



**DIRECTIVE NUMBER:** 9330.2-3

**TITLE:** Guidance on Procedures for Planning and Supplementing Off-Site Response Actions

**APPROVAL DATE:** 1-17-86

**EFFECTIVE DATE:** 1-17-86

**ORIGINATING OFFICE:** OERR

**FINAL**

**DRAFT**

**STATUS:**

**REFERENCE (other documents):**

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United States Environmental Protection Agency  
Washington, DC 20460

# OSWER Directive Initiation Request

Interim Directive Number  
9330.2-3

Originator Information

Name of Contact Person Cheryl Hawkins	Mail Code WH-548	Telephone Number 382-5650
Lead Office <input type="checkbox"/> OERR <input type="checkbox"/> OSW	<input type="checkbox"/> OUST <input type="checkbox"/> OWPE <input type="checkbox"/> AA-OSWER	Approved for Review Signature of Office Director Date

Title  
  
Guidance on Procedures for Planning and Supplementing Off-Site Response Actions

Summary of Directive  
  
Guidance provides follow-up to the Off-Site Disposal Policy "Procedures for Planning and Implementing Off-Site Response Actions," signed by Jack McGraw on May 6, 1985. Explains actions OSWER has or will take to implement this policy.

Type of Directive (Manual, Policy Directive, Announcement, etc.) Policy Directive	Status <input type="checkbox"/> Draft <input checked="" type="checkbox"/> Final <input checked="" type="checkbox"/> New <input type="checkbox"/> Revision
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Does this Directive Supersede Previous Directive(s)?  Yes  No Does It Supplement Previous Directive(s)?  Yes  No

If "Yes" to Either Question, What Directive (number, title)  
Procedures for Planning and Implementing Off-Site Response Actions (to be numbered OSWER Directive Number 9330.2-1)

Review Plan

<input type="checkbox"/> AA-OSWER	<input type="checkbox"/> OUST	<input type="checkbox"/> OECM	<input type="checkbox"/> Other (Specify)
<input type="checkbox"/> OERR	<input type="checkbox"/> OWPE	<input type="checkbox"/> OGC	
<input type="checkbox"/> OSW	<input type="checkbox"/> Regions	<input type="checkbox"/> OPPE	

This Request Meets OSWER Directives System Format

Signature of Lead Office Directives Officer Nancy Livingston	Date 8 Jan 86
Signature of OSWER Directives Officer	Date



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

JAN 17 1986

OFFICE OF  
SOLID WASTE AND EMERGENCY RESPONSE

MEMORANDUM

SUBJECT: CERCLA Funding of State Oversight of Potentially Responsible Parties (PRPs)

FROM: *J. Winston Porter*  
J. Winston Porter  
Assistant Administrator

TO: Regional Administrators  
Regions I-X

This memorandum sets forth the policy and procedure for providing funds to States to support certain enforcement-related activities in addition to State-conducted remedial investigations and feasibility studies. These activities are: (1) oversight of RI/FS and remedial designs prepared by potentially responsible parties at State-lead enforcement sites; and (2) management assistance for RI/FS and RD conducted by PRPs at EPA-lead enforcement sites.

In response to specific requests for such funding, we have drafted the attached guidance. This guidance explains the conditions to be met and tasks to be funded for the two activities mentioned above. However, State funding for work related to Federal facility sites (management assistance and oversight) will currently not be allowed. There are key issues to be resolved in defining EPA and State roles in remedial work conducted by Federal Agencies at Federal facility sites. As we resolve these issues, funding guidance may be developed in the future.

In a related matter, we are currently formulating additional guidance for funding States for other types of enforcement activities as well as those outlined in the attached guidance (e.g. oversight of PRP remedial construction, negotiation and litigation). When the specific conditions and tasks and funding levels are determined, this guidance will be expanded and issued as a draft addendum to the manual State Participation in the Superfund Remedial Program.

A draft of this guidance was distributed for comment to the Regions, State associations and Headquarters offices on July 15, 1985. A summary of the comments and our responses is attached for your review.

Due to the current "slowdown" of the CERCLA program, there is currently no money available in the enforcement budget to fund these oversight and management assistance activities. In the event CERCLA reauthorization occurs and monies are provided in the budget, there may be funds available later in the fiscal year. When monies become available, the concurrence of the CERCLA Enforcement Division Director in the Office of Waste Programs Enforcement must be obtained and the enforcement Superfund Comprehensive Accomplishments Plan formally amended.

Since funding of State enforcement activities is a new venture for the CERCLA program, Regional enforcement and program staff should work closely together on its implementation. I also encourage close coordination with your Regional Coordinator in the CERCLA Enforcement Division in OWPE and Hazardous Site Control Division in OERR. I would like drafts of new cooperative agreements or amendments submitted for review to the appropriate Regional Coordinator in the Compliance Branch in CED. This review is necessary to ensure that implementation of these new funding activities is nationally consistent, and that distribution of monies available in the future is made in an equitable manner.

If you have any questions on the guidance, you may contact Tony Diecidue, Office of Waste Programs Enforcement (WH-527), U.S. Environmental Protection Agency, 401 M. Street, S.W., Washington, D.C., or telephone him at Area Code 202/FTS 382-4841.

#### Attachments

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