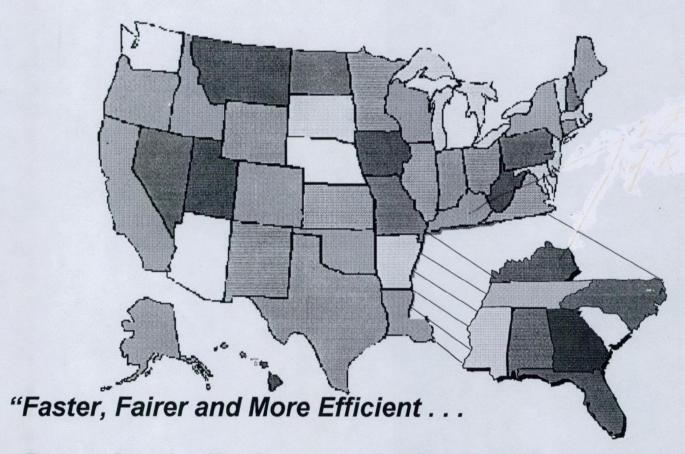


SUPERFUND ADMINISTRATIVE REFORMS

Region 4 Accomplishments Report



Protecting the Environment for the Next Generation"

A Word From The Regional Administrator

Dear Superfund Stakeholder:

This is an exciting time to be involved in the Superfund Program. Although substantial progress has been made towards environmental protection during the Program's sixteen years of existence; changes were needed to enhance the Program's continued progress. EPA began making



changes on June 23, 1993, with the announcement of Administrative Reforms to the Superfund Program. Sites are now being cleaned at a rate unmatched in the past. As this report will show, the Atlanta office of the EPA has risen to the challenge of making the Superfund Program faster, fairer and more efficient.

The three rounds of administrative changes, known as the Administrative Reforms, served to improve the pace of cleanup at Superfund sites, address liability fairness issues and augment the state and local community's role in cleanup decisions. During the past fifteen months significant accomplishments in environmental protection

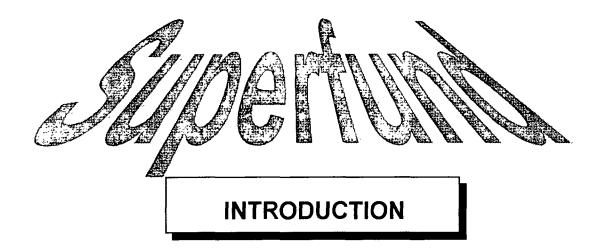
have been achieved through implementing the Administrative Reforms.

A lot has been said in the past about the problems associated with the Superfund Program. As you read the successes in the following pages I believe you will agree the program has evolved since the announcement of the Reforms to one where common sense management of cleanups is the rule rather than the exception.

While much has improved, we still have a long, challenging journey to make in order to achieve environmental protection. I look forward to making this journey with you as we protect human health and the environment in the Southeast.

Sincerely

John H. Hankinson, Jr. Regional Administrator

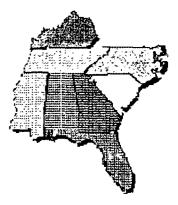


For several years, EPA has been reforming the Superfund Program to insure prompt site cleanup and fairness among stakeholders. Until such time as legislative changes to the Program are made by the Congress, EPA Administrator Carol Browner announced a series of reforms which are being implemented by EPA to enhance the Superfund Program's effectiveness in protecting human health and the environment.

The Administrative Reforms were proposed by EPA in three rounds. The first round of Administrative Reforms was announced on June 23, 1993 by Administrator Browner. The first round of reforms formed the foundation of the next two rounds of reforms which were announced on February 13, 1995 and October 2, 1995, respectively. Six major program areas are addressed by these reforms: enforcement reforms, economic redevelopment, community involvement/outreach, environmental justice, state empowerment and consistent implementation of the Superfund Program.

This report is a summary of Region 4 progress-to-date in implementing all three sets of Superfund Reforms. In addition to the regional successes of the past fifteen months, this report provides the next step at implementing these reforms in the coming year.

CLEANUPS IN THE SOUTHEAST



The Region is making great strides toward reducing the levels of contamination in the Southeast through the Superfund Program's cleanup efforts. Throughout all of the eight states in this Region, Superfund sites have been cleaned up or cleanups are currently underway.

EPA's cleanup activities are conducted based on the environmental/human health problems associated with the chemicals found at a site. If the chemicals pose an immediate problem, the initial cleanup is conducted by the Region's Emergency Response Team. For those environmental problems which pose a short term threat, the Region's Removal Team responds. Long term environmental or human health threats are addressed by the Region's Remedial Team after a site is placed on the Superfund's National Priorities List (NPL).

Due to the complexity of site restoration efforts, cleanups are typically conducted by media (i.e., soil, ground water, surface water, sediment). Therefore, there may be more than one cleanup conducted at a single site.

Over the past sixteen years, the Region's Superfund Program had 976 cleanups either completed or ongoing in the Southeast. These cleanups range from removal of immediate health threat to remedial activities such as ongoing monitoring of contaminated ground water to full scale treatment of contaminated soil or ground water, depending on the threat posed by the contamination.

The national success of the long-term or remedial cleanups is measured by the number of NPL sites where completion of construction activities for all contaminated media present at a site has been achieved. The national goal for completion of construction at NPL sites by December 30, 2000 is 900. This national goal will be attained based on the total number of sites with construction completed within each of the ten regions across the country. To date, Region 4 has completed construction for cleanup at 66 NPL sites with an additional 68 NPL sites scheduled for completion by 2000.

ENFORCEMENT FAIRNESS REFORMS

EXPEDITED SETTLEMENTS _ DE MINIMIS/DE MICROMIS

REGIONAL SUCCESS: This Administrative Reform has increased the settlement by major contributors to site contamination while at the same time providing assurance to the small (de minimis) and the smallest (de micromis) volume contributors that liability will be removed through a settlement with EPA. Settling with these "small" contributors serves as an incentive for the major parties to enter into negotiations with the knowledge that everyone is paying their "fair share". The Region has completed settlements with over 1500 De minimis Parties and protected over 2000 De micromis Parties from Superfund transactional costs.

At the Cherokee Oil sites in North Carolina a total of \$6,500,000 was spent for two removal actions. The Region identified 1,604 contributors to waste at the sites. Only 94 of these contributors were considered major contributors while 410 were considered de minimis and 1,100 were considered de micromis. An agreement was reached with the major and de minimis contributors not to pursue the demicromis parties. Of the 410 deminimis parties, 220 have reached settlement with the Region for a total of \$1,670,000. The remaining \$4,800,000 will be negotiated with the remaining parties.

The Region sent 72 *de minimis* offers to the parties at the Taylor Road Landfill in Florida. Thirty-two of these parties settled with the Region for a total of \$287,340.44. EPA

still has over \$1,000,000 in past costs for which it will attempt to recover from the non-settling *de minimis* parties as well as the major parties at this site.

De minimis settlements were also offered by the Region to 750 of the 2,500 waste oil contributors at the Peak Oil site in Tampa, FL. Of the 750 de minimis parties, 370 have reached a settlement with the Region for a total of \$5,600,000. These funds will be used to address past and future costs estimated to be \$14,600,000.

PLANS FOR 1997: Currently eight sites are identified for possible *de minimis* settlements for 1997.

CONTACT: Rosalind Brown (404) 562-8870

ALLOCATION PROCESS

REGIONAL SUCCESS: The Region has identified three sites where the allocation process could enhance the success of future cleanup negotiations efforts. The Whitehouse Waste Oil Pits site in Duval County, Florida is a National allocation pilot. Although the formal allocation process has not begun, the

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major Potentially
Responsible Parties (PRPs)
have invested effort to
identify other PRPs. To
date, more than 200
additional parties have been
identified for the allocation

at the site. Allocation was offered during 1996 at the TH Agriculture and Nutrition site

in Alabama to facilitate settlement which included a former owner who is currently bankrupt. An allocation was proposed at the Parramore site in Georgia based on the distinct types of hazardous substances which were sent to the site by each PRP. EPA is expected to receive 100% of its past cost and future oversight; however, the costs were divided by the settling parties based on the category of waste they sent and its relative percentage of waste present at the site.

PLANS FOR 1997: After completion of the remedial design, an allocator will be selected for the Whitehouse allocation effort.

CONTACT: Ray Strickland (404) 562-8890

ORPHAN SHARE FUNDING

REGIONAL SUCCESS: This reform has enhanced the Region's ability to achieve settlement for site cleanups by "rewarding" settling parties with a reduction in the amount of past cost owed to the Agency. The Region has offered orphan share funding at five sites during the past year. Settlement was reached at three of these sites (Palmetto Recycling; South Carolina; General Electric; North Carolina; and ILCO; Alabama) and the cleanup negotiations are continuing at the other two sites. For those sites where settlement has occurred, the orphan share agreement has lead to a past cost saving of over \$15,000,000 for the settling parties.

PLANS FOR 1997: The Region will continue to provide input to the National Orphan Share Workgroup to refine the use of this reform.

CONTACT: Paul Schwartz (404) 562-9576

EQUITABLE ISSUANCE OF UNILATERAL ORDERS

REGIONAL SUCCESS: The success of this reform is best demonstrated at the Green River Disposal site in Maceo, Kentucky.

Several years ago, the
Region issued a Unilateral
Administrative Order
(UAO) to four PRPs to
conduct field

investigations and removal activities at the site. In 1996, the Region issued a UAO for the cleanup not only to the original four, but to six additional PRPs as well. The Region considered issuing the UAO to additional parties beyond the ten who received the UAO, but decided against. The reasons for non-issuance are documented in the site file.

PLANS FOR 1997: The Region plans to continue with implementation of the policy whenever the circumstances arise to issue a UAO.

CONTACT: Harold Taylor (404) 562-8791

ALTERNATIVE DISPUTE RESOLUTION

REGIONAL SUCCESS: The Region's use of alternative dispute resolution (ADR) at the Aberdeen Dump site in North Carolina should avoid the continuation of costly litigation concerning liability and allocation issues. The U.S. Department of Justice filed an action in 1989 under CERCLA Section 107 for past costs, currently totaling \$14,700,000. After a long, expensive discovery process, the Region proposed the use of ADR to the Department of Justice which in turn proposed ADR to the PRPs. The resulting mediation produced an agreement among the PRPs for allocation of past costs and future work, currently estimated at \$44,700,000.

PLANS FOR 1997: The Region and the Department of Justice are currently negotiating a comprehensive settlement with the PRPs for past costs and future remedial action, based on the allocation resulting from the ADR process.

CONTACT: Simon Miller (404) 562-9585

PRP PERFORMANCE OF RISK ASSESSMENTS

REGIONAL SUCCESS: For sites where the PRPs are conducting the site investigation, the Region has encouraged the PRPs to conduct the Risk Assessment for the site. In the past, EPA has conducted the Risk Assessment following the PRP's completion of the investigation activities. By allowing the PRPs to conduct the assessment as well as the investigation, additional ownership by the PRPs of the entire process is achieved. During the past year, PRPs at nine sites have requested that the Region allow them to conduct the Risk Assessment. The Region granted the requests at all nine sites.

PLANS FOR 1997: The Region will continue to accept requests by the PRPs to allow their completion of future Risk Assessments.

CONTACT: Mario Villamarzo (404) 562-8912

REDUCED OVERSIGHT

REGIONAL SUCCESS:

In an effort to minimize transaction costs, the Region has been reducing oversight of PRPs that have demonstrated a cooperative relationship with EPA. During the past year, oversight has been reduced at six sites. One

such example of the success of this reform is at the Harris Site in Florida. In recognition of the Harris Corporation's cooperation and long-term environmental cleanup efforts at the Harris site, the Region reduced its on-site presence. As a result of this reform, the Harris Corporation will save more than \$300,000 in future oversight costs.

PLANS FOR 1997: The Region will reevaluate those sites where reduction of oversight is appropriate.

CONTACT: Anita Davis (404) 562-8875

SITE-SPECIFIC SPECIAL ACCOUNTS

REGIONAL SUCCESS: The Region had two active special accounts during the past year. Funds in both accounts earn interest while being used for site cleanup purposes. The two active accounts are: City Industries in Winter Park, Florida, and Aqua-Tech in Greer, South Carolina. The initial balance in both accounts was \$3,519,299.80. To date, these accounts have earned over \$394,000 in interest.

PLANS FOR 1997: The Region plans to establish three additional special accounts in 1997. The planned accounts for the ILCO Site in Alabama and the Peak Oil Site in Florida will be used for site cleanup. The Region is currently negotiating an agreement at the Pepper Steel Site in Florida to provide funds for maintenance of the cover currently in place over the site as well as reimbursement of a portion of past cost. If negotiations are successful, a special account will be established for these funds.

CONTACT: Greg Armstrong (404) 562-8872

ECONOMIC REDEVELOPMENT EFFORTS

BROWNFIELDS ASSESSMENTS

REGIONAL SUCCESS: Region 4 has been very active in the Brownfields pilot projects. In March 1996, the fourth round of Brownfields grants were announced. The Region provided assistance to those cities submitting grant applications for the national pilots. Although only one site in the Region received national funding during Round 4 (Charlotte, NC); the Region awarded regional grants to four other cities: Atlanta, GA; Miami, FL; Clearwater, FL; and City of Prichard, AL via Alabama Department of Economic Development. The Region has also been active in managing and supporting ongoing national Brownfields pilots in Knoxville, TN; Louisville, KY; and Birmingham, AL.

In addition during the past year, regional staff have formulated a policy to use 15% of the preremedial grant funds (PA/SI Cooperative Agreement) to provide site characterization assistance to cities in Florida, South Carolina, Tennessee and North Carolina. Over the past several months the Region has been working with States as they develop their Cooperative Agreements for the next fiscal year.

PLANS FOR 1997: The Region will continue to work with the existing eight pilot cities and any newly awarded pilots to insure pilot activities are in accordance with pilot's work plan.

CONTACT: Barbara Dick (404) 562-8923

REMOVING LIABILITY BARRIERS

REGIONAL SUCCESS: The Region has been encouraging the use of Prospective Purchaser

Agreements to address concerns investors have on purchasing contaminated property. Since October 1, 1995, the Region has issued Prospective Purchaser Agreements for sites in Calhoun Park, SC; Allied Brands, TN; Southern Crop, FL; and Rock Hill, SC. Two "comfort" letters were issued for the same site in South Carolina. EPA notified the parties that the site had been archived from CERCLIS thereby promoting the chances for the site's redevelopment. The Region is also currently working with the City of Birmingham, AL and other parties regarding the development of two separate Supplemental Environmental Projects.

PLANS FOR 1997: The Region is considering a settlement with a landowner that will include a transfer of a covenant not to sue for adjacent property to the site. In addition, two Prospective Purchaser Agreements are in the early stages and will be worked on in 1997.

CONTACT: Barbara Dick (404) 562-8923

DELETE CLEAN PARCELS FROM THE "NPL"

REGIONAL SUCCESS: The purpose of this initiative is to encourage redevelopment of property previously considered to be contaminated due to its proximity to a Superfund



site or portions of a Superfund site at which cleanup is complete. Because some potential investors or developers may be reluctant to undertake economic activity at even a cleaned-up portion of real

property that is part of a site listed on the National Priorities List (NPL), the Region evaluated portions of sites for deletion.

In November 1996, the Region deleted a portion of the GE/Sheperds Farm site in North Carolina. The portion of the site which was removed from the NPL was an uncontaminated parcel of the site where an old store was once located. The Region started the partial deletion process at two other sites during 1996. At both the Koppers site in North Carolina and ParaChem Southern site in South Carolina partial deletion was initiated for uncontaminated parcels of each site.

PLANS FOR 1997: The Region proposes to begin the partial deletion process at two sites: Celanese Shelby in North Carolina and Madison County Landfill in Florida. At the Celanese site, the Region plans to propose the deletion of a portion of the site where ground water contamination is not present and soils have already been remediated. The partial deletion planned for the Madison County Landfill will include uncontaminated portions of the landfill currently being used for commercial purposes.

CONTACT: Jan Rogers (404) 562-8792

REFINING CERCLIS

REGIONAL SUCCESS: Region 4 has archived approximately 4,274 sites from CERCLIS. In addition, Region 4 is implementing its Archive Pilot in which the region is evaluating CERCLIS sites which have documented contamination, yet may require no further CERCLA action. Region 4 has identified 384 such site which have been designated as low priority following the Site Inspection or Expanded Site Inspection. Region 4 is further prioritizing these sites by using regional archival measures and in consultation with ATSDR, to eliminate those sites from CERCLIS which are not true NPL candidates.

PLANS FOR 1997: Region 4 will continue to archive sites from CERCLIS as they meet the national archive criteria, and its regional pilot criteria. In addition, the Region will apply the pre-screening criteria to new sites prior to entry into CERCLIS.

CONTACT: Dorothy Rayfield (404) 562-8954

INCREASED COMMUNITY INVOLVEMENT

COMMUNITY INVOLVEMENT IN THE ENFORCEMENT PROCESS

REGIONAL SUCCESS: Communities have been provided the opportunity to be involved in the enforcement process at two sites in Florida.

As a result of EPA's activities at the Stauffer site in Tarpon Springs two community groups have been formed. The PI-PA TAG and the Tahitian Civic Group have formed to keep the community involved in the clean-up process. Additional public meetings have been held at the request of these groups and they have been given the opportunity to review and comment on draft technical documents and work plans.

The community at the Wingate Landfill site in Ft. Lauderdale has formed a Community Advisory Group (CAG) to provide the Region input during the negotiation of a Remedial Design/Remedial Action Consent Decree. During the past year, the Region has worked with this community to assist in the organization of the CAG.

PLANS FOR 1997: The Tarpon Springs community groups will continue to be involved in the enforcement process by reviewing the Scope of Work for the remedial design/remedial action (RD/RA). Although the Wingate CAG will not be a party to the decree, they will be provided the opportunity to review all technical documents during the negotiations planned to begin in April 1997.

CONTACT: Joanne Benante (404) 562-8910

COMMUNITY BASED REMEDY SELECTION PROCESS

REGIONAL SUCCESS: The Region successfully piloted this Administrative Reform during the remedy selection process at the Lower

East Fork Poplar Creek site in Oak Ridge, TN. As a result of cooperative work between EPA, DOE and the Tennessee Department of Environmental and Conservation, and significant involvement of the affected community at the site, \$160,000,000 in cleanup costs were saved. Community participation in the development of the clean-up alternatives and remedy selection resulted in this future cost reduction. EPA developed a Public Outreach Document for the site and issued it in September 1996. This document informed the public of the remedy and the success of the community based remedy selection process.

PLANS FOR 1997: Governmental groups will continue to update and work with the community to complete the cleanup at the site.

CONTACT: Joanne Benante (404) 562-8910

OMBUDSMAN PROGRAM INITIATED IN THE REGION

REGIONAL SUCCESS: In January 1996, Region 4 nominated a regional Superfund Ombudsman. To ensure accessibility of the Ombudsman to the public, the Region designated the position as full-time. The Ombudsman position was originally included as part of the Region's newly formed Customer Service Office since the position is a leading element

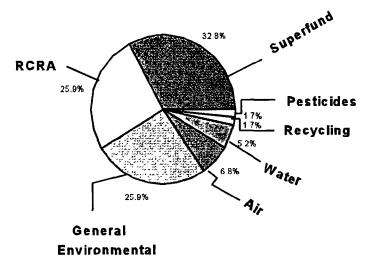
in the Region's customer service effort.

The basis upon which the Ombudsman operates is to ensure that the Superfund process is given ample time

to work effectively. To that end, the Ombudsman questions each caller to determine whether the "process" has been employed. If the caller has exhausted the process, the Ombudsman will then investigate to determine where the problem, if any, lies and what could appropriately be done to make the process work effectively.

Through December 30, 1996, the Region had referred 58 citizen calls to the Ombudsman. As shown in the pie chart, the majority of the calls related to Superfund (32.8%) and RCRA (25.9%).

CALLS TO THE OMBUDSMAN



PLANS FOR 1997: Continue to attend Superfund public meetings on an as needed basis to explain the Ombudsman concept to local communities. In addition, the Region will strive to improve the coordination and consistency of the Ombudsman function on both a regional and national level.

CONTACT: Ronnie Wilson (404) 562-8678

IMPROVE COMMUNICATION WITH STAKEHOLDERS

REGIONAL SUCCESS: The past 15 months have brought about many successes in the area of improving communications. The Region's Waste Management Division Web page has increased interaction with the public and stakeholders in the Superfund process. The Brownfields pages are receiving 200 hits per month. Some requests under the Freedom of Information Act are being handled over the Internet. States are downloading site data from links directly to EPA databases. During this time period, the Region also posted the Jackson County Mississippi Pesticide site POLREP action items on the Waste Management Division's home page as well as fact sheets for the Woolfolk and Petroleum Product sites. The Region also provides technical documents via the Internet under the Office of Technical

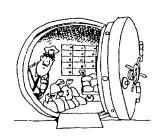
PLANS FOR 1997: Web pages will be posted as requested by the program branches. An Environmental Justice page is expected by the end of April 1997 as is an expanded Federal Facilities page. An expanded NPL site page that summarizes site activities and has links to related items will be installed during 1997.

Services page.

CONTACT: Harold Key (404) 562-8864 e-mail: KEY.HAROLD@EPAMAIL.EPA.GOV

TECHNICAL ASSISTANCE GRANTS

REGIONAL SUCCESS: There are currently 21 active Technical Assistance Grants (TAGs) in the Region. Listed below are the six TAGs which have been awarded since October 1, 1995:



Group Name

Ft. Lauderdale Community Development Corporation

Pinellas-Pasco Technical Assistance

Bayou Chico Association

Glynn Environmental Coalition

Four-Mile Hiberian Community Association

Sallie Crenshaw Bethlehem Center

The Region continues to promote the use of TAGs to assist groups of citizens affected by Superfund sites in obtaining technical assistance in interpreting site-related documents and other activities that would contribute to the public's understanding of overall site conditions and activities at a Superfund site.

PLANS FOR 1997: Region 4 has received an application for a TAG for the Homestead Federal Facility site in Homestead, FL and a Letter of Intent for a TAG for a facility in Memphis, TN.

CONTACT: Jim Miller (404) 562-8845

COMMUNITY ADVISORY GROUPS

REGIONAL SUCCESS: In addition to the Region's assistance in forming a CAG at the Wingate site in Ft. Lauderdale, FL (see Community Involvement in Enforcement Process), the Region has had a great deal of success with the CAG at the Aberdeen site in

Site

Wingate Landfill Ft. Lauderdale, FL

Stauffer Chemical Tarpon Springs, FL

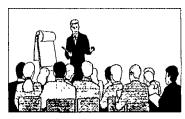
American Creosote Pensacola, FL

LCP Chemical Brunswick, GA

Koppers Charleston, SC

Chattanooga Creek/ Tennessee Products Chattanooga, TN

North Carolina. The Aberdeen Liaison Community Panel was started by the Potentially Responsible Parties (PRPs) to ensure that community concerns are heard and addressed to the extent possible. The CAG meets monthly to discuss progress at the site and any other site related activities of interest to the group of



citizens The formation of this group and the participation of the citizens, city, county, EPA, PRPs and consultants has been

very successful in keeping the leaders informed.

PLANS FOR 1997: The Region will continue to support the existing CAGs as needed or requested by the CAG leaders. In addition, the Region will continue to assist any other community in the formation of CAGs in their communities.

CONTACT: Rose Jackson (404) 562-8940

ENVIRONMENTAL JUSTICE

JOB TRAINING AND DEVELOPMENT

REGIONAL SUCCESS: The Region has worked with Headquarters and the local community to determine the possibility of establishing a jobs training program at the Wingate Landfill site in Ft. Lauderdale, FL. Although the City is one of the Potentially Responsible Parties at this site, the City has been very receptive of the jobs training program as a means of providing job skills as well as economic development for the community surrounding the site.

PLANS FOR 1997: The Region will continue to pursue the development of a jobs training program at this site. Obstacles which need to be resolved so far are funding issues and the identification of a training provider. During 1997, the Region plans to develop a Memorandum of Agreement with a training provider following resolution of the funding issues.

CONTACT: Eddie Wright (404) 562-8669



STATE EMPOWERMENT

STATE DEFERRAL AGREEMENTS

REGIONAL SUCCESS: The Region has negotiated a final Memorandum of Agreement (MOA) with North Carolina which outlines the framework for deferral of NPL-caliber sites to the State. The agreement was signed by EPA and the State of North Carolina on February 26, 1997. The SCM Proctor Silex site has been identified as a deferral candidate. Future deferrals to North Carolina will be handled on a case-by-case basis.

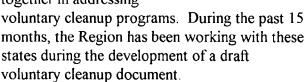
PLANS FOR 1997 The Region will monitor North Carolina's performance under the deferral agreement and will add sites based on the State's performance.

CONTACT: Phil Vorsatz (404) 562-8789

VOLUNTARY CLEANUP PROGRAM

REGIONAL SUCCESS: Three states in Region 4: the States of Tennessee, North Carolina and Alabama. have

Alabama, have expressed interest in a Memorandum of Agreement (MOA) concerning how EPA and the States will work together in addressing



PLANS FOR 1997: The Region will continue to work with interested states in developing MOAs.

CONTACT: Harold Taylor (404) 562-8791

STATE/TRIBAL SUPERFUND BLOCK FUNDING

REGIONAL SUCCESS: Based on the success during 1995 of consolidating cooperative

agreements in North Carolina, the Region expanded this approach in 1996. On September 30, 1996, the Region awarded a new "pilot" block cooperative agreement to North Carolina that provided funding under one account number. The single account could be used for site assessment and remedial support activities.



The consolidated

agreements allow the State to leverage scarce resources to better address program activities, and perform site assessment and/or remedial support activities as the workload demands. The block agreement has allowed the State to cross train its staff while improving resource management.

PLANS FOR 1997: The Region will continue to monitor the pilot block cooperative agreement in North Carolina to ensure that work plan commitments are being met in both the site assessment and remedial support areas. If the current block agreement proves successful, EPA and North Carolina may consider adding the CORE cooperative agreement to the block agreement.

CONTACT: Rosemary Patton (404) 562-8866