



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

JAN 31 1994

OSWER Direction No. 9201.0-02

MEMORANDUM

SUBJECT: Fiscal Year 1994 National Superfund Program Priorities

FROM: Elliott P. Laws
Assistant Administrator
Office of Solid Waste and Emergency Response

Steven A. Herman
Assistant Administrator
Office of Enforcement

TO: Regional Administrators, Regions I-X

This memorandum provides the FY 1994 National Superfund Program Priorities for Regions and Headquarters. The Office of Solid Waste and Emergency Response (OSWER) and the Office of Enforcement (OE) have jointly developed a fully integrated strategic plan to implement these priorities. Thank you for your efforts in achieving the FY 1993 priorities and for your assistance in developing this year's strategic plan and priorities.

The reauthorization of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) overarches our FY 1994 commitments. Good communication is key in supporting Reauthorization and our evolving program. The activities required by the Superfund Administrative Improvements initiative are also incorporated into our priorities. There are nine major Superfund priorities; they are listed below, but they are not ranked:

- o **Accelerated Cleanup and Emergency Response.** We will focus on the "worst sites first" and continue to use our removal authority to quickly mitigate immediate threats to human health and the environment. Efforts to streamline and speed the entire Superfund process through the Superfund Accelerated Cleanup Model (SACM) also support this goal.

- o **"Enforcement First."** In order to leverage the number of cleanups we can undertake or oversee we must maximize PRP participation. The key areas of emphasis are: early initiation of PRP searches and negotiations to support SACM and to maximize PRP response leads, particularly in Remedial Design and Remedial Action. This also includes addressing cost-recovery actions that will expire under the Statute of Limitations in March 1995; using Alternative Dispute Resolution to resolve costs owed and compliance monitoring to ensure violations are documented.
- o **Enforcement Fairness.** While we maximize PRP participation, we must provide equitable treatment to potentially responsible parties, especially small volume contributors. We will emphasize early settlements with small volume contributors and where practicable use available allocation tools, alternative dispute resolution, prospective purchaser agreements, and mixed-funding.
- o **Military Base Closure.** To restore military base closure sites to productive economic use, we will continue to assist the Department of Defense in site assessment activities, selection of appropriate remedies, and cleanup acceleration to facilitate transfers of Federal properties to States and local communities.
- o **NPL Construction Completions.** We will strive to meet our goal of 265 construction completes by the end of FY 1994.
- o **Contracts Management.** Good contract management is a major measure of Superfund performance. We are also reevaluating the Superfund Long-Term Contracting Strategy to assure the most efficient and cost effective utilization of EPA and contractor resources.
- o **Environmental Justice and Meaningful Community Involvement.** All citizens near Superfund sites must receive comparable protection under CERCLA, regardless of ethnicity or economic status. Accordingly, all communities must be guaranteed early and increasingly effective ways to participate in the Superfund cleanup process.

- o **Enhancement of State Role and Development of Deferral Options.** We must continue to support the development of state and tribal capabilities and to expand state participation in cleanup and site screening activities. Similarly, deferral of NPL-caliber cleanup actions to state authorities can significantly assist us in attaining our "worst sites first" objective.
- o **Innovative Technologies.** The development and use of innovative remediation techniques to improve the reliability, public acceptance, and cost effectiveness of Superfund cleanups should be fostered.

Again, these priorities are not ranked. Regions should strive to address them all. OE and OSWER are committed to using our joint strength and program resources to achieve these FY 1994 National Superfund Program Priorities. We stand ready to work with you to achieve these goals. We appreciate you and your staff's tremendous support in making these program priorities a reality.

cc: Deputy Regional Administrators, Region I-X
Assistant Regional Administrators for Management,
Regions I-X
Director, Waste Management Division
Regions I, IV, V, VII
Director, Emergency and Remedial Response Division
Region II
Director, Hazardous Waste Management Division
Regions III, VI, VIII, IX
Director, Hazardous Waste Division
Region X
Director, Environmental Services Division
Regions I, VI, VII
Superfund Branch Chiefs, Regions I-X
Superfund Regional Council Branch Chiefs, Regions I-X
Federal Facilities Leadership Council
Walter W. Kovalick, Jr., OSWER
Henry L. Longest II, OERR
Bruce M. Diamond, OWPE
Timothy Fields, Jr., SRO
Robert Van Heuvelen, OE
Bill White, OE