

United States  
Environmental Protection  
Agency

Office of  
Solid Waste and  
Emergency Response



**DIRECTIVE NUMBER:** 9345.2-02

**TITLE:** Regional Pre-remedial Program Objectives For  
FY-89 and First Quarter FY-90

**APPROVAL DATE:** 3/10/89

**EFFECTIVE DATE:** 3/10/89

**ORIGINATING OFFICE:** OERR/HSED

☒ **FINAL**

☐ **DRAFT**

**STATUS:**

[ ]	A- Pending OMB approval
[ ]	B- Pending AA-OSWER approval
[ ]	C- For review &/or comment
[ ]	D- In development or circulating

**REFERENCE (other documents):** headquarters

OSWER OSWER OSWER  
**DIRECTIVE DIRECTIVE C**



United States Environmental Protection Agency  
Washington, DC 20460

# OSWER Directive Initiation Request

1. Directive Number  
9345.2-02

## 2. Originator Information

Name of Contact Person  
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## 3. Title

Regional Pre-Remedial Program Objectives for FY-89 and First Quarter FY-90

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

Provides instructions for implementing the REgional pre-remedial program during the transition period between proposal and promulgation of the revised Hazard Ranking System (HRS).

## 5. Keywords Superfund, CERCLA, SARA

### 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/DAA

☐

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 C. VanEpps

*Betti C. VanEpps*

Date

3/10/89

### 10. Name and Title of Approving Official

Henry L. Longest II, Director OERR

Date

3/10/889

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

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

MAR 10 1989

OFFICE OF  
SOLID WASTE AND EMERGENCY RESPONSE

**MEMORANDUM**

**SUBJECT:** Regional Pre-remedial Program Objectives for FY 89 and  
First Quarter of FY 90 (OSWER Directive 9345.2-02)

**FROM:** Henry L. Longest II, Director  
Office of Emergency and Remedial Response

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

**PURPOSE**

I am transmitting the subject document for your use in implementing the Regional pre-remedial program during the transition period between proposal and promulgation of the revised Hazard Ranking System (HRS).

**BACKGROUND**

This document updates earlier documents entitled, "Pre-Remedial Strategy for Implementing SARA" (OSWER Directive 9345.2-01; February 12, 1988) and "Pre-Remedial Priorities" (Memo from Longest to Division Directors, April 4, 1988).

**OBJECTIVES**

The overall goal of Regional pre-remedial activity will be to maintain momentum in evaluating sites for inclusion on the National Priority List, while gradually factoring in the new requirements of the revised HRS. Specifically, six Regional objectives are outlined:

- 1) Continue EPA's policy of conducting preliminary assessments (PA) within one year of CERCLIS listing in order to prevent the build-up of a PA backlog;
- 2) Maintain site inspection (SI) momentum during the transition to the revised HRS, stressing commitment to completing pre-SARA sites within the context of "worst sites first";
- 3) Review all completed SIs to determine which sites require listing site inspections (LSIs) or the development of HRS listing packages, i.e., "SI reassessment";
- 4) Enter all pre-remedial decisions/priority recommendations at each step of the evaluation process and all appropriate identifiers (RCRA, Federal facilities, Indian lands, etc.) into CERCLIS as rapidly as possible to facilitate overall program planning and to expedite response to Congressional and public inquiries;
- 5) Gradually phase in use of the revised HRS in all parts of the pre-remedial process as data collection requirements become more clearly defined; and
- 6) Assist Headquarters to finalize some 400 currently proposed NPL sites by providing input to EPA's response-to-comment activity.

#### IMPLEMENTATION

The attached document contains implementation guidance to help you address the above objectives. Please review this guidance carefully and apply it to your pre-remedial efforts over the next year.

#### CONTACTS

I would like to thank you and your staff for providing many helpful comments on our previous draft. Please call Penelope Hansen (FTS 382-6357), if you have questions regarding this document.

#### Attachment

cc: Superfund Branch Chiefs (Regions I-X)  
Betti VanEpps



**REGIONAL PRE-REMEDIAL PROGRAM OBJECTIVES FOR  
FY 89 AND FIRST QUARTER OF FY 90**

**PURPOSE:**

This document contains the Office of Emergency and Remedial Response (OERR) pre-remedial objectives for EPA Regions during the transition period between proposal and promulgation of the revised Hazard Ranking System (HRS). The period is expected to encompass the remainder of FY 89 and the first quarter of FY 90. The document updates earlier documents entitled, "Pre-Remedial Strategy for Implementing SARA" (OSWER Directive 9345.2-01; February 12, 1988) and "Pre-Remedial Priorities" (Memo from Longest to Division Directors, April 4, 1988). Additional background information related to FY 89 objectives is found in Tables 1 and 2 of this document.

**BACKGROUND:**

On January 1, 1988, EPA accomplished the SARA preliminary assessment (PA) goal of completing PAs on all pre-SARA sites. Meeting the PA completion goal was our major pre-remedial achievement of FY 88. The next SARA pre-remedial goal was to complete site inspections (SIs) as warranted, at all pre-SARA sites by January 1, 1989. Due to resource constraints, most Regions were not able to meet the similar SI goal. We offer congratulations to Regions VI and X who, through an extraordinary effort, were able to achieve the SI goal.

We have made, and must continue to make, good-faith efforts to reduce the pre-SARA SI backlog as expeditiously as possible. We have made notable progress in defining the scope and distribution of the SI backlog for both pre- and post-SARA sites through the Region's efforts in the PA Reassessment Project. (Statistics from this project are now being compiled on a Region by Region basis and will be published in the Agency's Report to Congress on the SI backlog.) Preliminary findings indicate that a large number of pre-SARA sites needing SIs are found in the five eastern Regions. A specific strategy to address this problem is discussed elsewhere in this document.

On December 23, 1988, the Agency proposed revisions to the HRS. Final promulgation is presently scheduled for January 1990. We are now beginning a gradual transition from use of the current HRS to the revised HRS. The current HRS will continue to be used in proposing and finalizing sites on the NPL until the revised HRS is promulgated.

In order to obtain data on implementing the revised HRS and to furnish Regions with a working knowledge of the proposal, OERR has sponsored an extensive nationwide field testing program involving each Regional office and its Field Investigation Team (FIT) contractors. More than 100 sites have been evaluated under Phase I and Phase II of the field test. The Phase I testing of the revised HRS was performed to identify both technical and implementation issues with the proposed model; Phase II testing focuses on finding ways to maximize the efficiency of each step of the pre-remedial process, i.e., PA, SSI and LSI, and identifies the necessary LOE required to perform these steps. The results and lessons learned from the test will soon be made available under separate reports covering all phases of the project. These documents will both report the results of the field test and suggest ways to optimize the process based on test results.

In addition, we are refining the development of a computerized PreScore program using the revised HRS through distribution of interim versions for use and comment by the Regions. After the revised HRS is promulgated, Headquarters will offer formal training on its application to PAs, SSIs, listing site inspections (LSIs), and the preparation of listing packages for sites being proposed to the NPL. Prior to that time, we encourage the Regions to provide informal training utilizing those Regional/FIT personnel experienced in the Phase I and Phase II field testing when it is feasible to do so.

Headquarters will periodically sponsor Pre-remedial Workgroup Meetings, and other national meetings as needed to address transition issues. Further interim information/guidance memos will be prepared and distributed as warranted. However, all of us must communicate our pre-remedial objectives and strategy in a manner that will result in building public confidence in our program.

#### OBJECTIVES:

The Regional objectives of the pre-remedial program for FY 89 and the first quarter of FY 90 are as follows:

- 1) Continue EPA's policy of conducting preliminary assessments (PA) within one year of CERCLIS listing in order to prevent the build-up of a PA backlog;
- 2) Maintain site inspection (SI) momentum during the transition to the revised HRS, stressing commitment to completing pre-SARA sites within the context of "worst sites first";
- 3) Review all completed SIs to determine which sites require listing site inspections (LSIs) or the development of HRS listing packages, i.e., "SI reassessment";

- 4) Enter all pre-remedial decisions/priority recommendations at each step of the evaluation process and all appropriate identifiers (RCRA, Federal facilities, Indian lands, etc.) into CERCLIS as rapidly as possible to facilitate overall program planning and to expedite response to Congressional and public inquiries;
- 5) Gradually phase in use of the revised HRS in all parts of the pre-remedial process as data collection requirements become more clearly defined; and
- 6) Assist Headquarters to finalize some 400 currently proposed NPL sites by providing input to EPA's response-to-comment activity.

#### IMPLEMENTATION:

Specific comments concerning different components of pre-remedial activities covered by the above objectives are provided below:

#### PRELIMINARY ASSESSMENTS (Objective #1):

Having met the SARA PA goal, we are now in a "steady-state" situation in which PAs are performed on sites within a year of their entry in CERCLIS (the one-year turn around time is required by SARA for PA petition sites and has been extended by Agency policy to all sites.) We intend to maintain this steady-state situation to prevent the build-up of a new PA backlog. For FY 89, this means meeting the Regional SCAP target of completing 2,500 PAs nationwide, which include approximately 800 - 1,000 EPI sites.

EPI sites are RCRA Subtitle C storage and treatment facilities and/or closing RCRA land disposal facilities. The PAs for EPI sites should be similar to the PAs for CERCLA sites in terms of the way they are conducted, the level of effort, and the criteria used to recommend or not recommend continued evaluation through an SI. The specific number of PAs to be conducted on EPI sites over the next three years is at each Region's discretion. (See Porter's EPI memos of 5/31/88 and 1/31/89.)

There are three possible recommendations at the completion of a PA:

- o No further remedial action planned (NFRAP) - those sites with no reasonable potential to score above the HRS cutoff (States must be informed of these findings and the sites may be reactivated if additional data are forthcoming indicating potential risks. If applicable, Regional EPI coordinators should also be informed of NFRAP decisions.)
- o Medium priority SI - those sites with a potential to score above the HRS cutoff and recommended for an SI; and

o High priority SI - those sites likely to score above the HRS cutoff and recommended for an SI.

EPI facilities should be evaluated and recommended for an SI according to the same criteria as all other sites. As a reminder, a PA is not completed for SCAP purposes until one of the above recommendations has been entered into CERCLIS.

SITE INSPECTIONS (Objective #2):

Regions VI and X have recently achieved the SARA-mandated goal of completing SIs on all pre-SARA sites requiring them. The other eight Regions are at various stages of addressing their pre-SARA SI backlogs. It is our goal to have as few remaining pre-SARA sites needing SIs as possible at the time of Superfund re-authorization. This will require a substantial workload for Regions 1-5 over the next few years. During FY 89, however, our policy on SI priority remains as it has always been: "worst sites first". Sites that, in the Region's best professional judgment, pose the most serious environmental threat should be addressed first, no matter what date they were placed in CERCLIS. For sites of similar perceived risk, however, we encourage the Regions to preferentially select those sites that were placed in CERCLIS prior to SARA date of enactment. The final mix of sites selected for FY 89 SSIs is at the Region's discretion, noting that EPI sites recommended for an SSI should be included in the mix as well.

The SI SCAP target in FY 89 is 1250 SI completions nationwide. This target should be readily achievable by the Regions if they:

- 1) continue to use the current HRS as the primary evaluation mechanism, where appropriate, through the earlier part of the transition period; gradually adding elements of the revised HRS as guidance is forthcoming;
- 2) encourage State participation in all phases of the pre-remedial program where practicable, while effectively monitoring State outputs and resource allocations; and
- 3) continue to efficiently utilize FIT resources by directing their assignments toward "core" pre-remedial activities, i.e., the bulk of assignments is always the SI category.

There are three possible of SSI decisions at the completion of an SI:

- o NFRAP (Region should inform the appropriate State of this finding);



o Deferral to another authority (This indicates that the site has the potential to score above the cutoff score for NPL listing but the release could be more effectively addressed by another statute or authority, i.e., RCRA Subtitle C or the Nuclear Regulatory Commission. EPA is soliciting comments on additional deferral authorities in the 12/21/88, proposed National Oil and Hazardous Substances Pollution Contingency Plan (NCP)); and

o Recommended for an LSI. Similar to the decision-making process at the end of a PA for an SI recommendation, the LSI recommendation is predicated on the projected revised HRS score which does not entail "HRS documented" data. (Remaining issues such as whether a site may proceed directly into the NPL listing process at the SSI stage, without an LSI, will be decided later this year. For now, the assumption is made that sites likely to be listed under the revised HRS will receive LSIs, although there will be exceptions.)

#### LISTING SITE INSPECTIONS:

As shown in Table 2, 75 LSI starts are part of the FY 89 SCAP goals. By definition, an LSI start is a Regional approval of a full scale workplan covering different elements of an LSI. LSIs are performed at sites that appear to be likely candidates for listing on the NPL (i.e., sites with projected revised HRS scores above the cutoff.) The primary objective of an LSI is to acquire the data needed to support an NPL listing (i.e., a documented HRS package).

We recognize that there are inherent difficulties regarding LSI SCAP measure for FY 89. First, the revised HRS will not be promulgated until FY 90. Second, LSIs are extensive undertakings with considerable lead time and planning required; but the final form of the revised HRS for which LSI data are to be collected is not exactly defined at this time. Headquarters recommendations to resolve these dilemmas are as follows: (1) Planning and performing FY 89 LSIs should maximize use of the proposed revised HRS. However, no final HRS packages should be prepared. (2) LSI planning should retain as much flexibility as practicable to accommodate modification of the revised HRS as it moves from proposal to promulgation. (3) Unique and costly field activities (e.g., fish tissue sampling, extensive soil/source sampling to document constituent waste quantity) are not encouraged and should not be routinely approved.

#### SI REASSESSMENT PROJECT (Objective 3):

Just as the PA reassessment process enabled us to establish our pre- and post-SARA SSI backlogs (and supplied vital information for the Agency's Report to Congress), we also need to know our LSI backlog. In preparing for the reauthorization debate, it is

imperative that we know our workload for FY 90 and beyond. To this end, we ask that Regions evaluate the SI files for which an SI has been performed, but no decision entered into CERCLIS, to determine the SSI recommendation (i.e., NFRAP, deferred to another authority, or recommended for an LSI), and enter the decision into CERCLIS.

An SI reassessment is an one-time exercise in FY 89 to decide whether a site with a completed SI should be recommended for an LSI. For many sites, little if any reassessment will be required because the appropriate decision will be readily apparent from a brief review of the files. In order to provide resources to perform this task, however, the SCAP target for FY 89 NPL proposal/HRS packages prepared is suspended.

Sites with completed HRS packages and draft scores above 25 that have not been (or are not scheduled to be) proposed for the NPL, should receive an LSI (unless deferral to another authority is appropriate). Those sites with draft scores below 25 should be NFRAP-recommended. (A completed HRS package means one that has passed Regional QC.) If substantial increases in the score would be likely if the revised HRS were used (e.g., contaminated drinking water, possible on-site exposure, potential air release with large nearby population, significant environmental, food chain or recreational impacts), a PreScore analysis to develop a projected revised HRS score for a site should be performed to assure consistent LSI decisions. Otherwise, sites with draft scores of below 25 will not be rescored under the revised HRS.

For sites without completed HRS packages, a PreScore analysis to develop a projected revised HRS score should generally be performed. Sites that have projected scores above 25 should be considered for an LSI; sites that have projected scores below 25 should be recommended for NFRAP. Note that the PreScore analysis is a tool designed to promote national consistency and is not intended to replace the Regional decision process. If a Region is confident that a site would not score above 25, it has the discretion not to require a PreScore analysis prior to making the NFRAP recommendation. However, the rationale should be thoroughly explained in the SI report.

#### COMPLETING THE CERCLIS UPDATE (Objective #4):

While significant progress has been made toward accomplishing this time-consuming task, at present, a substantial number of pre-remedial decisions/priority recommendations have not been entered into CERCLIS. Without this information in the data base, CERCLIS does not give the true status of pre-remedial work to be done or the disposition of the completed work. We must complete entering past qualifiers and as an ongoing priority, enter into CERCLIS, all future decisions/priority recommendations made at the completion of PAs, SSIs and LSIs. As you know, beginning October 31, 1988 SCAP credits are given only when a decision/priority recommendation is

RUN DATE: 02/07/89

\*\* C E R C L I S \*\*  
 REGN-10: PRE-REMEDIAL STATUS REPORT  
 REGION: 03 STATE: PA

PAGE NO. 289  
 SENSITIVE INFORMATION  
 \*\*INTERNAL USE ONLY\*\*

SITE NAME	EPA ID	DISCOVERY	PA QUAL	PA COMPLETE	SI QUAL	SI COMPLETE	HR COMPLETE	PROPOSAL TO NPL	REMOVED FROM PROPOSED	FINAL ON NPL	NPL DELETION
HENRY'S LANDFILL	PAD981105125	09/17/85	M	08/13/87	N	12/21/88					
HERALD PRODUCTS	PAD981114986	06/10/86	M	11/19/87							
HERBERT POE	PAD980706774	11/01/79	M	03/01/80							
MERCEG LANDFILL	PAD059285676	11/01/79	M	04/01/81		12/01/81 11/21/85					
MERCULES INC	PAD981035116	04/18/85	N	08/13/87							
HEREFORD TWP SITE	PAD981740061	06/30/87	M	06/01/84	R	12/30/88					
HERITAGE METAL FINISHING	PAD003012077	02/01/82	M	03/27/86							
HERMAN MOYER PROPERTY	PAD980832760	03/01/80	M	12/01/83		01/20/86					
HERMAN RYNNELDS SON CORP	PAD003046216	09/19/85	N	11/26/86							
HERRICK TOWNSHIP FILL	PAD981114564	07/18/86	N	06/11/87							
HM ROBERTSON CO	PAD004496816	03/29/85	N	12/31/85							
HICKOCK CO	PAD981110489	04/24/86	N	06/09/86							
HIGH QUALITY POLISHING *	PAD002399210	01/27/86	M	12/22/87	R	01/20/89					
HIGHWAY MATERIALS, INC	PAD981034028	03/01/85	M	05/22/87							
HILLSGROVE DISP SITE	PAD981105000	12/02/85	N	12/21/87							
HILLTOWN QUARRY	PAD980538847	06/01/81	M	04/01/83							
HIMMELBERGER'S LANDFILL	PAD981114861	04/30/86	M	08/17/87	N	09/06/88					
HINKLE INCINERATOR	PAD982363921	12/31/87	N	12/31/87							
HM CROSBY CO	PAD004321345	03/29/85	N	11/19/87							
HOCKENSMITH CORP	PAD004393500	03/29/85	N	10/15/87							
HODES INDUSTRIES INC	PAD014346118	05/09/85	N	05/09/85							

entered into CERCLIS. A qualifier of HIGH or MEDIUM PRIORITY or NO FURTHER REMEDIAL ACTION PLANNED (NFRAP) must be entered into the decision category at the completion of a PA or the PA will not be counted as a completion. A qualifier of RECOMMEND FOR LSI, DEFERRED TO ANOTHER AUTHORITY or NFRAP must be recorded for each SSI or the SSI will not be counted as a completion. A qualifier of RECOMMEND FOR HRS SCORING or NFRAP must be recorded for each LSI or the LSI will not be counted as a completion. Attached (see attachment #1) is an excerpt from a CERCLIS Pre-Remedial Status Report that accurately reflects the current status of each site, with respect to the pre-remedial process. (While decision qualifiers have not been entered for a few older SIs on this page, it is expected that these will be added after completion of this year's SI reassessment project). The only way CERCLIS will accurately reflect the status of each site is when all Regions have entered all appropriate qualifiers for all sites. Once all pre-remedial qualifiers have been entered into CERCLIS, the true status of pre-remedial work to be done and the disposition of the completed work will be readily available and easily accessible for all sites in CERCLIS.

CERCLIS must also be updated to include accurate identifiers for RCRA Subtitle C facilities, Federal facilities, or sites on or near Indian lands. The following clarifications should be considered when entering these qualifiers.

- o The RCRA qualifier should be used for all sites entering CERCLIS as a result of the Environmental Priorities Initiative. In addition, as older sites proceed through the Pre-remedial evaluation process, if it is noted that a site is a RCRA Subtitle C facility, and the RCRA qualifier has not been entered into CERCLIS, it should be entered at this time.

- o The Federal facilities qualifier should be used for all Federal facilities. Currently, CERCLIS indicates that this has already been accomplished for many Federal facilities; however, if it is discovered that a Federal facility does not have this qualifier entered, it should be done immediately.

- o A new qualifier is being added in order to identify CERCLIS sites that may be of interest to an Indian tribe. In instances where either of the two following conditions are met, the qualifier should be entered:

- the CERCLIS site is ON a Federally recognized Indian reservation; or

- the CERCLIS site IMPACTS a Federally recognized Indian reservation. (i.e. reservation land is within a three mile radius or population of the reservation is considered a target population due to surface or ground water use or air exposure)

TRANSITION TO NEW HRS (Objective #5):

As stated numerous times in this document, FY 89 will be the year in which the Agency's pre-remedial program move from operation under the existing HRS to operation under the revised version of the model. In general, Regions can promote a smooth transition to the revised HRS by:

- o continuing to actively participate in the field testing projects and the pre-remedial Work Group;
- o making use of Regional/FIT personnel experienced in Phase I and Phase II of the field testing program to informally train others;
- o utilizing results from both phases of the field test to optimize pre-remedial process; and
- o learning and utilizing the computerized version of PreScore to project revised HRS scores at all stages in the process.

Field test results will be issued throughout the course of the coming year as data are analyzed and decisions are made on the appropriate procedures for all steps in the pre-remedial process. Phase I of the project focused on all data requirements of HRS whether they are acquired at the PA, SSI or LSI stage. Because the Agency will use this information to make decisions on the final promulgation of the revised HRS, the public will be notified of the issuance of the field test final report through the Federal Register Notice in June 1989. Specific comments on the transitional activities affecting various components of the pre-remedial program are as follows:

- 1) Preliminary results from the PA portion of the test indicate that the appropriate level of effort (LOE) for PAs using the revised HRS will rise from the present 80 hours per PA to between 100 and 120 hours. This is due to the need for expanded data collection for additional pathways and the implementation of preliminary scoring at the PA stage. The PA field test report is due to be published in May 1989.

Although HRS documented data are not required at the PA stage, a site will be "PreScored" based on the revised HRS to provide an objective measure for deciding whether it should be recommended for an SSI. Thus, the best of effort is required to project the revised HRS score based on limited data. When best-estimate type data (default values) or best professional judgment are used, the rationale for their use should be documented.

2) Preliminary information from the SI portion of the study indicates that SSIs under the revised HRS will not differ substantially from those performed under the existing model unless a significant new pathway is impacted, e.g., on-site exposure. The SSI report will be published in August 1989.

3) The field test program indicates that LSIs can be very resource intensive in terms of LOE hours, number of samples collected and sent to the Contract Laboratory Program (CLP), and total dollars expended. Preliminary estimates of the LOE range from 1,200 - 1,500 hours, which will be refined based on further analysis of data.

#### NPL FINALIZATION (Objective #6):

It is the Agency's intention to finalize all of the sites proposed to the NPL sites under the existing HRS prior to the promulgation of the revised HRS. This prevents substantial duplication of previous efforts by avoiding the rescoring of these sites with the revised HRS. Update #8 and Update #9 (Federal facilities) are scheduled for proposal in early 1989. A final proposal, Update #10, will occur in the summer of 1989.

With these updates, the number of proposed sites on the NPL will exceed 400. Regional assistance is needed in terms of providing response to comments (including QA and public comments) and clarifying site-specific technical issues. Note that the first proposed update using the revised HRS is not anticipated until several months following its promulgation (i.e., June/July 1990 following scheduled final rule publication in January 1990).

#### OTHER ISSUES:

#### PRE-REMEDIAL DOCUMENTS:

PA, SSI and LSI reports must be prepared as separate items from the associated PreScore and draft HRS packages. The reports should focus on factual depiction of site conditions (with limited HRS jargon such as extensive descriptions of factors or models) and conclusions. The HRS scoring aspects for the PA and SSI should be covered in the PreScore package, which is considered pre-decisional until the time when a Regional decision is made on the site. Special care in this regard is advised for releasing information to States with "Sunshine" laws.

#### FEDERAL FACILITIES:

Since NPL Update #9 will be proposed in FY 89, this year's SCAP target for Federal facility proposals is expected to be met. The FY 89 SCAP also calls for PA/SI review of 100 Federal facilities. Regions may conduct these reviews in-house or reviews may be assigned to FIT. However, the FIT contractors are not to be used



to perform PAs and SIs on Federal facilities. Federal agencies are responsible for conducting these activities. FIT LOE for PA/SI reviews has been budgeted for approximately 40 hours per review.

#### INDIAN LANDS:

In accordance with SARA, it is our policy to maximize the participation of Indian tribes and to ensure that hazardous waste site problems on Indian lands are addressed. Section 126 of CERCLA, as amended by SARA, requires the governing body of an Indian tribe to be accorded the same treatment as a State with respect to certain provisions of CERCLA. Therefore, the definition of "State" in the NCP has been revised to include Indian tribes.

If Federally recognized tribes can demonstrate that they satisfy equivalency to State requirements, EPA will offer such tribes the opportunity to enter into cooperative agreements to enable them to undertake pre-remedial or remedial response actions at sites that are within their jurisdictional boundaries. For tribes without appropriate capabilities and/or lacking a sufficient number of sites to make a cooperative agreement cost-effective for both parties, EPA will conduct preliminary assessments and, if necessary, site inspections of potential sites on Indian lands using its own resources. As with other sites, any site on Indian land added to CERCLIS after enactment of SARA will be assessed (PA) within one year of being listed in CERCLIS.

#### CONCLUSION:

FY 89 and 90 will present substantial challenges to EPA's pre-remedial programs both in the Regions and at Headquarters. The goal of accelerating progress in the midst of making programmatic change is difficult but achievable. Concentration on the fulfillment of the six objectives contained in the above document will substantially advance that goal.

# DRAFT

Table 1

**SITE INSPECTION BACKLOG**  
(as of October 1, 1988)

<u>REGION</u>	<u>SI BACKLOG*</u>	<u>FY 89 SCAP</u>	<u>FY 88 COMPLETIONS</u>
I	950	90	68
II	630	121	135
III	1,000	164	155
IV	1,880	220	176
V	1,840	260	228
VI	261	130	232
VII	167	75	82
VIII	111	40	31
IX	164	100	51
X	<u>147</u>	<u>50</u>	<u>79</u>
TOTAL	7,150	1,250	1,237

\* Data presented for the SI backlog are preliminary; do not cite or quote.

# DRAFT

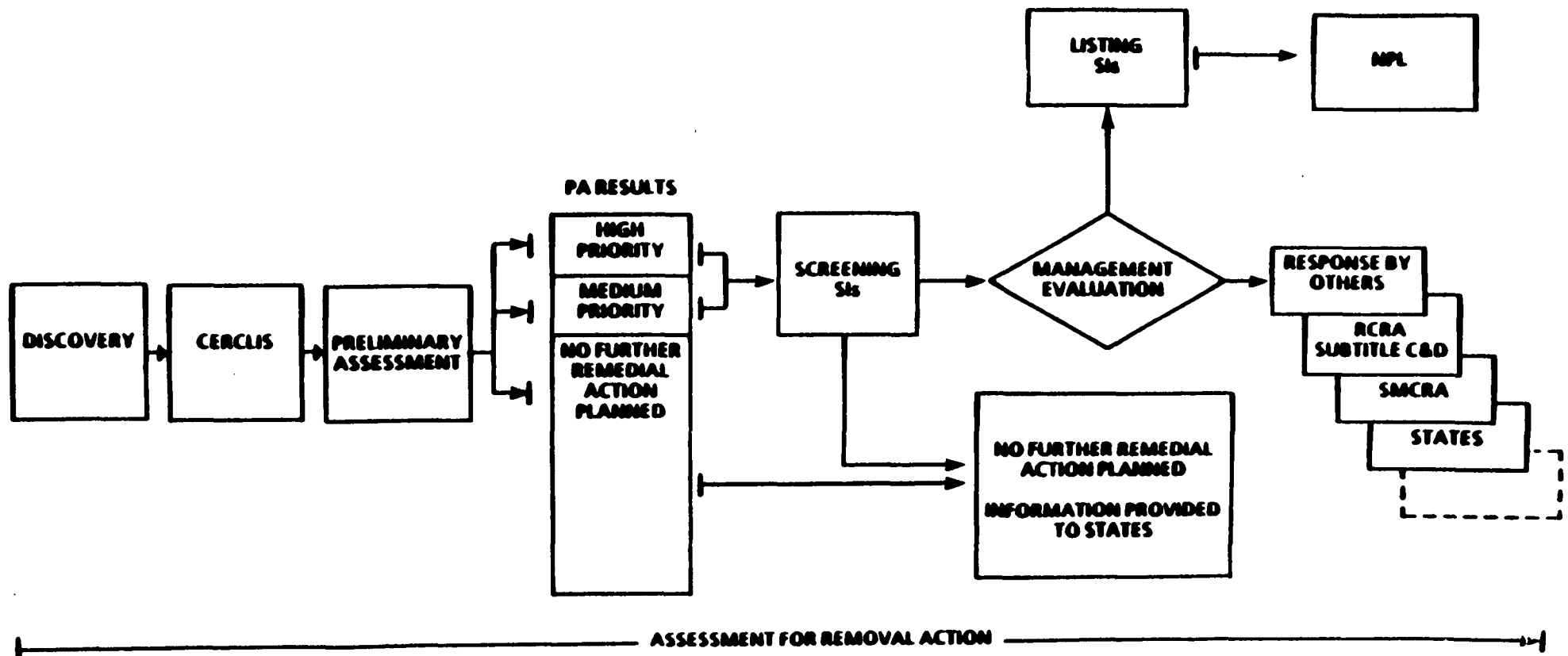
Table 2

**PRE-REMEDIAL SCAP SCORECARD**  
(for FY 89)

REGION	PA	SSI	LSI	NPL	Federal Facilities	
					PA/SI Rev	NPL
I	214	90	4	4	4	2
II	272	121	6	6	9	4
III	312	164	12	12	12	6
IV	168	220	12	12	11	6
V	696	260	13	13	8	4
VI	232	130	10	10	9	4
VII	172	75	5	5	3	2
VIII	48	40	1	1	7	4
IX	300	100	8	8	22	11
X	86	50	4	4	15	7
TOTAL	2,500	1,250	75	75	100	50

Figure 1

PRE-REMEDIAL STAGE OF SUPERFUND PROCESS



**DRAFT**