



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

DEC 13 1996

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

MEMORANDUM

SUBJECT: Headquarters Consultation for Dioxin Sites

FROM: Stephen D. Luftig, Director *Steve Luftig*
Office of Emergency and Remedial Response

TO: Director, Office of Site Remediation and Restoration
EPA New England
Director, Emergency and Remedial Response Division
Region II
Director, Hazardous Waste Management Division
Regions III, IX
Director, Waste Management Division
Region IV
Director, Superfund Division
Regions V, VI, VII
Assistant Regional Administrator, Office of Ecosystems
Protection and Remediation
Region VIII
Director, Environmental Cleanup Office
Region X

PURPOSE

The purpose of this memorandum is to request that Regions consult with Headquarters on sites where remediation goals are to be developed for dioxin in soil. This request is being made as a result of the discussion on dioxin with Superfund National Policy Managers at the Lead, Dioxin and PCB meeting in Chicago on November 22, 1996. The Office of Emergency and Remedial Response, the Office of Site Remediation Enforcement and the Office of Federal Facilities Restoration and Reuse Office have agreed that this consultation policy for dioxin sites is applicable to all Fund and potentially responsible party (PRP)-lead sites, including other Federal agency-lead and State-lead sites, for which a Record of Decision (ROD) or ROD Amendment is being developed, or for Explanation of Significant Differences (ESD) in those cases where cleanup levels are altered by an ESD.

BACKGROUND

The status of the Agency's Dioxin Reassessment, which is expected to be completed by mid-1997, and the implications of the Reassessment on Superfund dioxin decisions, were discussed at the Superfund National Policy Managers meeting in Chicago on November 22, 1996. A Superfund dioxin workgroup has recently been established to evaluate the implications of the Reassessment on the Superfund program and determine the need for additional guidance when the Reassessment is completed.

As a means of assisting the Superfund dioxin workgroup in evaluating the Reassessment and in order to promote national consistency, consultation with Headquarters is being requested for all sites where remediation goals are to be developed for dioxin in soil, *regardless of whether dioxin itself drives the decision-making process.*

The Office of Emergency and Remedial Response plans to undertake an initiative in FY 97 to update and consolidate Headquarters/Regional consultation requirements for response decision-making. These requirements were last presented in an October 8, 1993, memorandum from then Deputy Assistant Administrator Richard Guimond to Regional Administrators entitled "Twenty-Fifth Remedy Delegation Report - FY 1994." The goal of the current initiative will be to revise the consultation criteria to reflect changes in policy due to recent Superfund reforms, other initiatives, and new understandings in science and technology. The anticipated level of consultation within Headquarters and the Regions will also be revised to reflect changes in organizational structure and delegation of authority. This dioxin consultation policy will be considered as well.

IMPLEMENTATION

Regional management should consult on all proposed Fund and PRP-lead, including other Federal agency-lead and State-lead site decisions involving dioxin contamination, with the appropriate OERR Regional Center Directors prior to issuing a proposed plan for public comment. The Office of Site Remediation Enforcement will provide support if enforcement issues are identified. Questions regarding which sites need consultation or regarding the consultation process should be addressed to Marlene Berg at (703) 603-8701. I appreciate your assistance in this matter.

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