



DIRECTIVE NUMBER: 9355.0-12

TITLE: Suggested Actions to Keep Projects Moving During
Funding Suspension

APPROVAL DATE: 11/26/85

EFFECTIVE DATE: 11/26/85

ORIGINATING OFFICE: OERR

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REFERENCE (other documents):

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(Sherry Fielding - Use ~~9360-7~~)
9355.0-12)

OSWER Directive 9360-7 55-k

United States Environmental Protection Agency Washington, DC 20460		Interim Directive Number
EPA OSWER Directive Initiation Request		
Originator Information		
Name of Contact Person Paul Nadeau	Mail Code WH-548	Telephone Number 475-6707
Lead Office ☒ OERR ☐ OSW	Approved for Review Signature of Office Director N. Livingstone for H. Longest	
☐ OUST ☐ OWPE ☐ AA-OSWER	Date 11/27/85	
Title		
Suggested Actions to Keep Projects Moving During Funding Suspension		
Summary of Directive		
Highlights specific actions that the Regions can be taking to minimize the impact of the funding suspensions on the remedial and removal programs.		
(Signed H. Longest, November 26, 1985)		
OK. mail Nancy Livingstone 11/27/85		
Type of Directive (Manual, Policy Directive, Announcement, etc.) Policy actions	Status ☐ Draft ☒ Final ☒ New ☐ Revision	
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) 9360-7 FY 86 Emergency Response Program Funding Strategy		
Review Plan ☐ AA-OSWER ☐ OUST ☐ OECM ☐ Other (Specify) ☐ OERR ☐ OWPE ☐ OGC ☐ OSW ☐ Regions ☐ OPPE		
This Request Meets OSWER Directives System Format		
Signature of Lead Office Directives Officer Nancy Livingstone		Date 11/27/85
Signature of OSWER Directives Officer Sherry Fielding for R. Herman		Date 11/27/85



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D C 20460

NOV 26 1985

OFFICE OF EMERGENCY AND REMEDIAL RESPONSE

MEMORANDUM

SUBJECT: Suggested Actions to Keep Projects Moving During Funding Suspension

FROM: Henry L. Longest II, Director
Office of Emergency and Remedial Response (W-1-548)

TO: Addressees

Pursuant to our discussions during the recent Division Directors' meeting, the purpose of this memorandum is to highlight specific actions that the Regions can be taking to minimize the impact of the funding suspensions on the remedial and removal programs. These actions include the following:

1. Ongoing Remedial RD Projects Scheduled for R4:

- A. Work with the Corps of Engineers and the States to complete the plans and specifications. Once the design is complete, work with the Corps and the States on a schedule to begin advertising the construction project. The Corps has expressed a willingness to begin this process prior to receiving the actual R4. However, they can not proceed with the bidding process until R4 funds are available. Accordingly, you should consider beginning the bidding process after the R4 funds are available, but before receiving your advance of allowance. Please coordinate with US District to ensure proper scheduling if you use this approach.
- B. Use the intervening period to ensure that the design is secured, to complete the Interagency Agreement and State Superfund Contract or the Cooperative Agreement application (except for funding details and the signature by the R4), and to resolve any other requirements (see the Superfund RD/AA and State Participation Guidance documents). This should ensure that the projects are ready to move into construction as soon as the design and construction funds are available.

2. Remedial Sites Where ROD is Signed, But RD Suspended:

- A. Complete negotiations with potential responsible parties.
- B. Use the State Advance Match concept to allow the project to proceed using State funds. This is being used for both Federal and State lead projects in several Regions.
- C. For Federal lead projects where State Advance Match is not possible, work with the Corps to complete as much of the A/E selection and negotiation process as possible.
- D. Ensure that IAG's and CA's are drafted and ready for signature and that other procedural actions are completed.

3. Remedial Sites Scheduled for FY86 RD:

Complete the Feasibility study and conduct the public comment period as scheduled. Prepare and sign the ROD. Begin actions noted under number two (2) above. Funding suspensions should have no impact on completing the ROD's scheduled for the first quarter.

4. Remedial Sites Scheduled for FY86 RD:

Complete all procedural action necessary to begin the RI/FS project including, issuing notice letters, inter governmental review, preparing statements of work, coordination with the States to determine lead responsibilities, and processing purchase requests, technical assistance IAG's, and CA's up to the point of signature.

5. Remedial Program and Project Level Planning:

- A. Use the intervening period to develop and manage work plans for new sites or address existing plans for sites where action is underway. This baseline planning will become essential as the program continues to grow, and particularly if Congress reauthorization imposes tighter schedules for site cleanup.
- B. For Federal lead projects, schedule "program review" meetings with the Corps of Engineers and the other contractors to discuss Regional work plans for FY86, the expected workload to be assigned to each group, and the target schedules for project initiation. This will allow the Corps and the contractors time to effectively plan their resource commitments. Also, these meetings

could focus on performance for the previous year highlighting strengths and weaknesses, and actions that could be taken to improve technical quality or cost and schedule control. Similar meetings also could be scheduled with the States to review their work plans and project schedules.

6. Removal Actions:

- A. Continue to exercise preliminary authority under the authority of Section 104(a) of CWA for sites where removal actions may be necessary. The TAF contract is being funded and will continue to be funded in the second quarter to support this effort.
- B. Coordinate and prepare Action Plans for Regional, Regional Administrative, approved for removal actions so that initiation of removal activity can begin promptly when funding becomes available. A pre-conditional provision should be added to the contracts that work will begin when funding becomes available.
- C. Prepare and submit to Headquarters the plan to request for removal actions exercise authority so that coordination and approval can take place during the period of restricted funding. EPA continues to encourage States to submit requests for removal prior to signature by the Regional Administrator as a means of expediting consideration by other appropriate Federal and State program offices. This will allow EPA to initiate on-site activity at these sites promptly when funding becomes available.

7. Low Emergency Response Contracting:

Continue to coordinate the development and solicitation of proposals (RFPS) for the immediate, removal of the oil and eventual recompetition of the work with the Emergency Response Division and the Environmental and Oceanic Management Division. Technical and administrative support personnel will be focused on the immediate removal of oil proposals received in response to these efforts.

As you all know, CERCLA reauthorization will likely result in a significantly expanded program. This, along with the current pressure to expedite completion of the program, and the impact of the temporary funding suspension on the program. The actions highlighted above are essential to a rapid start-up once funding is available. I am asking each of you to continue to review the suggestions and to implement the actions that you can take to

Tim Fields, and their respective staffs are available to assist you if required.

Thank you for your continuing support.

Addressees:

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

cc: Deputy Regional Administrators, Regions I-V
Chief, Superfund Branch, Regions I, III, VI, VII, and X
Chief, New Jersey Remedial Action Branch, Region II
Chief, New York/Caribbean Remedial Action Branch, Region III
Chief, Emergency and Remedial Response Branch, Regions IV,
and V
Chief, Superfund Remedial Branch, Region VIII
Chief, Superfund Programs Branch, Region IX