



DIRECTIVE NUMBER: 9840.2

TITLE: FINAL FY 86 SCAP INSTRUCTIONS

APPROVAL DATE: JUNE 27, 1985

EFFECTIVE DATE: JUNE 27, 1985

ORIGINATING OFFICE: OWPE

☒ FINAL

☐ DRAFT

STATUS:

REFERENCE (other documents):

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Originator Information		
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Title <p style="text-align: center;">Final FY 86 SCAP Instructions (W/O attachments)</p>		
Summary of Directive <p style="text-align: center;">This document further addresses planning of enforcement and fund-financed activities in FY 86. Priorities, operating procedures and targets are addressed.</p> <p style="text-align: center;">Key words: SCAP, planning, targets, enforcement activities, case budget, priorities</p>		
Type of Directive (Manual, Policy Directive, Announcement, etc.) <p style="text-align: center;">Guidance</p>		Status <input type="checkbox"/> Draft <input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Final <input type="checkbox"/> Revision
Does this Directive Supersede Previous Directive(s)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Does It Supplement Previous Directive(s)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" to Either Question, What Directive (number, title)		
Review Plan <input type="checkbox"/> AA-OSWER <input type="checkbox"/> OUST <input type="checkbox"/> OECM <input checked="" 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 		Date 5-30-86
Signature of OSWER Directives Officer		Date



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

USWER # 9840.2

JUN 27 1985

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

MEMORANDUM

SUBJECT: Final FY 86 SCAP Instructions

FROM: William N. Hedeman, Jr., Director
Office of Emergency and Remedial Response

Gene A. Lucero, Director
Office of Waste Programs Enforcement

TO: Addressees

On May 9, 1985, we sent to you our passback on the preliminary FY 86 Superfund Comprehensive Accomplishment Plan (SCAP). Over the next several weeks we need to reexamine the projects and activities that were proposed and determine what adjustments should be made. This exercise will result in the final FY 86 SCAP which, among other things, establishes many of the Regional Superfund SPMS targets.

The first step in this process will be the final revision of the FY 85 SCAP. Between now and early July we will be visiting or working with each of you to discuss what will be accomplished during the fourth quarter. You will then have time to reconsider and make appropriate changes to the FY 86 SCAP. Division Directors should submit a draft of this plan to Terry Ouverson (WH-548-D) no later than July 24. We will review your submission and talk with you about any alterations we think should be made. On August 15 we will pass back a revised SCAP and will submit the preliminary FY 86 SPMS targets to the Office of Management and Systems Evaluation. Your final SCAP, signed by your Regional Administrator, is due on September 4, 1985. This will still allow us time to adjust the SPMS targets if there are any inconsistencies. A schedule outlining the SCAP and SPMS processes for the remainder of the year is attached (Attachment I).

Removal Instructions

In addition to confirming the FY 86 annual SCAP projections for removal activity, please submit the number of anticipated first quarter removal starts and completions broken down into NPL and non-NPL categories. In early September, we will request a list of names of the sites projected to be started or completed in the first quarter and a projection of the number of removal actions projected for the second, third and fourth quarters.

Reporting requirements and formats are unchanged from those outlined in the FY 85 SCAP.

Remedial Instructions

Nationally, we plan to meet the number of Fund-financed activities targeted in the Agency's FY 86 budget request: 130 RI/FS, 89 RDs and 56 RAs. The preliminary SCAP was approved with more dollars than are available under the assumption that the final SCAP will reflect the results of FY 85, revised cost estimates or funding schedules and other reordering of priorities. In the preliminary SCAP we asked you to take certain steps to reduce the dollar budget of the plan while maintaining the current number of targeted projects. These steps are reiterated below and should be followed in preparing the final plan.

- ° Obtain better estimates on large projects (over \$10M). Screen individual project budgets to ensure accuracy of cost estimates.
- ° Phase-fund more FY 86 new start and subsequent SCAP projects to maintain the same number of new start RAs. Identify smaller operable units for RA projects on the FY 86 SCAP. Request only those funds needed for the next operable unit occurring in FY 86.
- ° Scrutinize same year RD/RA to ensure confidence in timeliness and likelihood of obligation. If RA projects have a low likelihood for obligation during the fiscal year, request funding for the project in FY 87.
- ° Examine the status of enforcement-lead projects which are also scheduled for RD/RA funding on the FY 86 SCAP. Will these projects need funding during the fiscal year? If so, should the lead-status be changed, or should funding for the project be moved "Below the Line" to make way for remedial projects more certain of FY 86 funding. Funding should not be requested for RD/RA at enforcement-lead sites unless changed circumstances dictate changing the site classification.

The submission of the final FY 86 SCAP should use the Preliminary FY86 SCAP as a baseline. Remaining FY 1985 fiscal year activity must be carefully assessed to assure it will be obligated in the current fiscal year, and if not, whether the activity should appear on the FY86 SCAP. Since the number of target projects on the Final FY86 SCAP cannot exceed those in the approved Preliminary FY86 SCAP, sites with new activity starts moved from FY85 must be accounted for within the FY86 targets. In addition, except for incremental funding required to continue on-going activities, sites which appear on the final fourth quarter FY85 SCAP may not be scheduled for the same activity on the FY86 SCAP.

The fourth quarter FY85 SCAP will be sent to you by July 12, 1985. A copy of the remedial portion of the Preliminary FY86 SCAP is being transmitted to the Waste Management Division Directors via electronic mail. This may then be copied on a diskette in your Region which should reduce the amount of effort required to update the SCAP.

The Final FY86 SCAP should be submitted as "Approved" (target) and "Substitution" projects using the same format depicted in the Preliminary SCAP. "Approved" projects represent the highest priority projects which have the greatest likelihood of requiring funding during the fiscal year. The number of approved projects will be used to determine SPMS commitments. "Substitution" projects are a pool of projects which are moving toward the point of obligation and which may be substituted to replace approved projects which are assumed by responsible parties, experience schedule slippage, or are deferred because of revised project priorities.

Please ensure that remedial completion targets are reviewed and all activities which will come to a conclusion in FY 1986 and beyond are identified on the plan. Completion progress will be evaluated during the quarterly SCAP reviews. Completion targets for RI/FS, RD and RA will include Fund-financed (program and enforcement lead) and PRP activities. The July 24 submittal should include Regional proposals for these targets.

The completion data will be taken from CERCLIS or (CMS for PRP activity); only those sites recorded will be credited. Accurate completion projections will have an impact on Region's resources in FY 87 and subsequent years. Instructions for revising remedial completion projections and projected outyear activities are contained in Attachment II.

PA/SI Instructions

FY86 PA/SI targets have been reduced. The original national Preliminary Assessment target was 5,500. This target has been reduced by 27 percent to arrive at the new target of 4,000.

The original national Site Inspection target was 1,488. This target has been reduced by 22 percent to arrive at the new target of 1,160. Consequently, Regions should reduce their individual PA and SI targets by the percentages shown above. Funding required to conduct the program at these levels should be reflected in the FY86 SCAP submission.

An objective in FY86 is to eliminate any overlap between the FIT and the State Cooperative Agreement Program. The workload distribution between the two programs should be reviewed and coordinated to ensure the most effective use of resources devoted to the program. In addition, existing FY85 State Cooperative Agreements should be carefully reviewed to determine what level of FY85 funding will remain for use in FY86. Upon completing these steps, appropriate FY86 needs can be determined. Please ensure that PA/SI funding requested for FY86 is only the funding required to conduct the program during FY86. Regions which have already negotiated FY86 funding levels with their States may submit requests for funds to cover the negotiated levels, but must clearly describe the amount and anticipated use of the funds above that needed to support the reduced FY86 PA/SI target level.

Sample Analysis Instructions

Instructions for updating your projections of demand for sample analysis were sent to Waste Management Division Directors in a May 15, 1985, memorandum from William N. Hedeman, Jr., (Attachment III). Responses to that memorandum may be held in abeyance until your work on the draft SCAP, due July 24, is completed. Final sample analysis needs estimates should accompany your draft SCAP submission on July 24.

Enforcement Instructions

To further streamline enforcement reporting, targets for negotiations (all types) will be deleted. Projections for the sites that will enter negotiations will not be required. However, quarterly reporting of negotiation initiations and completions will continue as part of the SCAP review process.

Each Region should revise the February Case Budget submittal to reflect all anticipated extramural needs. As indicated in previous correspondence, the FY86 case budgets will be managed by the Regions with limited Headquarters involvement. Therefore, it is important that accurate budgets be developed so accurate distribution of extramural funds can be made. Case budget submittals should include needs for all OWPE contracts, IAGs and buy-ins to any of the REM contracts. This should include amendments to on-going work assignments which will be made after

October 1, 1985. We are retaining last year's format which includes specifying activity and contract mechanisms for each site (Attachment IV). However, this year please list by name the responsible party searches you plan to do.

Funding to States for oversight of PRP work will also be included in the case budget. As discussed in Gene Lucero's memo of January 23, 1985, we will be funding State oversight of PRP work at a limited number of State enforcement-lead sites. In addition, some funds will be available for management assistance to States at sites where PRPs are conducting work under an agreement with EPA. Further guidance on the requirements and mechanisms for providing such funding will be available later in the summer. For this iteration of the case budget, please include all sites at which you would like to fund such activities. Final decisions on number of sites and level of funding will be made at a later time. For oversight, the cost estimate should be similar to the cost if EPA were to have a contractor do the oversight. For management assistance, similar factors should be used as for management assistance for Fund projects.

To assist you in making cost estimates, we have provided a chart of average costs for various enforcement activities (Attachment V). An area you should be particularly concerned about this year is oversight of responsible party actions. Although cost data is sketchy, please be sure to make your best estimates of oversight needs, as oversight will no longer be covered by the remedial portion of the SCAP and it could constitute a large percentage of your overall extramural needs.

Once the revisions are received, OWPE will develop Regional budgets based on these submissions and the over-all enforcement budget. It will then be the Regions's discretion to distribute funds among active cases as needed. OWPE will provide monthly accounting ledgers which track all contract obligations (Attachment VI). Besides distribution of ledgers, OWPE involvement will be very limited. OWPE will participate only in resolving conflicts with the Department of Justice, distributing a contingency fund and conducting a mid-year review where actual contract obligations will be reviewed and compared to the case budget allocation. Funds may be redistributed among Regions based on this review.

Attachments

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Addressees:

Directors, Waste Management Division,
Regions I, IV, V, VII, VIII
Director, Office of Emergency and Remedial
Response, Region II
Directors, Air and Waste Management Division,
Regions II and VI
Director, Hazardous Waste Management Division,
Region III
Director, Toxics and Waste Management Division,
Region IX
Director, Hazardous Waste Division, Region X
Directors, Environmental Services Division,
Regions I - X

cc: Superfund Branch Chiefs, Regions I - X
RCRA/CERCLA Branch Chiefs, Regions I - X
Regional Counsels, Regions I - X (w/o attachments)
Director, Resource Management Staff, OSWER (w/o attachments)

OSWER # 9840.2

ATTACHMENT I

REVISED FY 86 SCAP SCHEDULE

REVISED FY 86 SCAP SCHEDULE

Final FY 86 SCAP Instructions furnished to Regions	June 26, 1985
HQ finalizes SPMS measures and definitions with Regions	June 30, 1985
Fourth Quarter FY 85 SCAP furnished to Regions	July 12, 1985
First draft of FY 86 SCAP submitted to HQ by Regions	July 24, 1985
Passback to Regions on revised FY 86 SCAP	August 15, 1985
OSWER submits draft SPMS targets to OMSE	August 15, 1985
RA's submit final SCAP to AA,SWER	September 4, 1985
AA,SWER signs final SCAP and furnishes to Regions	September 20, 1985

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ATTACHMENT II

REMEDIAL COMPLETION ESTIMATES

OSWER # 9840.2

Remedial Completions Instructions

The attached report shows actual and projected RI/FS, RD and RA starts and completions. FY 1985 and 1986 obligation amounts are shown for reference only. Regions need not revise the obligations shown on this report. This data will be updated by Headquarters following completion of the final SCAP.

Please review the projected start and completion data and make any changes by entering revised dates in the space provided to the right of the existing dates. For planning purposes, as a general rule RD's should be scheduled to begin in the quarter following completion of an RI/FS' and RA's in the quarter following completion of an RD. Also, for sites having two or more entries for the same activity, enter a brief description of each entry. (See attached sample)

Add new activities for existing sites by entering the activity, lead, projected start and completion dates and, if appropriate, activity descriptors at the bottom of each site. New sites should be added at the end of each Region's listing.

Our goal is to have RI/FS, RD and RA data for each site at which an RI/FS is scheduled to begin through FY 1986. Legible pen and ink changes are acceptable for all revisions/additions.

RI/FS, RD and RA starts are defined as the year and quarter of the first obligation for that activity as shown in the SCAP or as projected for FY 1987 and beyond. The definition of RI/FS completions is being changed from what was contained in the preliminary SCAP to bring it into line with the Superfund Progress Report and SPMS measures. The revised definition uses ROD signature date instead of the date the draft Rod is completed as the RI/FS completion date. Other completion definitions are unchanged from what was shown in the instructions for the preliminary FY 1986 SCAP. Current definitions are as follows:

RI/FS - the quarter in which the ROD has been or will be signed by the AA, SWER or the Regional Administrator if delegated.

RD - For Federal-lead, contract for implementation is advertised for bids. For State-lead, design and specifications approved by EPA.

RA - The operable unit is being monitored or operated to ascertain the performance of the operable unit. If the operable unit is the last operable unit, the entire remedial action is in performance monitoring prior to instituting deletion procedures. (In essence, the date of final acceptance and beneficial occupancy.)

Included with your mark-up, please provide us with the name and phone number of the point of contact in your Region for this information. If you have any questions, please feel free to call Terry Ouverson at (FTS) 475-9367.

/17/1985

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OFFICE OF EMERGENCY AND REMEDIAL RESPONSE
SUPERFUND MULTI-YEAR PLANNING REPORT

REGION 2
AS OF 5/17/1985

ST SITE NAME	ACTIV ITY	LD	FY 1985 PLANNED OBLIGATION	FY 1986 PLANNED OBLIGATION	FY 1986 STAT	PLAN YR/QR	REVIS YR/QR	PLAN YR/QR	REVIS YR/QR	DURA TION	COMMENTS
1 NJ LIPARI LANDFILL											
			---	LANDFILL							
Source control	RI/FS	F	633,000	APR	0	81/2		82/4		7	
Source control	RD	F	0		0	82/4		83/4		5	
Source control	RA	F	0		0	83/4		83/4		1	
	RI/FS	F	0		0	84/3		85/4		6	
Groundwater	RI/FS	F	0		0	84/3		86/2		8	
Groundwater	RD	F	500,000	APR	0	85/4		86/3		4	
	RD	F	0		500,000	APR	86/2		87/2	5	
Groundwater	RA	F	0		1000000	APR	86/4		87/4	5	
	RA	F	0		0	87/3		88/3		5	
			1,137,000		3,500,000						
05 NY LOVE CANAL											
			---	CHEM PLNT/IND/REF							
102ND STREET	RA	S	0		500,000	APR	86/4		87/4	5	
ADMIN. BLDG.	RD/RA	S	1025000	APR	0	85/2		86/1		4	
AIR	RA	S	110000	APR	0	85/3		86/2		0	
CONTAINMENT	RI/FS	F	0		0	81/4		82/3		4	
CONTAINMENT	RD	F	0		0	81/4		82/3		4	
CONTAINMENT	RA	S	0		0	82/4		87/3		20	
CONTAINMENT	RI/FS	F	0		0	84/2		0/0		0	
CREEKS	RD	S	430,000	APR	0	85/3		86/3		5	
CREEKS	RA	S	0		7000000	APR	86/2		89/1	12	
HABITAT	RI/FS	F	4100000	APR	0	85/1		86/3		0	
HABITAT	RI/FS	S	420,000	APR	0	85/2		86/4		0	
PEER	RI/FS	F	135,000	APR	0	85/1		86/3		0	
PERIMETER	RI/FS	S	400,000	APR	0	84/4		86/3		8	
PERIMETER	RD	S	0		100,000	APR	86/4		87/4	5	
S & C	RI/FS	S	0		0	82/4		85/2		11	
SEWERS	RD	S	60,000	APR	0	85/3		85/4		2	
SEWERS	RA	S	2660000	APR	0	85/4		86/4		5	
Perimeter	RA	S	0		0	88/1		89/1			
			10,340,000		7,600,000						
			11,473,000		11,100,000						

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ATTACHMENT IV

FY 1985 ENFORCEMENT PROGRAM SUPPORT

SAMPLE REPORTING FORMATFY 85 ENFORCEMENT PROGRAM SUPPORT

REGION _____

I. Site Classification/Responsible Party Searches

	<u>I</u>	<u>II</u>	<u>III</u>	<u>IV</u>
Quarterly RPS Targets -	12	17	5	8
Total \$ (K) -	12	17	5	8

Total Regional Budget Target - \$12,000 x 42 = \$50,400

First Two Quarter's Obligation - \$34,800

II. Case Development *

<u>Site/State</u>	<u>Contract Mechanism</u>	<u>Activity</u>	<u>Expected Obligation (\$K)</u>			
			<u>I</u>	<u>II</u>	<u>III</u>	<u>IV</u>
XXX Recycling, RE Slime Pits, SL	TES	TECH RD		9		
	TES	REC COMP	11			
	TES	EXPERT		25		
	TES	EXPERT		20	60	
Waste Harbor, PS AA Preservers, TA	USGS	S ENV	45			
	TES	FS		75		
Dregs Dump, OL	COE	CM			10	
	USGS	EXPERT			20	
	OTHER	EXPERT				20
	TES	EA				
Quarterly Enforcement Targets -			56	129	90	20
Total Regional Budget Target - \$			295,000			
First 2 Quarters Obligation - \$			185,000			

* give estimates for all active cases, not just new cases on the SCAP

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ATTACHMENT V

ENFORCEMENT TASK COSTS SUMMARY

FY 85
Enforcement Task Costs
Summary

<u>Activity</u>	<u>Cost(\$)</u>	<u>Comments</u>
Responsible Party Search	11,898	50% include TS & FA
Title Search	4,750	
Financial Assessment	15,522	only non-routine done separately from the RPS
Records Compilation	11,888	
Endangerment Assessment	39,754	
Remedial Investigation	149,800	non-NPL sites
RI/FS Workplan	29,790	
Hydrogeologic Studies	171,450	
Feasibility Studies	111,635	
Focused-Feasibility Studies	25,790	
Sample - Collection & Analysis	6,768	
Technical Review of Documents	11,198	
Expert Witnesses/Consultants	23,360	per expert; includes fact witnesses
Oversight	20-150,000	

OSWER # 9840.2

ATTACHMENT VI

ENFORCEMENT CONTRACT STATUS SHEET

EXAMPLE
CONTRACT STATUS SHEET

REGION 2

EFFECTIVE DATE

I. Case Budget Sites

<u>SITE</u>	<u>ACTIVITY</u>	<u>CONTRACT</u>	<u>BUDGET</u>	<u>ACTUAL</u>	<u>DIFFEREN</u>
XYZ	TECH REVIEW DOC	TES I	15 K	20 K	- 5 K
PITS LDFLL	RESP PARTY SEARCH	TES II	10 K	8 K	+ 2 K
SUB-TOTAL			25 K	28 K	- 3 K

II. Non-Case Budget Sites

<u>SITE</u>	<u>ACTIVITY</u>	<u>CONTRACT</u>	<u>BUDGET</u>	<u>ACTUAL</u>	<u>DIFFERE</u>
AAA RECYCLERS	OVERSIGHT	COE	0 K	50 K	- 50 K
SLIME LDFLL	EXPERT	TES II	0 K	20 K	- 20 K
SUB-TOTAL			0 K	70 K	- 70 K
TOTAL			25 K	98 K	- 73 K

III. Remaining Budget Amount

Case Budget - Actual Obligations as of date =