlines the FY 92 themes for regional coordination to support continuous improvements of Superfund's remedial program. Themes represent critical program areas that require special emphasis by Regional management, staff, and Regional Coordinators. This effort will improve the efficiency and quality of the Superfund program which furthers our commitment to Total Quality Management. Regional Coordinators will promote guidance awareness and national consistency.

Background: Themes address issues that either challenge Superfund or represent new policies that often require fine tuning for successful implementation. Regional Coordinators consult policy writers, the Regions, and each other to address issues raised by Regional staff. They suggest ideas and creative

solutions employed by other Regions. Critical issues (especially themes) and ideas that are communicated by your staff and management to Regional Coordinators are passed along to policy writers to improve our guidance and to promote national consistency. This cooperative communication network between Regions and Headquarters ensures that guidance and support is focused on Regional program priorities.

Implementation: Implementation of the themes will require commitments from Regional management and staff, with support from Regional Coordinators, to identify and resolve issues before they may impede the remedial process. Flagging issues as early as possible in the remedial process offers more time to develop solutions and to prepare for negotiations. Each theme will require a varying degree of emphasis from the Regional Coordinators. The themes are listed in order of time dedicated to accomplish them. These themes include:

- 1) **Ensure cleanup standards and risk management decisions are established and clearly documented.** Settlements and RD/RAs are expedited when cleanup standards and risk management decisions are resolved early (i.e., before the RI/FS is completed) and sufficiently documented. In FY 92, Regional Coordinators will focus on identifying and screening alternatives and documenting cleanup levels. Regional Coordinators will assist RPMs with clearly documenting cleanup standards and risk management decisions in the FS, proposed plan, and ROD. Regional Coordinators will also raise to OGC cleanup goals which States are claiming are ARARs but the Regions do not agree.
- 2) **Explore ways to streamline the remedial process.** For FY 92, streamlining the remedy selection process is a major program priority for which several projects are underway. Regional Coordinators will work with the Regions to identify ways to expedite response actions - including the use of removal actions and removal enforcement authorities. Also, They will work with Regions to identify types of sites and creative ideas for policy development on screening alternatives and standardizing or improving national consistency of remedy selection. For example, recent guidance for municipal landfills and PCB sites suggests a focused RI, FS, and risk assessment. Regional Coordinators will also work with the Regions to expedite response actions and move sites to deletion.
- 3) **Utilize "Enforcement Smart" techniques to expedite settlements.** Regional Coordinators will work with Regions to help resolve issues to implement current guidance in sending special notice letters out at ROD signature or shortly after. They will elevate issues to their management that affect reaching a settlement

within the moratorium period. For de minimis settlements, Regional Coordinators will work with the Regions particularly to identify and achieve de minimis settlements prior to ROD signature (a strategy to do this is being completed). They will assist Regions in identifying ways to accelerate RD during most settlements so that RD is routinely initiated by the time the consent decree is lodged (guidance to implement this goal will be issued). Also, they will encourage timely negotiation completions and RD starts by using the Fund or issuing a UAO if a settlement is not reached within a reasonable time.

- 4) **Emphasize PRP compliance monitoring and oversight.** Regional Coordinators will work with RPMs to assure that compliance monitoring during the RI/FS and RD/RA is being conducted effectively. Tracking systems and definitions are under development. Once completed, Regional Coordinators will assist in identifying and elevating compliance issues. They will also work with policy staff and the Regions to identify areas where guidance is needed to develop enforceable documents. Regional Coordinators will also work with Regions on deciding when to enforce and assuring that documentation of decisions to enforce or not to enforce occurs.
- 5) **Ensure that appropriate strategies for ground-water remedies are established and clearly documented.** Superfund's policies for ground-water restoration are evolving. Regional Coordinators are constantly updated and informed of any new issues or changes. They will work with your staff to ensure that technical concerns, settlement issues, and contingencies for ground-water restoration are identified early and clearly documented.
- 6) **Strive for early identification and resolution of State issues to accelerate the remedial pipeline.** In FY 91, State and municipality issues were major causes for remedial delays. State issues that often require early identification and resolution to prevent delays may include: ARARs and waivers; States declining assurances; State role issues, poor document quality, and lengthy turn around time for document review. Regional Coordinators will work with RPMs to identify and elevate potential State issues to Regional and Headquarters' management early in the process. The mechanism for raising State issues is being developed as a 30-day implementation project. For municipality issues, Regional Coordinators will update their management on Regional concerns and let the Regions

know current Headquarters' directions.

- 7) **Promote routine consideration of innovative technologies in the remedy selection process.** OSWER Directive 9380.0-17 emphasizes Headquarters/AA support for the development and use of innovative treatment technologies in the remedial program. Early understanding of innovative alternatives and the commitment to their routine consideration in the remedy selection process are essential to selecting more effective and less costly remedies while not delaying the remedy selection process. Regional Coordinators will encourage Regional staff to consider innovative technologies at scoping and while the RI is underway. The Technology Innovation Office will update the Regional Coordinators on new guidance and technology issues.

Regional Coordinators will assist you with the development of options to address these themes and other critical issues. Regional Coordinators often identify potential obstacles and suggest appropriate guidance when they meet with RPMs to discuss site scoping, draft RI/FSS, and during their review of draft proposed plans and during negotiations. We strongly encourage Regional staff to involve Regional Coordinators at scoping and to provide them the opportunity to comment on draft proposed plans as well as draft RODs, ESDs, ROD amendments, and pre-referral negotiation documents. Regional Coordinators will also be available to assist the Regions with issues relating to RI/FS and RD/RA oversight.

The FY 92 themes that address the quality and consistency of remedial decision-making will be included in the yearly ROD Analysis. Remedy delegation consultation requirements include some of these themes and other important issues, such as reviewing containment-only remedies. Regional Coordinators will work closely with RPMs on all areas outlined in the FY 92 Remedy Delegation Report. Furthermore, several enforcement guidance documents are expected to be written this year which will support the enforcement themes. Regional Coordinators may also be available to participate in Regional TQM workgroups that support these critical themes.

Together the OERR and OWPE Regional Coordinators will meet with your staff to discuss Regional priorities for FY 92 regional coordination. If you have any suggestions on how we can further refine or modify the Regional Coordinator's role to better serve your needs, please let us know. Attached is the list of Regional Coordinators in OERR and OWPE.

Attachment

cc: Jerry Clifford, Director, HSCD
Sally Mansbach, Director, CED
Debbie Dietrich, Acting Director, HSED
Walt Kovalick, Director, TIO
Larry Starfield, OGC
OERR Regional Coordinators
OWPE Regional Coordinators
Superfund Branch Chiefs, Regions I-X
Superfund Regional Counsel Branch Chiefs, Regions I-X
Superfund Section Chiefs, Regions I-X
Branch Chiefs, Environmental Services Division, Regions I,
VI, VII

REGIONAL COORDINATORS

Fund Lead: RI/FS and ROD

Region	Name	FTS No.*
1	Robin Anderson	678-8371
2	Loren Henning (NJ)	678-8392
	Shahid Mahmud (NY)	678-8372
3	Sharon Frey	678-8367
4	Tish O'Connor	678-8370
5	Andrea McLaughlin	678-8365
	Peter Feldman	678-8364
6	David Cooper	678-8361
7	Tish O'Connor	678-8370
8	Nancy Briscoe	678-8360
9	David Cooper	678-8360
10	Nancy Briscoe	678-8360

Fund and Enforcement Lead: Design and Construction

Region	Name	FTS No.*
1	JoAnn Griffith	678-8353
2	Joe Cocalis	678-8356
3	Florence Blair	678-8327
4	Ken Skahn	678-8355
5	Tracy Loy	678-8349
6	JoAnn Griffith	678-8353
7	Ken Skahn	678-8355
8	Barbara McDonough	678-8347
9	Steve Chang	678-8348
10	Steve Chang	678-8348

Enforcement Lead: RI/FS, ROD, RD/RA Negotiations

Region	Name	FTS No.*	Region	Name	FTS No.*
1	Amy Legare	678-8626	5	Trish Gowland (IL, IN)	678-8622
2	Lance Elson (NY)	678-8621		Ernie Watkins (MI, WI)	678-8633
	Wendi Thoni (NJ)	678-8627		Leslie Jones (MN, OH)	678-8631
3	Kathryn Boyle (VA, WV, PA)	678-8614	6	Filomena Chau	678-8619
	Elisabeth Freed (DE, MD, PA)	678-8608	7	Jack Schad	678-8629
4	Neilima Senjalia (FL, AL, GA, MS)	678-8630	8	Lori Boughton	678-8613
	Darlene Boerlage (KY, TN, NC, SC)	678-8646	9	Rick Popino (Site Specific)	678-8628
				Kurt Lamber (Site Specific)	678-8624
			10	Joe Teiger	678-8632

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