



Superfund Removal Procedures Manual Bulletin

Office of Emergency and Remedial Response
Emergency Response Division, OS-210

Intermittent Bulletin
Volume I, Number 2

This bulletin is the second in a series of intermittent bulletins on the Superfund Removal Procedures manual (SRP). The SRP is one of the removal program's most important and widely used manuals on new and continuing activities at removal action sites. The manual is currently being revised into a series of ten stand-alone documents on specific topics. Further information on the background and purpose of the SRP, summaries and highlights of each of these volumes, and a timeframe for final completion of the individual volumes are included below. Because the SRP is so widely used throughout EPA Headquarters and the Regions, this bulletin will be published as needed to update EPA personnel on the expected publication of each volume of the manual. This bulletin will include an explanation of key issues or questions of general interest that may arise during the development of the revised SRP. In addition to this bulletin, fact sheets will be available for each volume upon publication.

Background

The SRP is one of the most widely used manuals by On-Scene Coordinators (OSCs) and other response personnel in the Superfund program. It provides guidance on day-to-day activities at removal sites. Other EPA personnel such as Regional Counsel, remedial program staff, and enforcement personnel also depend on the SRP for information and reference. In addition, other federal agencies, states, contractors, and potentially responsible parties (PRPs) all use the SRP for reference. The manual has become one of the Office of Emergency and Remedial Response's most requested documents.

Purpose

As a result of the widespread use of the manual, and the recent promulgation of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) (55 FR 8666, March 8, 1990), the SRP is being updated to reflect program changes; to be more user friendly; to convey more information with charts, graphics, and tables; and to avoid costly interim updates.

Structure of the Manual

The SRP will consist of ten volumes of guidance documents. Each volume of the SRP presents a particular aspect of the removal process and includes a volume-specific table of contents, list of exhibits, reference list, and key word index. The series includes the following volumes:

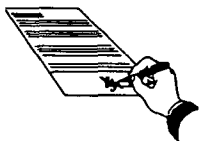
- (1) Action Memorandum Guidance;
- (2) Removal Response Reporting;
- (3) Response Management: Removal Start-up to Close-out;
- (4) Removal Enforcement Guidance for On-Scene Coordinators;
- (5) Public Participation Guidance for On-Scene Coordinators: Community Relations and the Administrative Record;
- (6) The Removal Response Decision: Site Discovery to Response Decision;
- (7) Special Circumstances;
- (8) Guidance on the Consideration of ARARs During Removal Actions;
- (9) State Participation in Federal-Lead Removals; and
- (10) Overview volume that includes comprehensive quick references.

This bulletin will provide the purpose, summary, and timeframe for publication of each individual volume of the SRP. In addition, if there is any update to the progress of a particular volume, this bulletin will provide that update.

(1) ACTION MEMORANDUM GUIDANCE

PURPOSE

Because the Action Memorandum is a primary decision document for the removal program, improving the quality of Action Memoranda is a high priority within the Superfund program. The purpose of this guidance is to assist an OSC in preparing a concise, high quality Action Memorandum.



As the primary decision document for a removal action, the Action Memorandum must document the need for the action based on the NCP.

SUMMARY

The Action Memorandum Guidance volume begins with an overview section which includes the purpose of the Action Memorandum, the relationship of the Action Memorandum to the administrative record, and the roles and responsibilities of the Action Memorandum in the Superfund removal program. The guidance also includes a model initial Action Memorandum, model Action Memoranda for special circumstances, and information on Action Memorandum supplements. This volume concludes with information on the review and approval procedures for Action Memoranda. A fact sheet on this volume is available from the Superfund Removal Procedures Series Coordinator at FTS 382-4671.

TIMEFRAME

The Action Memorandum Guidance volume of the SRP has been published as OSWER Directive 9360.3-01. Bound copies of the document have been distributed to the Regional offices. EPA personnel can obtain a copy by calling (202) 475-9760. Copies are available to the public through the National

Technical Information Service (NTIS) at (703) 487-4650 (order # PB90-274473).

(2) REMOVAL RESPONSE REPORTING

PURPOSE

This volume presents the removal program policy requirements where applicable, and regulatory requirements under section 300.165 of the NCP for preparing and distributing Pollution Reports (POLREPs) and OSC Reports. In addition, this volume clarifies and emphasizes reporting criteria, promotes quality reports, and informs preparers of POLREPs and OSC Reports about the potential users and uses of these reports.

SUMMARY

This volume is divided into two sections: section I is the guidance for developing and distributing POLREPs; and section II is the guidance for developing and distributing OSC Reports. Section I contains the purpose, distribution, users and uses, information, and format requirements for POLREPs. The section concludes with models for different types of POLREPs and review procedures for POLREPs.

Section II contains information on the purpose, users and uses, timeliness of preparation, and format and information requirements for OSC Reports. In addition, section II contains a useful table on the users, uses, and information requirements for the users of OSC Reports. This section concludes with a model OSC Report and information on report attachments, distribution, and review procedures.

UPDATE

In order to more completely meet the needs of OSCs, the progress of this volume has been delayed slightly. Specifically, a short survey was distributed to over 150 Regional emergency response personnel. The results of the survey are being compiled and this volume may be revised as a result of our findings.



TIMEFRAME

The Removal Response Reporting volume is expected to begin the Headquarters review and approval process soon. This volume will be published in late summer, 1991 as OSWER Directive 9360.3-03.

RESPONSE REPORTING TEMPLATES

To simplify writing Action Memoranda, POLREPs, and OSC Reports, we are developing macros and templates in WordPerfect 5.0. These macros and templates are based on the Action Memorandum Guidance and the Removal Response Reporting volumes of the SRP. To use the templates and macros, OSCs only need a basic familiarity with Wordperfect 5.0.



The macros and templates were introduced in March, 1991 at the National OSC Association conference in Seattle and are now in use at several sites. When the format for POLREPs is finalized, the POLREP option will be added to the package. In addition, ERD is offering demonstration sessions and customized macros for any Region. To get a copy of the macros or to make an appointment to see a demonstration, please contact Gil Laskowski at 202/FTS 382-6943.

(3) RESPONSE MANAGEMENT: REMOVAL START-UP TO CLOSE-OUT

PURPOSE

This volume describes procedures for initiating on-site activities, developing various cleanup agreements, managing costs, documenting site activities, performing contract oversight, and managing health and safety. The volume describes in detail the procedures for entering into site-specific interagency agreements and procedures for the management of all activities during the life of a site.

UPDATE

A questionnaire was circulated to OSCs at the National OSC Conference in March, 1991. The compilation of the answers is currently being reviewed

so that the guidance will reflect Regional needs identified by the OSCs.

TIMEFRAME

The volume is expected to be published in early 1992 as OSWER Directive 9360.3-04.

(4) REMOVAL ENFORCEMENT GUIDANCE FOR ON-SCENE COORDINATORS

PURPOSE

Because OSCs conduct or contribute to all steps in the Superfund enforcement process, this volume summarizes the relevant guidance and statutory authorities for conducting enforcement activities during removal actions.



SUMMARY

This volume begins with an introduction to and overview of the Superfund enforcement process and authorities. This first section also includes definitions of enforcement terms that may be unfamiliar to users of the volume. The second section describes the various roles in the enforcement process and the resources available to the OSC. The roles of the OSC, Regional enforcement staff, program management staff, Regional counsel, and public participation staff are described in this section. The section also includes information on the procedures to request a criminal investigation. The third section describes the enforcement procedures specific to the removal program. This includes: information on PRP searches and notification; state notification; negotiations, settlements and orders; oversight of enforcement-lead removals; documentation; and public participation. The final section of this volume includes a description of cost-recovery procedures.

TIMEFRAME

This volume has been submitted for concurrence and is expected to be published in late summer, 1991 as OSWER Directive 9360.3-06.

**(5) PUBLIC PARTICIPATION
GUIDANCE FOR ON-SCENE
COORDINATORS:
COMMUNITY RELATIONS AND
THE ADMINISTRATIVE
RECORD**

PURPOSE

This volume is intended to assist OSCs in meeting the community relations and administrative record requirements mandated by CERCLA and the NCP. Because removal actions generally proceed quickly, there is little time to plan or conduct public participation activities. For this reason, public participation procedures for removals have been designed to ensure an appropriate level of public involvement without causing unnecessary delay. These procedures therefore vary depending on site-specific circumstances.



SUMMARY

This volume begins with an overview of public participation activities during the removal process and continues with an approach to public participation for OSCs. The second section describes the required and non-required community relations activities likely to take place during a removal action. The third section details the requirements and activities associated with the administrative record during a removal action. The final section details the roles and responsibilities of various staff in implementing the community relations activities during a removal action. This includes the identification of primary and secondary resources.

This volume includes examples and charts to aid the user in understanding the public participation requirements. In addition, a detailed Community Relations Plan outline is included as an appendix.

UPDATE

Final Regional and Headquarters comments are being incorporated into the volume. It will be submitted for concurrence in mid-summer, 1991.

TIMEFRAME

This volume is expected to be published in late summer, 1991 as OSWER Directive 9360.3-05.

**(6) THE REMOVAL RESPONSE
DECISION: SITE DISCOVERY
TO RESPONSE DECISION**

PURPOSE

This volume is intended to provide information on the relevant guidance and statutory authorities for determining when to initiate a removal action. The volume includes information from site discovery to the final response decision.

SUMMARY

This volume presents information on the response decision framework. This includes criteria for removal actions and the scope of the response (i.e., urgency, type of action, and limitations). Another part of the response is the roles and responsibilities of response teams, contractors, other federal agencies, and state and local governments. The final section of this volume contains the procedures for determining whether or not a removal action is necessary. This begins with the discovery or notification of a release. Things to consider include: the removal site evaluation; CERCLA 104(b) investigations; responsible party search and notification; coordination with other agencies; compliance with ARARS; engineering evaluation/cost analysis; and final determination that there is a threat to human health or the environment. This volume also includes a decision-making checklist.

TIMEFRAME

This volume is scheduled to be distributed for Regional comment in late 1991.

(7) SPECIAL CIRCUMSTANCES

PURPOSE

This volume will address removal site issues, problems, and circumstances not covered in detail by the other SRP volumes. Many of these topics, such as

radioactive substances, drinking water contamination, and removals on Indian lands, have been discussed in previous Agency policy or guidance documents.

TIMEFRAME

This volume is currently being drafted by ERD and will be distributed for Regional review in late 1991.

(8) GUIDANCE ON THE CONSIDERATION OF ARARs DURING REMOVAL ACTIONS

PURPOSE

This volume provides an overview of the procedures for considering applicable or relevant and appropriate requirements (ARARs) that should be followed in the removal process. The volume details the steps involved in considering ARARs during removals, such as identifying federal ARARs, and identifying and evaluating state ARARs. In addition, this volume assists the OSC in determining the extent to which compliance with a requirement is practicable and in documenting ARARs analysis.

Although CERCLA does not require compliance with ARARs during a removal action, as a matter of program policy and pursuant to section 300.415(i) of the NCP, CERCLA removal actions are expected to identify and comply with ARARs to the extent practicable, considering the exigencies of the situation.

SUMMARY

The guidance begins with a purpose and introduction section. It continues with an overview of the identification of ARARs in the removal action process, including timely identification of ARARs during removal actions. The next two chapters include details on the identification of potential federal and state ARARs. The last two chapters describe procedures for determining when compliance with ARARs is impracticable and procedures for documenting ARAR evaluations.



TIMEFRAME

This volume is scheduled to receive final concurrence in July, 1991 and will be published as OSWER Directive 9360.3-02.

(9) STATE PARTICIPATION IN FEDERAL-LEAD REMOVALS

PURPOSE

It is EPA's intent to foster an effective and cooperative relationship with states in implementing the goals of the Superfund program. For this reason, this volume of the SRP is intended to provide information to OSCs and other Superfund personnel on state participation in federal-lead Superfund removals.

SUMMARY

This volume begins with an overview of the removal program, the authorization for state involvement, and an introduction to removal program coordination with the state. The next section details state support during federal-lead removals. This includes a description of required and suggested state activities for involvement in removal actions. The next section provides information on the resources available for increasing state emergency response capabilities. These resources include the Core Grant Program and the Peer Match Program. The volume concludes with information on the training that is available to increase the states' capabilities in the removal program and on documenting the states' role in removal actions.



UPDATE

We are currently reviewing all funding options for states to conduct removal actions; or to create new or improve existing removal programs. When the results of this review are complete, a recommendation may be made to further encourage state involvement in the removal program.

TIMEFRAME

This volume has been revised to reflect Regional comments and is expected to be published in 1992 as OSWER Directive 9360.3-07.

(10) OVERVIEW

PURPOSE

This volume will contain a comprehensive table of contents, list of exhibits, key word index, list of acronyms, and glossary for use as a quick reference.

TIMEFRAME

This volume will be the final volume published in the SRP series.

FURTHER INFORMATION



If you have any questions about the SRP or if you would like fact sheets on volumes that have been published, please contact ~~Seett~~ ^{Maia}, Office of Emergency and Remedial Response, Emergency

Response Division, at 202/FTS 382-4671.

Ch. Zeller 703-603-8744
If you have any questions about the macros and templates; would like a copy of them; or would like to make an appointment to see a demonstration, please contact Gil Laskowski at 202/FTS 382-6943.