



Office of Inspector General

AUDIT REPORT

**REPORT ON REGION 8 FISCAL 1992
SUPERFUND ACCOMPLISHMENTS**

AUDIT REPORT NUMBER E1SFL3-08-3100319

August 16, 1993

Inspector General Division
Conducting the Audit:

Central Audit Division
Kansas City, Kansas

Region Covered:

Region 8
Denver, Colorado

Program Offices Involved:

Hazardous Waste Management
Division

#926

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August 16, 1993

MEMORANDUM

SUBJECT: Report on Region 8 Fiscal 1992 Superfund
Accomplishments
Audit Report No. E1SFL3-08-0041-3100319

FROM: Nikki L. Tinsley *Nikki L. Tinsley*
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TO: Jack W. McGraw
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EPA Region 8

INTRODUCTION

Purpose

We performed this audit to assist the Office of Inspector General (OIG): (1) Headquarters Audit Division with its mandatory audits of the Environmental Protection Agency's (EPA) Superfund Annual Report to Congress (SARC), and (2) Financial Audit Division with its mandatory audit of EPA's Chief Financial Officer (CFO) Act Report. Our objectives were to: (1) determine whether the fiscal 1992 Superfund accomplishments were reasonable and accurate, and (2) assess the internal control structure aimed at ensuring the accuracy of recorded Superfund accomplishments.

This report presents a summary of our findings and identifies the categories of accomplishments we questioned. The reason we questioned each accomplishment is described in Appendix 1.

This audit report contains findings that describe problems OIG has identified and corrective actions OIG recommends. This audit report represents the opinion of OIG, and the findings contained in this audit report do not necessarily represent the final EPA position. Final determinations on matters in this audit report will be made by EPA managers in accordance with established EPA audit resolution procedures. In this particular audit, OIG did not measure the audited offices' performance against the standards established by the National Contingency Plan (NCP). The findings contained in this audit report are not binding in any enforcement proceeding brought by EPA or the Department of Justice under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act to recover costs incurred not inconsistent with the NCP.

Scope and Methodology

We reviewed 151 Superfund accomplishments randomly selected from a universe of 226 accomplishments claimed by Region 8 in fiscal 1992. Of the 226 accomplishments claimed, EPA planned to claim 212 in its fiscal 1992 SARC. Included in the 212 were 62 accomplishments that were reported as performance measures under the CFO Act. We reviewed a sample of 43 of the 62 CFO Act accomplishments in the following categories:

- Removal Action (RV) starts at National Priority List (NPL) sites;
- RV starts at non-NPL sites;
- Remedial Investigation/Feasibility Studies (RI/FS) starts at non-Federal sites;
- RI/FS starts at Federal Facilities;
- Records of Decision (ROD) at non-Federal Facilities;
- RODs at Federal Facilities; and
- Remedial Design/Remedial Action (RA) settlements.

One hundred-fifty of the 226 accomplishments claimed were not reported under the CFO Act but were included in other categories EPA reports to Congress. We reviewed 94 of these 150 accomplishments in the following categories:

- RA starts non-Federal Facilities;
- RA starts Federal Facilities;
- Preliminary Assessment (PA) completions non-Federal Facilities;
- PA completions Federal Facilities;
- Site Inspection (SI) completions non-Federal Facilities;
- SI completions Federal Facilities;
- RD starts non-Federal Facilities;
- RD starts Federal Facilities; and
- RV completions.

We reviewed 14 of the 226 accomplishments claimed in categories that were not included under the CFO Act or in EPA's fiscal 1992 SARC. These accomplishments were in the following categories:

- RA Operable Unit (OU) completions at non-Federal Facilities;
- RA completions at Federal Facilities; and
- Final RA completions.

We also reviewed Region 8's internal controls over input of data into Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) through the WasteLAN system. We did not review the internal controls within the CERCLIS or WasteLAN systems nor did we review internal controls for each Superfund organizational unit that reports CERCLIS accomplishments.

We performed our audit in accordance with Government Auditing Standards (1988 Revision) issued by the Comptroller General of the United States. No other significant issues came to our attention that warranted expanding the scope of our review.

The sample of Region 8 accomplishments which we reviewed was selected by Headquarters Audit Division. We compared the source documentation provided by Region 8 to the appropriate Superfund Comprehensive Accomplishments Plan (SCAP) definition for each accomplishment. We used definitions contained in the fiscal 1991 Superfund Program Management Manual. In instances when source documentation provided by the Region did not follow the SCAP definition verbatim, we met with program officials to discuss the reasons for the anomaly.

Background

The Superfund Amendments and Reauthorization Act of 1986 requires EPA to submit an annual Superfund progress report (the SARC) to Congress. The report, due January 1 of each year, describes EPA's progress in implementing the Superfund program during the prior fiscal year. OIG is required to examine the report for reasonableness and accuracy and submit to Congress, as part of EPA's report, a summary of its review.

The CFO Act requires each Federal agency to prepare consolidated financial statements or financial statements covering its trust funds, revolving funds, and commercial activities. As part of this report, EPA is required to report Superfund performance measures. These performance measures are, in some instances, the same as accomplishments EPA reports in its SARC.

The primary purpose for including program performance measures in the annual financial statements is to inform the public, the Congress, Government officials outside EPA, and other interested parties about what and how the programs are doing. OIG is required to audit the information reported under the CFO Act. Also, OIG must assess the risk that a material misstatement in the items reported (including performance measures) would not be prevented or detected by EPA's internal controls.

One of the primary sources of information for the SARC and the CFO Act Report is CERCLIS. This is an EPA database which is the source of Superfund planning and accomplishment data. Region 8 uses WasteLAN, a local area network, to enter and collect Superfund data and accomplishments. Data are periodically transferred from WasteLAN into CERCLIS.

Prior Audit Coverage

OIG has previously reviewed accomplishments reported in EPA's SARC. During an audit of fiscal 1987 accomplishments, we questioned accomplishments in Region 8 because: (1) accomplishments were not achieved in the fiscal year claimed, and (2) documentation was insufficient.

RESULTS-IN-BRIEF

Most accomplishments that we reviewed were properly supported. However, we questioned 17 percent of Region 8's accomplishments for 1 of 3 reasons: (1) they did not meet the SCAP definition, (2) they were not accomplished during fiscal 1992, or (3) documentation was insufficient. We are not questioning whether studies or clean-up work was performed. We do question whether some work was adequately documented and properly counted. If Region 8 does not report accurate data, EPA will not report accurate information to Congress.

The Region had effective controls over CERCLIS data entry but did not have controls which assured it accurately identified accomplishments. In our review of the internal controls over CERCLIS data entry, we found that because controls were generally strong, there was a low to medium risk that data was entered inaccurately or erroneously deleted from the system. We found that there was a moderate risk that SCAP definitions could be misinterpreted and that "accomplishments" would not meet SCAP definitions. We identified one area where internal controls over CERCLIS data entry needed to be strengthened to provide greater assurance that CERCLIS was accurate. The Region indicated that it recently formed a CERCLIS work group to identify ways to improve internal controls.

ACTION REQUIRED

We have designated you as the Action Official for this audit report. In accordance with EPA Directive 2750, you are required to provide this office a written response to the audit report within 90 days of the audit report date. For corrective actions planned, but not completed by the response date, reference to specific milestone dates will assist this office in deciding whether to close this report.

FINDINGS AND RECOMMENDATIONS

We questioned 25, or about 17 percent of the accomplishments we reviewed. We questioned accomplishments for 3 reasons: (1) 4 accomplishments or about 3 percent did not meet the SCAP definition, (2) 7 accomplishments or about 5 percent were not accomplished during fiscal 1992, and (3) 14 accomplishments or about 9 percent could not be verified because documentation was insufficient. As a result, Region 8's accomplishments for fiscal 1992 were overstated by about 17 percent. This inaccuracy would cause accomplishments reported to Congress to be overstated because most of the accomplishments we questioned (13 of the 17 percent) are in categories included in EPA's report. The other four percent are in the remedial action completion category which EPA will not include in its fiscal 1992 SARC.

We also identified one area where internal controls over CERCLIS data entry could be strengthened. We found that internal controls to ensure consistent application of SCAP definitions could be improved. The Region did not identify CERCLIS data entry as an event cycle in its Federal Manager's Financial Integrity Act (FMFIA) process. Also, the Region's controls did not ensure consistency in applying SCAP definitions.

SCAP Definition Not Met

Region 8 claimed four accomplishments that did not meet the SCAP definition. The Region inappropriately claimed two Removal completions, one Removal start, and one RA start. For each accomplishment that we questioned, we compared the source documentation provided by the Region to the appropriate SCAP definition of each accomplishment. In each of these instances, the Region misinterpreted the SCAP definition.

Accomplishments Not Completed in Fiscal 1992

Region 8 claimed seven accomplishments that were accomplished during other fiscal years. The Region inaccurately claimed fiscal 1992 accomplishments for two RI/FS starts, two RA

completions, and three SI completions. The accomplishments met SCAP definitions except the Region used a different date than the SCAP definition required.

Insufficient Documentation

Region 8 claimed 14 accomplishments that it could not support. Accomplishments in the following categories were not adequately supported: two RA starts, three RA completions, five SI completions, one RA completion, two Removal completions, and one Removal start. For each of these accomplishments, we checked with the Superfund Records Center, an appropriate program official [Regional Project Manager, On-scene Coordinator (OSC), etc.], and the CERCLIS coordinator for documentation described by the SCAP definitions. None of these officials could locate the necessary documents. In all of these instances, the Region had not created the documentation required by the SCAP definition.

Region 8's Internal Controls Needed to Be Improved

We found that internal controls over CERCLIS data entry were generally strong and that there was a low to moderate risk that data was inaccurately entered into or deleted from the system. We identified one area where internal controls over CERCLIS data entry could be strengthened to provide greater assurance that CERCLIS is accurate. We concluded that there was a moderate risk that SCAP definitions were misinterpreted and that "accomplishments" did not meet SCAP definitions. We will discuss weaknesses and controls necessary to ensure that accomplishments are adequately supported in a separate, soon to be issued audit report on Region 8's administration of FMFIA.

Region 8 had controls in place to prevent and detect data entry errors, but it did not include controls in its event cycle documentation. EPA's Internal Control Guidance defines event cycles as related processes or actions taken to carry out a recurring responsibility, create necessary documentation, and gather and report related data. As CERCLIS is EPA's primary Superfund database, the Region should fully document the internal controls over input into CERCLIS by including it as an event cycle with related control objectives and control techniques. This will ensure that these internal controls are evaluated during risk assessments conducted as part of the FMFIA process. The Region indicated that it recently formed a work group to improve internal controls over the entry of CERCLIS data and standardize the SCAP accomplishment reporting process.

We recommend that you initiate actions to:

- correct questioned Superfund accomplishments and inaccurate CERCLIS data identified in this report,

- include CERCLIS data entry as an event cycle in the Region's FMFIA control documentation, and
- develop management controls that ensure all future accomplishments claimed and entered into CERCLIS meet the SCAP definition, are recorded in the correct fiscal year, and are properly documented.

AGENCY COMMENTS AND OIG EVALUATION

Region 8 responded to our draft report on July 26, 1993. The full text of Region 8's comments, excluding attachments, is included as Appendix 2 of this report.

The Region agreed with our finding concerning the adequacy of its internal controls over the consistent application of EPA's definitions of Superfund accomplishments, and stated that the Region has initiated corrective actions. However, the Region disagreed with our characterization of the severity of the risk. Based on the Region's corrective actions, and after consultation with OIG Headquarters officials, we changed the report and downgraded our risk assessment from high to moderate.

The Region disagreed with 16 of the individual Superfund accomplishments we questioned in the draft report. The Region also agreed "in part" with three questioned accomplishments. We addressed the Region's comments regarding specific sites and accomplishments in the body of the report. Based on the Region's comments and our analysis of additional information provided by the Region, we also accepted six individual Superfund accomplishments we had questioned in the draft report.

The Region stated that it believed we continued to misinterpret the definitions of Superfund accomplishments. We believe we correctly interpreted the definitions and the facts concerning each accomplishment. We reviewed and discussed definitions with OIG Headquarters officials, and with Region 8 and EPA Headquarters officials to clarify our understanding of the definitions. While our analysis required some interpretation, we based our conclusions only on the facts and documentation provided by Region 8.

Region 8 commented that we "failed to search the entire files for documentation" but in the same paragraph stated that "the Superfund staff had to spend several hours interpreting definitions and distinguishing file documents". In an effort to be fair and accurate and ensure that we obtained a complete understanding of each accomplishment we questioned, we did ask for Regional representatives' clarification and help in locating documents and interpreting definitions. We wanted to ensure we

had all the relevant facts and were not assuming anything. Auditors frequently seek clarification from and the advice of EPA officials.

The Region was also concerned that we "ignored" the fact that it received approval from EPA Headquarters for its interpretation of the definitions. Where the Region provided evidence of Headquarters' approval to deviate from the definition of an accomplishment, we accepted the accomplishment. For example, the Region used a Clean Water Act Section 308 letter in lieu of a Superfund enforcement document to claim an accomplishment for the Annie Creek site. We initially questioned this accomplishment but accepted it based on the Region's documented inquiries to Headquarters for approval.

OTHER MATTERS

During our review of the Region's claimed Superfund accomplishments, we found that PAs related to the Resource Conservation and Recovery Act program were incorrectly classified as Superfund accomplishments. Our analysis of a sample of 30 reported accomplishments in the PA Completions category disclosed that five were Resource Conservation Recovery Act program related activities. The Superfund Program Management Manual classifies Environmental Priorities Initiative (EPI)/PAs differently than Superfund PAs. The five misclassified PA Completions sites were Rock Wool Industries, Torrington Hide, Browning Manufacturing, IRECO-Fairfield Tooele, and IRECO-Site B.

We are not reporting the misclassified PA Completions as an audit finding because we concluded that the Region entered the EPI/PAs into CERCLIS in accordance with the national program guidance. We are reporting this matter so that it can be addressed as part of OIG's national review.

We have no objection to the release of this report to any member of the public upon request. This report contains no confidential business or proprietary information that cannot be released to the public.

Please refer to the audit report number on all related correspondence. Should you or your staff have any questions, please contact me at (913) 551-7824, or Jeff Hart, Audit Manager in our Denver office, at 294-7520.

ANALYSIS OF SUPERFUND ACCOMPLISHMENTS CLAIMED BY REGION 8

We reviewed 151 Superfund accomplishments claimed by Region 8 in fiscal 1992 and verified that 126, or about 83 percent, were appropriately supported. However, as shown in the following table, we questioned 25, or 17 percent, of the accomplishments in our sample.

Accomplishment Type	Universe	Sample	Validated	Questioned
RV Starts - NPL sites	7	7	6	1
RV Starts - non-NPL	18	10	9	1
RI/FS Starts - non Fed	9	6	5	1
RI/FS Starts - Fed	13	9	8	1
RODs - non Fed	6	4	4	0
RODs - Fed	6	4	4	0
RA OU Complete - non Fed	7	7	4	3
RA OU Complete - Fed	5	5	2	3
Final RA Completions	2	2	2	0
RD/RA Settlements	3	3	3	0
RA Starts - non Fed	7	4	4	0
RA Starts - Fed	12	6	3	3
PA Complete - non Fed	56	23	23	0
PA Complete - Fed	11	7	7	0
SI Complete - non Fed	27	27	19	8
SI Complete - Fed	2	2	2	0
RD Starts - non Fed	8	4	4	0
RD Starts - Fed	11	6	6	0
RV Completions	16	15	11	4
Total	226	151	126	25

We questioned accomplishments for 3 reasons: (1) 4 did not meet the SCAP definition; (2) 7 were not accomplished during fiscal 1992; and (3) documentation was insufficient to verify 14 accomplishments.

ACCOMPLISHMENTS CLAIMED THAT DID NOT MEET THE SCAP DEFINITION

Four accomplishments in our sample did not meet the SCAP definitions in the 1992 Superfund Program Management Manual. The following chart lists the site name, accomplishment type, and date claimed for each accomplishment that did not meet the SCAP definition.

<u>Site Name</u>	<u>Accomplishment Type</u>	<u>Date Claimed</u>
Bingham Creek Channel	Removal Completion RV1	12-15-91
Bingham Creek Channel	Removal Completion RV2	12-15-91
Colo. School of Mines	Removal Start RV2	05-12-92
Rocky Flats	RA Start OU2 RA3	09-11-92

Our analysis of the accomplishments claimed for each of these sites is provided below.

Bingham Creek Channel (EPA ID#UTD980959324) RV1 & RV2 Claimed 12-15-91

Region 8 claimed two removal completion accomplishments for Bingham Creek Channel in fiscal 1992 but should not have claimed any. We concluded that RV2 was a Potentially Responsible Party (PRP) takeover of RV1. CERCLIS should have reflected the start of the removal as a fund-financed removal, and the single completion, when actually complete, should be entered in CERCLIS as a PRP-financed lead.

According to the Superfund Removal Procedures manual,

...temporary off-site storage of hazardous substances at a storage, treatment, and disposal(TSD) facility other than the facility of ultimate disposal is a continuation of the removal action, not a completion.

The manual also states,

...responsible party action may begin at any phase of a removal response. Responsible parties may either agree to perform all required work on a site prior to initiation of fund-financed removal activities or take over a response action initiated by EPA and perform all remaining work (emphasis added).

RV1, a fund-financed action, excavated contaminated soil from residential properties on the site, backfilled the area with clean soil, and placed the contaminated soil at a staging area. RV2, a PRP lead action, transported the contaminated soil from the staging area to a repository.

The Region disagreed that this was a PRP takeover and believed that it should receive credit for a completion of RV1 because the activities of each action (i.e., RV1 and RV2) were different. Although the Region provided documentation verifying the completion of RV1, we concluded that the PRP took over the fund-financed removal activity when it picked up the contaminated soil from the temporary storage area. As a result, RV1 and RV2 should have been counted as only a single removal and no accomplishment should have been claimed for the completion of RV1.

Also, the single removal at Bingham Creek Channel was not completed during fiscal 1992. According to a February 12, 1993, letter from the OSC to the PRP, final inspection of the cap for the repository had not been conducted as required by the Administrative Order (AO). In order for a PRP Removal completion to count as an accomplishment, all of the actions in the AO must be complete. The accomplishment for a removal completion should be claimed when all requirements of the AO have been satisfied. The Region agreed that the removal which it identified as RV2 was not complete in fiscal 1992.

Colorado School of Mines Research Institute (EPA ID#COD000823401)
RV2 Claimed 05-12-92

The activities conducted at this site constituted one removal action rather than two separate removals as claimed by the Region. While we agree with the Region that the SCAP definition does not require a separate Action Memorandum for each removal action, the stated purpose of the Region's only Action Memorandum for this site was "to document approval of the 'classic emergency' Removal Action and to request approval to continue response actions as a Time Critical Removal Action...." We also agree that the removal was not complete until "the conditions specified in the Action Memorandum have been met" as required by the SCAP definition. Because the single removal action was not complete, we accepted one removal start for this site, but questioned one removal completion and one removal start.

Region 8 divided one removal action into two separate removal actions at Colorado School of Mines Research Institute (CSMRI). On January 25, 1992, EPA tasked the Technical Assistance Team (TAT) to respond to what we agree was the initial "emergency" event--a spill from the tailings pond caused by a broken water

main on the CSMRI site. The Region designated this action as RV1 and recorded a removal start date of January 31, 1992, in CERCLIS. Technical Direction Document No. T08-9201-27 signed January 27, 1992, directed TAT to sample the water and sediment from the pond, document the results, and provide engineering service to the OSC. TAT's final report was submitted to the Region on March 5, 1992.

However, the Region had previously tasked the TAT to provide sampling at this site and was made aware of the extent of the contamination. A May 2, 1991 memorandum from the TAT to the OSC provided the results of a site investigation that it conducted at the site. At that time, TAT concluded that the results of the site investigation at the tailings pond indicated elevated levels of metal and radioactive materials. About a year later, on May 19, 1992, the contractor began work to remove the contamination. The Region designated this action as RV2 and recorded a removal start date of May 12, 1992, in CERCLIS.

The Region signed an Action Memorandum on April 23, 1992. The purpose of the Action Memorandum was to obtain approval and document the "classic emergency," RV1, and "to request approval to continue response actions as a Time Critical Removal Action," RV2. This was the only Action Memorandum signed for the removal action, claimed as two removals.

The SCAP definition of accomplishment for a removal start states that a fund-financed removal counts when: (1) the Action Memorandum is approved by the OSC, Regional Administrator, or Assistant Administrator Office of Solid Waste and Emergency Response; (2) a Delivery Order has been issued by EPA under the Emergency Response Cleanup Services contract; (3) an obligation for the removal has been recorded in CERCLIS; and (4) on-site removal work has begun. The date that on-site work began is the start date for the removal action. Since on-site removal work began at the site on January 25, 1992, that date should be recorded in CERCLIS as the removal start date.

Region 8 stated that two removal accomplishments should be claimed for the removal activities conducted at the site. The Region stated, "The activities for the initial Removal action are clearly different in scope from the subsequent Removal and cannot be considered a continuation of the same work."

We disagree with the Region and believe that the activities conducted at this site constituted one removal. The Action Memorandum provided no evidence that two separate removals were planned or were to be claimed. In fact, the memo includes substantial evidence for our position. The site description notes the existence of a tailings pond, numerous process areas

and laboratories in several buildings on the site, and drains in each process area or building that dumped hazardous wastes into the tailings pond. The memo indicated that nothing in regard to the description of the site changed since at least 1984, and the Region provided no evidence to indicate otherwise.

The Action Memorandum also specified several potential threats to health, welfare, and the environment, none of which changed between the start dates for the first and second removal actions claimed by the Region. Collapse of the tailings dam, discharges into the public water supply, contaminated airborne dust, and migration of hazardous materials were all imminent and substantial threats in January 1992 when the first steps of this removal were initiated.

The memo clearly indicated that this site required several orderly and phased cleanup steps: (1) repair of the tailings dam, (2) removal of the residual contamination in the buildings and drainage systems, and (3) removal of the tailings in the pond. The memo also indicated that these steps are all essential. For example, the memo stated, "Removal of the tailings pond without addressing the contamination continuing to wash into the pond from the facility sources would also allow contaminated materials to migrate into public drinking water supplies."

Finally, the Action Memorandum indicated that the final step, excavation of the tailings pond, might have been completed immediately after the first two steps but for a practical consideration. The memo stated that this step would take place "during the early Fall of 1992 when the flow rates and alluvium ground water of Clear Creek is at a seasonal low."

The fact that some removal steps (like the repair of the water main and the temporary buttressing and reinforcing of the tailings dam) were more time critical than the later steps taken is irrelevant to the number of accomplishments the Region should have claimed.

Rocky Flats (EPA ID#C07890010526) RA3 OU2 RA Start
Claimed 09-11-92

The SCAP definition for a RA Start at a Federal Facility states that the start date is the date when substantial, continuous, physical on-site remedial actions begin. According to a Region 8 Federal Facilities Team Leader, work in the lab began on September 11, 1992, but field work was not scheduled to begin

until fiscal 1993. An accomplishment should be claimed when continuous, physical, on-site remedial action begins. In its response to our draft report, the Region did not dispute the facts but indicated it would raise the issue with the Headquarters Office of Federal Facilities Enforcement.

ACCOMPLISHMENTS CLAIMED IN FISCAL 1992
BUT OCCURRED IN OTHER FISCAL YEARS

Seven accomplishments in our sample were erroneously claimed in fiscal 1992. We accepted the accomplishments but they were claimed in the wrong fiscal year. The following chart lists the site name, accomplishment type, date claimed, and actual date for each accomplishment.

<u>Site Name</u>	<u>Accomplishment</u>	<u>Date Claimed</u>	<u>Actual Date</u>
California Gulch	RI/FS Subsequent Start	10-04-91	08-29-91
Hill AFB	RI/FS Start	12-30-91	04-10-91
Sharon Steel	RA Completion OU2	10-15-91	10-15-91
California Gulch	RA Completion OU1	09-30-92	02-08-93
Stone Container	SI Completion	10-21-91	09-26-91
Mother Lode	SI Completion	11-19-91	11-26-90
Richardson Flat	SI Completion	09-03-92	1988

Our analysis of the accomplishments claimed for each of these sites is provided below.

California Gulch (EPA ID#COD980717938) RI/FS Subsequent Start
Claimed 10/4/91

The SCAP definition for a PRP-financed RI/FS subsequent start states that the start counts when an AO is signed by the last appropriate official. The final signature on the AO for California Gulch was dated August 29, 1991, meaning that the accomplishment should have been claimed in fiscal 1991.

The Region claimed that an amendment to the AO created a new OU and thus a subsequent RI/FS start. We reviewed the amendment to the AO and compared the changes to the August 1991 workplan. While we do not necessarily question the Region's action creating a new OU, we found no evidence in the AO or other documentation the Region provided that indicated the necessity for a subsequent RI/FS. We also found no evidence that the monitoring well changes to the workplan described in the AO warranted the

initiation of a subsequent RI/FS. In fact, the AO made only three relatively minor changes to the August 1991 workplan.

Hill AFB (EPA ID#UT0571724350) RI/FS Subsequent Start
Claimed 12-30-91

We questioned this accomplishment because the Federal Facility Agreement (FFA) was signed April 10, 1991, and RI work at this OU had begun before the FFA was signed. According to the SCAP definition, the start date should coincide with the signing of the FFA because the OU was addressed in the work plan submitted as part of the FFA. CERCLIS should have reflected April 10, 1991, as the accomplishment date.

Region 8 recorded an RI/FS subsequent start date of December 30, 1991, in CERCLIS for OU4 and claimed the accomplishment based on a letter of the same date in which the Region commented on work previously conducted in 1988 at OU4. Region 8 claimed that the signing of the FFA changed the definition of OU4 and, thus, required a subsequent RI/FS. Documentation provided to support claiming the accomplishment stated that the work described had already been completed.

We concluded that if the work "has already been conducted," as the Region stated in its letter, requiring additional work to complete the RI should not have been considered another RI but a continuation of the RI begun in 1988. The addendum to the OU4 workplan stated that the "additional data" were necessary to "complete the remedial investigation for OU4." The addendum also stated that RI work for OU4 began in July 1988.

Sharon Steel (EPA ID#UTD980951388) OU2
Claimed 10-15-91

We did not accept this accomplishment for fiscal 1992 because the Region did not meet the explicit criteria in the SCAP definition until fiscal 1993. The Agency's definition states that the RA completion date is the date "the Regional Administrator signs the Operable Unit RA Report." Although the Region acknowledged that "formal written approval of the [RA Completion] report was not prepared until FY93," the Region disagreed with this finding. The Region indicated that it should have received credit in fiscal 1992 anyway because "this accomplishment did occur in FY92." While the technical report was completed in fiscal 1992, it was not approved and accepted as final until fiscal 1993.

California Gulch (EPA ID#COD980717938) RA2 OU1
Claimed 09-30-92

Region 8 claimed an RA Completion accomplishment at California Gulch OU1 based on a "preliminary" close-out report. The SCAP definition requires a signed close-out report that states: (1) construction is complete, (2) a site inspection has been conducted, and (3) the remedy is operational and functional. On March 16, 1993, a Region 8 representative told us that the final report had not been completed and that the final inspection did not take place until November 1992, still in fiscal 1993. Later, on April 16, 1993, the Region provided a construction completion report dated February 8, 1993, documenting the completion of a final inspection at California Gulch. According to Region 8 officials, they received approval from Headquarters to count "phases" of an OU as OU completions but did not receive Headquarters approval in writing. Further, they said that they would not necessarily need "final inspections" and a "final" close-out report to count a phase as complete. We concluded that the California Gulch RA Completion was not a fiscal 1992 accomplishment because the SCAP definition does not allow phases to count as OU completions.

Stone Container (EPA ID#UTD152494498) SI
Claimed 10-21-91

Region 8 claimed an SI accomplishment for Stone Container on October 21, 1991. The SI was finalized and the decision sheet was signed September 26, 1991. The Region agreed that the accomplishment should have been claimed in fiscal 1991.

Mother Lode Gold & Silver LTD (EPA ID#MTD980952469) SI
Claimed 11-19-91

The Region claimed an SI accomplishment for Mother Lode Gold & Silver LTD on November 19, 1991. The SCAP definition of accomplishment states,

An SI is complete when 1) a Screening Site Inspection Report has been received from Field Investigation Team/Alternative Remedial Contracting Strategy (FIT/ARCS) or the State; 2) the report has been reviewed and approved by the appropriate Regional official; and 3) CERCLIS contains the SI completion date and the decision on further activities...

The SI was performed August 14, 1984, and the SI decision sheet recommending no further remedial action was signed November 26, 1990. The accomplishment was a fiscal 1991 accomplishment. The Region did not provide an explanation of why it claimed this accomplishment in fiscal 1992.

Richardson Flat Tailings (EPA ID#UTD980952840) SI
Claimed 09-03-92

As a result of an SI completed in July 1985, Richardson Flat Tailings was proposed for the NPL June 24, 1988. Even though an accomplishment for the SI was not claimed in 1985 when it was performed, the Analytical Results Report from that SI could not be used to claim an accomplishment in fiscal 1992. The SCAP definition states that the SI completion date entered in CERCLIS should be the date the SI was approved and a decision regarding further remedial action was made. We disagree with the Region's claim that there was no proof that a decision was made on this site. The decision to propose the site for listing on the NPL was based on the results of the Analytical Results Report and accordingly a "decision was made."

ACCOMPLISHMENTS CLAIMED WITH
INSUFFICIENT DOCUMENTATION

We questioned 14 accomplishments in our sample because documentation could not be found or was insufficient. For each of the following, we requested documentation from the Superfund Records Center, an appropriate program official (Remedial Project Manager, OSC, Section Chief, etc.), and the CERCLIS coordinator. None were able to locate the necessary documents. The following chart lists the site name, accomplishment type, and date claimed for each accomplishment that was not supported by adequate documentation.

<u>Site Name</u>	<u>Accomplishment</u>	<u>Date Claimed</u>
Rocky Mountain Arsenal	RA Subsequent Start OU20	10-01-91
Rocky Mountain Arsenal	RA Subsequent Start OU21	11-15-91
Rocky Mountain Arsenal	RA Subsequent Completion OU19	10-25-91
Rocky Mountain Arsenal	RA Subsequent Completion OU23	12-15-91
Rocky Mountain Arsenal	RA Subsequent Completion OU24	10-04-91
Williams Pipe Line	SI Completion	07-15-92
McCord Heat Transfer	SI Completion	08-12-92
Silver Creek Tailings	SI Completion	09-03-92
Green River, NWP	SI Completion	08-13-92
Lincoln Service, Co.	SI Completion	09-16-92
Denver Radium	RA Subsequent Completion OU6	05-15-92
Colo. School of Mines	Removal Completion RV1	01-31-92
Montana Pole	Removal Start RV5	07-31-92
Micronutrient	Removal Completion RV2	04-15-92

Our analysis of the accomplishments claimed for each of these sites is provided below.

Rocky Mountain Arsenal (EPA ID#CO5210020769) OU20 & OU21
Claimed 10-01-91 & 11-15-91

The Region claimed accomplishments for RA starts at Rocky Mountain Arsenal for OUs 20 and 21. The SCAP definition states that the RA start date is the date of which substantial, continuous, physical, on-site remedial actions begin. The Region could not provide documentation to support remedial actions at the site. We could not verify the date that on-site remedial actions began. In its comments, the Region agreed with this finding.

Rocky Mountain Arsenal (EPA ID#CO5210020769) OU19, 23, & 24
Claimed 10-25-91, 12-15-92 & 10-04-91

The Region claimed three RA Completion accomplishments at Rocky Mountain Arsenal. The SCAP definition states that the accomplishment date is the date that the Region (Branch Chief or above) accepts the RA report from the construction manager, documenting that all construction activities for that OU are complete, and the remedy is operational and functional. The definition also states that in lieu of a report from the construction manager, the Region must prepare a report to document the completion. The Region did not provide an RA report that it accepted from the construction manager, nor did it provide a report that it prepared. In its comments, the Region agreed with this finding.

Williams Pipe Line (EPA ID#SDD000694596) SI
Claimed 07-15-92

The Region did not provide an SI report to support this accomplishment. The SCAP definition requires that an SI report be prepared. The Region stated that this site was initiated as a PA2, a functional equivalent of an SI event. A note in the comments section of the SI Decision Sheet, prepared by the Site Assessment Manager, said that this was a "non-sampling SI, data available from outside."

The PA2 stated that one of its objectives was to "provide information so that a site investigation can be made if the assessment reveals a possible significant impact to area environmental resources and/or human health." The SCAP definition of an SI states, "The SI involves collection of field data from a hazardous substance site for the purpose of

characterizing the magnitude and severity of the hazard posed by the site..." Since the PA2 did not involve current sampling nor was its purpose to characterize the magnitude and severity of the hazard posed by the site, it was not an SI equivalent.

McCord Heat Transfer (EPA ID#SDD020193561) SI
Claimed 08-12-92

The Region did not provide an SI report to support this accomplishment. The SCAP definition requires that an SI report be prepared. The Region responded that this site was initiated as a PA2, the functional equivalent of an SI event. The SCAP definition of an SI states, "An SI should provide adequate data to determine the site's Hazardous Ranking System score." Since the PA2 did not provide adequate data to determine the site's score, it was not an SI equivalent.

Silver Creek Tailings (EPA ID#UTD980951404) SI
Claimed 09-03-92

The Region did not provide adequate documentation to support this accomplishment. As a result of a PA completed in December 1984, Silver Creek Tailing was proposed for the NPL in September 1985. The results of that PA should not have been used to claim a fiscal 1992 SI accomplishment. The Region agreed that there was no SI or Analytical Results Report in the file to support the decision documented in CERCLIS for fiscal 1992. In order for the site to be proposed to the NPL, a decision had to have been made in 1985 regarding the severity of hazardous materials at the site and whether or not EPA should have continued with remedial response--the purpose of an SI. We concluded that this accomplishment should not have been claimed in fiscal 1992. We did not determine whether the documented work performed prior to September 1985 was sufficient to claim an SI accomplishment in a prior fiscal year.

Green River, NWP (EPA ID#WYD000776583) SI
Claimed 08-13-92

The Region based this accomplishment on a letter report from the contractor and felt that the report contained all five requirements for an SI according to 40 CFR Part 300.420. The SCAP definition requires preparation of an SI report and a documented decision regarding further remedial actions to claim an accomplishment. The Region agreed that there was no SI to support this accomplishment.

Lincoln Service, Co. (EPA ID#WYD980959126) SI
Claimed 09-16-92

The Region did not provide adequate documentation to support this accomplishment. The Region agreed that there was no SI or Analytical Results Report in the file to support the decision documented in CERCLIS for fiscal 1992 and that the fiscal 1992 decision was based on PRP reports of sampling and remediation dated 1986 and 1987 respectively. According to the Executive Summary of the Remediation Report, the Analytical Results Report concluded that hazardous concentration of PCBs were present in some locations and that there was oil in others. From July through August of 1986, a remediation plan to remove the contamination from the site was developed, negotiated, and subsequently approved by EPA.

The SCAP definition requires that an SI report be prepared. According to the SCAP definition, the accomplishment counts when 1) a Screening Site Inspection Report has been received from FIT/ARCS or the State; 2) the report has been reviewed and approved by the appropriate Regional official; and 3) CERCLIS contains the SI completion date and the decision on further activities. Since the SI report was received by the Region in July 1986, and the decision to remediate the site was made in August 1986, the SI should have been claimed in fiscal 1986. Even though the Region did not document the SI in CERCLIS when it was accomplished, it should not claim the accomplishment as a fiscal 1992 accomplishment.

Denver Radium (EPA ID#COD980716955) RA Subsequent Completion
Claimed 05-15-92

The Region did not provide an RA completion report to substantiate its position that this accomplishment was for a phase of the project. In its response to our draft report, the Region stated that the "signed, approved, close-out report" was provided to OIG. However, the RPM for the Denver Radium site told us that there was no close-out report and the OU had not been completed. The Region later agreed that documentation provided was insufficient.

Colorado School of Mines Research Institute (EPA ID#COD000823401)
RV1 Claimed 01-31-92

The Region claimed a Removal completion accomplishment for CSMRI RV1. As previously explained in this report, this removal was not completed as a fund financed action and should not have been claimed as an accomplishment.

Montana Pole (EPA ID#MTD006230635) RV5
Claimed 07-31-92

Montana Pole, RV5, was listed in EPA's SCAP printout of accomplishments that EPA intends to claim in its fiscal 1992 SARC. Region 8 stated that RV5 does not exist and is not listed in CERCLIS. We verified that the accomplishment was removed from CERCLIS. This was not a fiscal 1992 accomplishment. In its comments, the Region agreed with this finding.

Micronutrient International, Inc. (EPA #IDUTD000710772) RV2
Claimed 04-15-92

Region 8 claimed a Removal completion accomplishment for RV2 at the Micronutrient International site on April 15, 1992. The SCAP definition states that "PRP completions will count when the actions specified in the Administrative Order are complete." However, the monitoring plan required by the AO had not been developed. The accomplishment should be claimed when all of the actions required by the AO have been completed, including the monitoring plan. In its comments, the Region agreed with this finding.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2466

APPENDIX 2
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JUL 26 1993

Ref: 8PM-GAC

MEMORANDUM

SUBJECT: Draft Report EISFL3-08-0041-XXXXX (June 18, 1993)
Superfund Accomplishments Claimed by Region 8 in FY92

FROM: *for* Jack W. McGraw *[Signature]*
Acting Regional Administrator

TO: Nikki L. Tinsley
Divisional Inspector General
Central Audit Division

Region VIII Superfund has completed their evaluation of the draft audit report issued by the DIG/CAD, on the Audit of Superfund Annual Report to Congress in Region VIII. We continue to believe that the Office of Inspector General has misinterpreted EPA Superfund accomplishment definitions and ignored the fact that Region VIII received approval from EPA Headquarters for its interpretation of the guidance. Although we appreciate the auditors incorporating our concerns in the position papers, it's disheartening that OIG continues to question several of Region VIII response actions that were, in fact, accomplished. Attached to this memo are Region VIII's comments to the draft report.

Supporting documents for statements made throughout this report are also attached. If you have any questions, please contact Jack M. Mohl at (303) 293-1671.

Attachments

cc: Robert Duprey
Tom Speicher
Superfund Branch Chiefs
Jeff Hart
Jack Mohl

**Response to "DRAFT" report on Superfund Accomplishments Claimed
by Region VIII in fiscal Year 1992**

Specific: "RESULTS-IN-BRIEF", Page 4. The audit report states that although we have implemented effective controls over the CERCLIS data entry process, Region VIII is still high risk for misinterpretation of SCAP definitions.

We disagree with the severity of risk, in those cases where accomplishments did not meet the SCAP definition verbatim, the Region received specific guidance or direction from Headquarters. In addition, anytime there was a need for clarification Region VIII would ask for a response in writing. Region VIII, has taken special steps to assure that the most current and correct definitions are always provided to the staff and that everyone makes a conscientious effort to understand the definitions even as they change each fiscal year.

As noted in a previous response, the auditors review did not take into account those accomplishments that were approved and accepted by Headquarters as satisfying the accomplishment definition.

Specific: "FINDINGS AND RECOMMENDATIONS", Internal controls to ensure SCAP definitions are applied consistently could be improved. Page 4.

We agree and have taken appropriate action. A CERCLIS workgroup has been assembled. Procedures to improve and standardize the SCAP accomplishment reporting process and the CERCLIS data entry and quality assurance have been initiated.

Specific: "ACCOMPLISHMENTS CLAIMED THAT DID NOT MEET THE SCAP DEFINITION"

- A. Five EPI PA's were named. They are Rock Wool Industries, Torrington Hide, Browning Manufacturing, IRECO-Fairfield Tooele, and IRECO-Site B.

We disagree with the findings: Region VIII correctly coded these accomplishments into CERCLIS. Region VIII did not double count these accomplishments. See attached April 30, 1993 memo from Henry Longest.

- B. Bingham Creek Channel (RV1 Completion & RV2 Start)

We agree in Part. RV1 was Fund Lead. Activities at this site included the removal of contaminated soils surrounding 52

**Response to "DRAFT" report on Superfund Accomplishments Claimed
by Region VIII in fiscal Year 1992**

residences which were located in a flood plain along the Bingham Creek Channel. A chain-link fence was also installed on a 22-acre vacant lot within the site area. Appropriate documentation verifying the completion date for RV1 was submitted to the auditors on 4/14/93.

RV2 was Responsible Party (RP) Lead. This Removal action involved the construction of a repository and haulage and placement of contaminated soils into the newly constructed repository. The RP completed the construction and haulage activities on October 9, 1991. However, due to inclement weather, the RP was unable to complete capping requirements, as specified in the Administrative Order, until the following construction season. Because the capping was required as part of the Removal action described in the Action Memorandum, this completion should not have been claimed until November 1992, when the capping requirements were met. The error in the completion date claimed for this Removal has been noted and CERCLIS will be corrected to delete they FY92 accomplishment. According to the SCAP definition, the purpose of a Removal Action is to, "...prevent or mitigate a threat to public health, welfare, or the environment posed by the release or potential release of a CERCLA hazardous substance, or an imminent or substantial risk posed by a pollutant or contaminant" (see Attachment A). RV1 clearly addressed the imminent threat to the public. RV2 should not be considered as a RP takeover, since the activities for RV1 and RV2 are significantly different.

C. Sharon Steel (RV3 Start)

We disagree. Following RV1, additional site assessment activities by EPA revealed new site conditions which warranted RV2. This action was Fund Lead and entailed the removal of chemicals from the smelter buildings on site. EPA also determined reapplication of the dust suppressant was necessary because deterioration since the first application had allowed the contaminants to resurface (dust suppressant material deteriorates fairly rapidly and annual applications are not unusual for sites exposed to western weather conditions).

While awaiting Remedial Action, site conditions worsened, initiating RV3. The contaminated buildings, were deteriorating as a result of vandalism and structural fires due to lack of security at the site, thus spreading contamination. The Removal activities included demolition of the buildings on the site and disposal of the demolition debris.

**Response to "DRAFT" report on Superfund Accomplishments Claimed
by Region VIII in fiscal Year 1992**

The definition of a Removal completion as defined in the FY92 SCAP Manual is "...when the conditions specified in the Action Memorandum have been met, even if the OSC determines additional response work may be necessary" (see Attachment A). All conditions specified in the Action Memorandum were met. Again, the intent of the Removal Program is to address immediate threats to the public and/or environment. Although EPA had prior knowledge of the contamination of the mill buildings, the deterioration of the buildings, which would have threatened the welfare of the surrounding environment, was not evident at the time RV2 was conducted.

**D. Colorado School of Mines Research Institute -- CSMRI
(RV1 Completion & RV2 Start Date)**

We disagree with this finding. RV1 was a Classic Emergency Response to the CSMRI site to prevent a catastrophic release of tailings into Clear Creek. The broken water main flooded the tailings pond, causing it to overflow into Clear Creek. The activities under RV1 included shutting off the water flowing through the water main, fortification of the tailings dam, and fortification of the berms adjacent to Clear Creek. These actions prevented dam breakage which would have resulted in a catastrophic release.

Following the Emergency Response, the OSC tasked TAT to take water, soil, and sludge samples to determine levels of heavy metals and radioactive materials. Since a residential area and an intake structure used for process water at the COORS Plant were located 1/2 mile and one mile downstream respectively, and because a recreation facility was located across the street from the site, there was great concern that the residual contamination posed an imminent threat to the surrounding community. Should the dam overflow in the future, the residual contamination would wash into Clear Creek, threatening the potable water supply for 180,000 people (downstream water users). Therefore, this contamination needed to be dealt with in a time-critical manner (RV2).

An Action Memo, dated 4/23/92, which described events for RV1 was submitted to audit officials on 4/19/93. This Action Memo also justified the need for RV2. The SCAP definition for Removal start does not specify that a separate Action Memo must be generated for each Removal. In this case, one Action Memo was used to document the approval of the Classic Emergency Response, as well as to request approval of a time-critical Removal action (RV2). The FY92 SCAP definition for a Removal start specifies that a Delivery Order must be issued by EPA under the Emergency

**Response to "DRAFT" report on Superfund Accomplishments Claimed
by Region VIII in fiscal Year 1992**

Response Cleanup Services (ERCS) contract or that a contract must be signed for a U.S. Coast Guard on-site Removal. The latter contract vehicle is also known as an Interagency Agreement (IAG). EPA entered into an IAG with the U.S. Coast Guard for the response to the Classic Emergency. This IAG, verifying response to the Classic Emergency (RV1) January 25, 1992, was provided to audit officials on 4/19/93.

The activities for the initial Removal action are clearly different in scope from the subsequent Removal and cannot be considered a continuation of the same work. Again, the definition of a Removal completion as defined in the FY92 SCAP Manual is "...when the conditions specified in the Action Memorandum have been met, even if the OSC determines additional response work may be necessary" (see Attachment A). In the above case, all conditions specified in the Action Memoranda were met.

E. Rocky Flats (OU2, RA3 Start)

We agree in part. Per the second position paper, the Office of Inspector General held discussions directly with the Region VIII, Federal Facilities Branch. The definition issue has been raised to our Headquarters Office of Federal Facility Enforcement.

**Specific: "ACCOMPLISHMENTS CLAIMED IN FISCAL 1992 BUT OCCURRED IN
OTHER FISCAL YEARS.**

A. California Gulch (RI/FS Sub. Start)

We agree with the audit officials that the original OU4 RI/FS subsequent start was initiated with the issuance of an administrative order in fiscal year 1991, however, the Region did issue an amendment to that order in FY92 which added additional groundwater monitoring requirements and established a new operable unit. The creation of a new operable unit was necessary because of the enormous size of the site. Therefore, we disagree with the audit report. An amended order was issued in FY92, creating a new operable unit, thus a subsequent RI/FS start.

B. Sharon Steel (RA Completion OU2)

We disagree with the audit finding. On the Sharon Steel site, the audit report did not dispute that the technical report demonstrates completion of the remedial action. Instead the report disputes the formal documentation EPA provided which shows in writing that the technical report is accepted as final. We feel that this accomplishment did occur in FY92, though, we

**Response to "DRAFT" report on Superfund Accomplishments Claimed
by Region VIII in fiscal Year 1992**

acknowledge that formal written approval of the report was not prepared until FY93.

C. California Gulch (RA Completion OU1/RA2)

We disagree with the audit finding. In this case the Region negotiated "phased" completions with Headquarters in the traditional method and in advance of the fiscal year. Region VIII received approval to proceed in this manner. The audit officials acknowledged and accepted the "phased" completions, however, they do not believe that the Preliminary Close-out Report" signed 9/30/92, documents the accomplishments. The preliminary report incorporated the requisite information and inspections, and it was signed by the Regional Administrator on 9/30/92.

D. Richardson Flat Tailings SI Completion

We disagree with this finding. This old SI report was not claimed as an accomplishment in 1988. It was reviewed and approved on 9/3/92. We have no evidence it was ever reviewed and approved in 1988.

E. Hill AFB (RI/FS Start)

We disagree with this finding. Issues surrounding Hill AFB changed. In the first issue paper, the audit suggested the RI/FS subsequent start for OU4 had been claimed twice and that the original 1987 date should be used as opposed to the post-FFA date (FY92/1). Our response that other sites had been added in negotiating the FFA and no acceptable feasibility study work had been done apparently sufficed to modify the work plans at the signing of the FFA. OIG believes that the FFA signature date 4/10/91, is the appropriate date to claim.

**Specific: "ACCOMPLISHMENTS CLAIMED WITH INSUFFICIENT
DOCUMENTATION"**

A. Silver Creek Tailings SI Completion

We disagree with this finding. The old SI report was not previously credited as an accomplishment. It was reviewed and approved on 9/3/92. There is no evidence that the report was ever reviewed and approved in a prior year.

**Response to "DRAFT" report on Superfund Accomplishments Claimed
by Region VIII in fiscal Year 1992**

B. Lincoln Service Co. SI Completion

We disagree with this finding. This site was an experimental site with the PRP performing the SI and the EPA contractor performing oversight. There are volumes to the SI report in the file plus an EPA FIT report documenting oversight.

**C. Williams Pipeline and McCord Heat Transfers
SI completions**

We disagree with these findings. These two activities were initiated as PA2's. It turned out that significant sampling had been done by the time these reports were written. The analytical data was included in the reports. They are thus the functional equivalent of a SI event. The Site Assessment Manager reviewed and approved them as SI reports. It was not feasible to request new SIs be performed when we already had the data we needed to make the decisions. Reports were completed and they were reviewed and approved during FY92.

D. Denver Radium (RA Completion OU6/RA1)

We agree with the audit finding. The documentation was insufficient, however, this accomplishment was achieved because the work was done as reported. The work was completed for this phase of the remedial action and it was documented in a report prepared by the contractor. The Region neglected follow the formal process of preparing a close-out report approving the contractor's report. This was an oversight and will be completed as soon as possible to complete the record.

E. Montana Pole (RV5 Start)

Region concurs with the position stated in Draft Audit Report dated June 18, 1993.

F. Micronutrient International (RV2 Completion Date)

We agree with this finding. The Administrative Order for the Micronutrient International site requires that a Work Plan be developed which includes, among other things, a monitoring plan. Attached is a letter, dated May 15, 1991, from the OSC to the RP, which verifies approval of the Work Plan (see Attachment B). This Work Plan describes a 30-year monitoring plan consistent with the requirements of 40 CFR Part 265 Subpart G/ as required by the Administrative Order.

**Response to "DRAFT" report on Superfund Accomplishments Claimed
by Region VIII in Fiscal Year 1992**

**G. Rocky Mountain Arsenal (RA Starts OUs 20 & 21 and
Completions at OUs 19, 20 & 23)**

We agree with this finding. After receipt of the second position paper, supplementary information was forwarded to the auditing officials as requested. No additional information or documents are available or have been requested at this time.

General: "STATEMENT REGARDING OVERALL AUDIT"

All Superfund staff involved in this audit expressed concern over the fact that the Office of Inspector General auditors, did not have a clear understanding of the SCAP/CERCLIS process and the respective guidance. We felt that misinterpretation of definitions by the auditors played a large part in disapproving the Region VIII accomplishments reported in FY92. In the various position papers the language of the applicable documents should have been quoted, followed by the auditors interpretations. In short, all efforts should be made to base the decisions on facts and not assumptions.

It appeared that the auditors failed to search the entire site files for documentation of accomplishments, but rather looked only for initial documents. When they determined what documents they were looking for, but were unable to quickly identify them in a site file, the Superfund staff had to spend several hours interpreting definitions and distinguishing file documents for them.

On a positive note, we believe the audit officials listened and appropriately acted to our comments and responses regarding the initial position papers.

ABBREVIATIONS

AO	Administrative Order
CERCLIS	Comprehensive Environmental Response, Compensation, and Liability Information System
CFO	Chief Financial Officer
CSMRI	Colorado School of Mines Research Institute
EPA	Environmental Protection Agency
EPI	Environmental Priority Initiative
FFA	Federal Facility Agreement
FMFIA	Federal Manager's Financial Integrity Act
NCP	National Contingency Plan
NPL	National Priority List
OIG	Office of Inspector General
OSC	On-scene Coordinator
OU	Operable Unit
PA	Preliminary Assessment
PRP	Potentially Responsible Party
RA	Remedial Action
RI/FS	Remedial Investigation/Feasibility Studies
ROD	Records of Decision
RV	Removal Action
SARC	Superfund Annual Report to Congress
SCAP	Superfund Comprehensive Accomplishments Plan
SI	Site Inspection
TAT	Technical Assistance Team

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