

The Past, Present, and Future of the EPA Superfund Program

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Appreciation to EPA for use of ppt slides

EPA Laws Leading up to SF

1970 - Clean Air Act

Marine Protection, Research and Sanctuaries Act

1972 - Federal Water Pollution Control Act (CWA)

Federal Insecticide, Fungicide, and Rodenticide Act
(FIFRA)

1974 - Safe Drinking Water Act

1976 - Resource Conservation and Recovery Act (RCRA)

Toxic Substances Control Act (TSCA)

1980 - Comprehensive Environmental Response,
Compensation and Liability Act (CERCLA)

CERCLA ('80) as Amended by SARA ('86)

Major Features of CERCLA/ SARA:

- Most powerful Environmental Statute
- Strict, Joint and Several Liability
- Formerly a separate tax on chemicals
- Removal Program – Hundreds of Actions each year
- Remedial Program – National Priorities List
- NIEHS SBRP and ATSDR partners
- Other Federal Agencies pay for their own Clean ups
- Most effective Community Involvement Program
- Risk based/ cost-effective assessment and remediation
- Always controversial

Superfund – A Guidance Based Program

National Contingency Plan/Hazard Ranking System Regs
Guidances – Risk Assessment Guidance for Superfund

Meet Other Media Program Regulations

Meet Risk Goals

Cost-Effective Remediation

Program is basically Site-Specific

The Nation's Fail Safe Environmental Program

History of NPL

Hazard Ranking System

Evaluated on 4 potential pathways – Air, Surface Water, Ground Water, and Soil

Maximum score of 100

Cut off score of 28.5 to List

Notice and response to comments via the Federal Register

First NPL in 1983 had 400 sites; 800 Sites by 1987; Nov 2008, 1256 Final sites, 59 Proposed, 331 Deleted Sites

Forces Affecting the EPA Superfund

- Decentralization – Region vs Region vs States
- HQ vs Regions
- Removal vs Remedial clean ups
- Program vs Research
- Program vs with Attorneys – Enforcement and OGC
- Program vs Program - Program Office “Silos”
- Program vs Other Federal Agencies
- Community Involvement – Environmental Justice
- Measures of Success – Deletions to Construction Completions to Environmental Indicators
- Oversight – IG, GAO, Cong’l Committees, Press
- Program People love to hate – “Administrative Reforms”

SF Program Accomplishments 2007

- Enforcement – Potentially Responsible Parties agreed to conduct about \$700 million in future response work; to reimburse EPA \$250 million for past costs; and \$62 million for oversight costs
- 351 Removals
- 203 Five Year Reviews
- NPL Listing Decisions made on more than 300 sites
- Proposed 17 New Sites to the NPL
- Completed Construction at 24 sites (vs 87 in 2000)
- Deleted 7 Sites

SF Appropriation History

Fiscal Year	1993	1998	2006	2008
Superfund	\$1,467	\$1,279	\$1,247	\$1,254
Brownfields	0	\$89	\$164	\$166
SBRP	\$52	\$61	\$51	\$50
ATSDR	\$60	\$74	\$76	\$74
Total	\$1,579	\$1,503	\$1,567	\$1,571.50

Major Role of Enforcement in SF

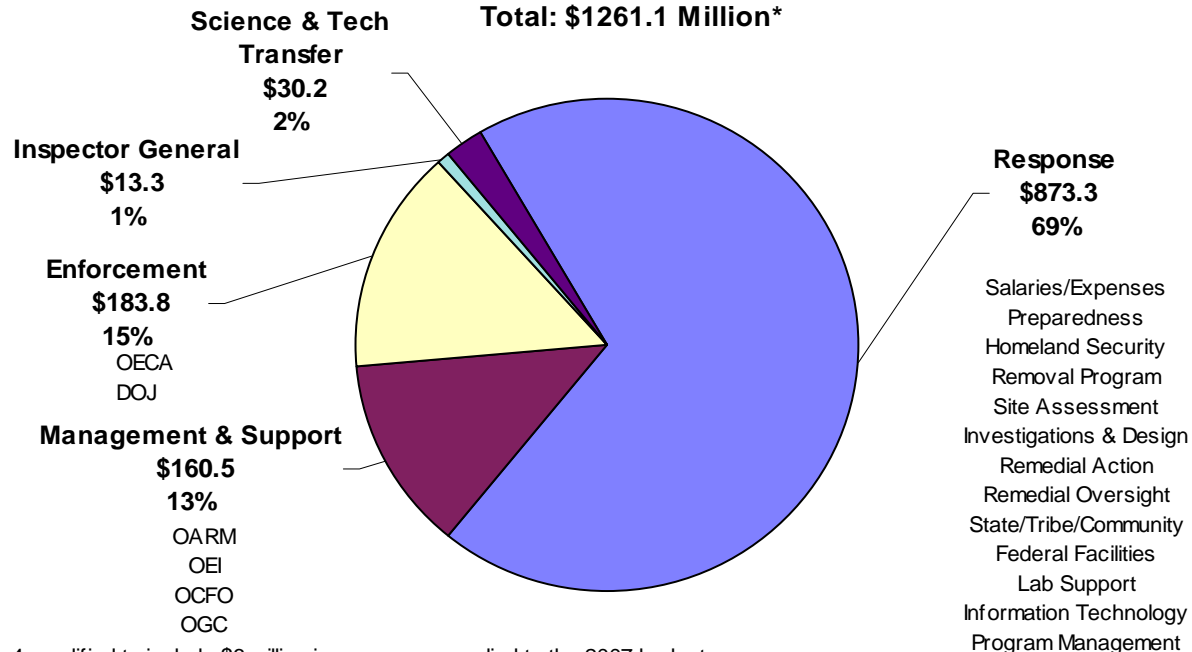
- \$186 million and 1093 workyears in FY 2008
- “Enforcement First Policy” –Leverage Fed funds
- Enforcement staff identify Potentially Responsible Parties early
- EPA attorneys work with DOJ attorneys on cases
- EPA achieves a high level of PRP-led clean ups and also recover EPA costs
- EPA secured private party commitments of nearly \$1.9 billion in FY 2008
- Down side – Large PRPs suing other smaller companies to recoup clean up costs

FY 2007 Superfund Appropriation

FY 2007 Superfund Budget By Function

(BAS Operating Plan, \$ in Millions)

Total: \$1261.1 Million*



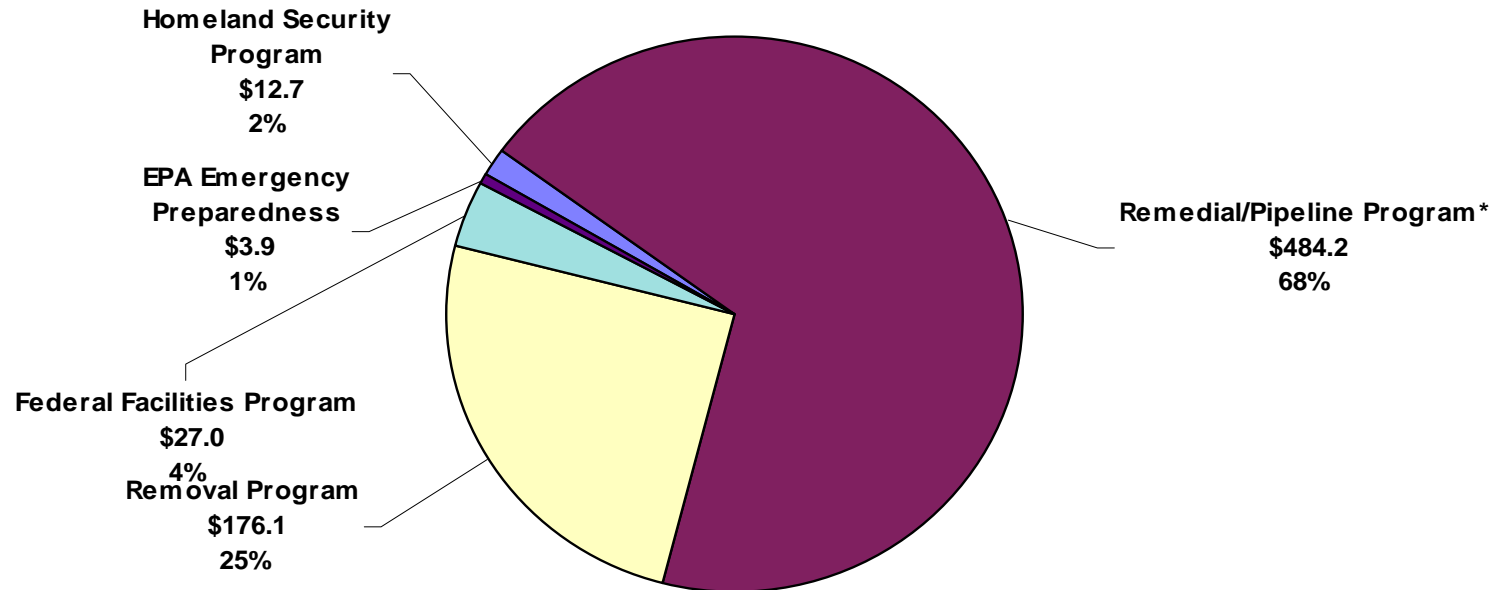
BAS 2007 OPP v4, modified to include \$6 million inn carryover applied to the 2007 budget

OSWER Regional Superfund Allocation by Program Project

FY 2007 Superfund Regional Response Function Budget by Program Project

(BAS Operating Plan, \$ in Millions)

Total: 703.9 Million



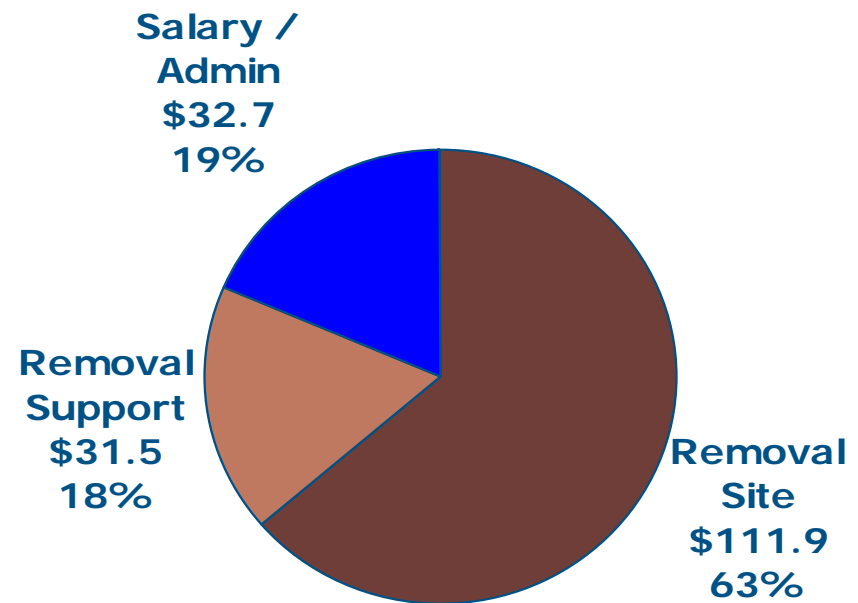
BAS 2007 OPP v4 (from OCFO)

*Includes \$11m from OSRTI HQ Budget

Emergency Preparedness and Response Program

- 30,000 Notifications/Year - Of These 20,000 Are Hazmat, 10,000 Are Oil
- 200-250 Hazmat (CERCLA) Responses/Year
- 250-300 Oil Response (CWA/OPA)
- 500 Other Emergency Responses Where EPA Monitors And Provides Technical Assistance

**FY 2007 Regional Removal Budget:
\$176.1 million**



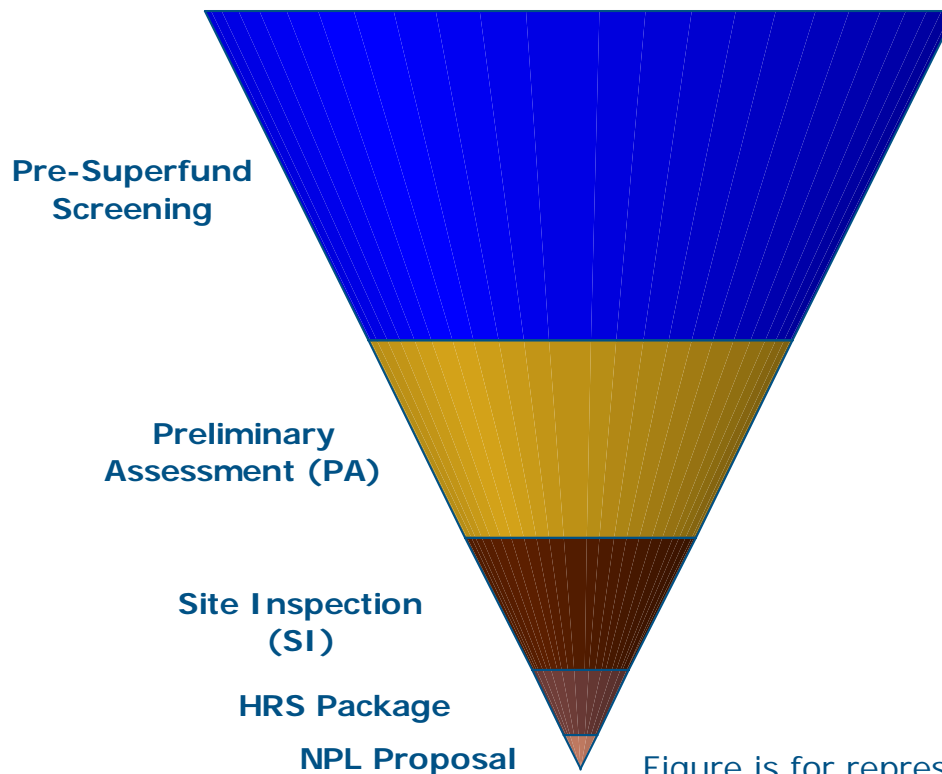




Homeland Security

- Nationally significant Incidents
 - World Trade Center and Pentagon Attacks
 - Anthrax
 - Columbia Space Shuttle Disaster
 - Hurricane Katrina
- Post September 11 National Approach to Response
- Preparedness Activities
 - ICS Training and Implementation
 - Expansion of Special Terms
 - Decontamination Technologies
 - IT Systems
 - Equipment
 - Exercises
 - Lab Capacity and Capabilities

Superfund Site Screening In FY 2007



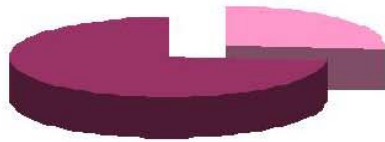
Activity	Activities Conducted	Sites Screened Out	% Screened Out
Pre-Superfund Screening	656	585	89%
PA	256	148	58%
SI	243	147	60%
HRS Package	20	3	15%
NPL Proposal	17		

Figure is for representational purposes only of the site assessment process

Superfund Program Site Universe

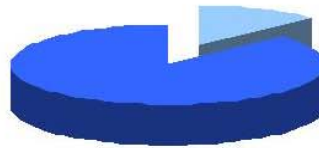
47,402 Site Universe

- Active Sites (12,331)
- Archived Sites (35,071)



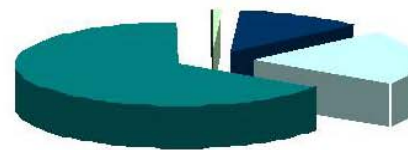
12,331 Active Sites

- NPL (1,569)
- Non-NPL Active (10,762 - 66 Proposed)



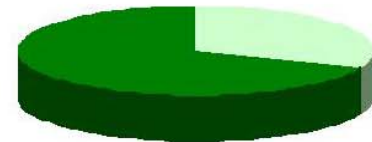
1,569 NPL Sites (1,245 Final, 324 Deleted)

- Study Pending (12 - 5 w /Rv)
- Study or Design (200 - 135 w /Rv)
- Construction Under way (323)
- Construction Completed (1,030)
- Deleted Referred (4)

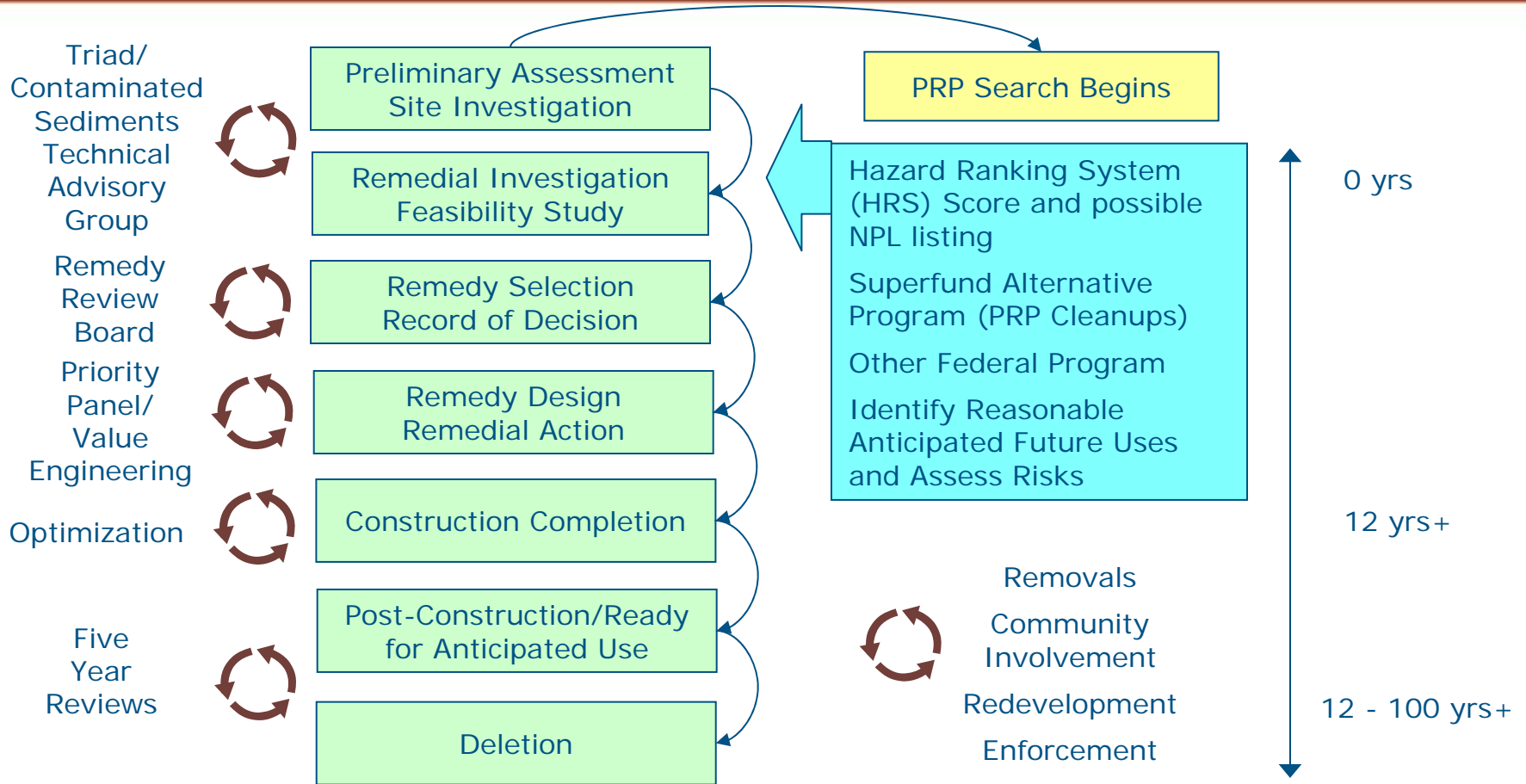


1,030 Construction Completed (CC) Sites

- CC and Deleted (320)
- CC and not Deleted (710)



The SF Program is Constantly Adapting To Be More Efficient And Effective



NOTICE
NO EPA OFFICIALS
ALLOWED
COURTESY REQUIRED

PRIVATE PROPERTY
NO TRESPASSING
NO HUNTING

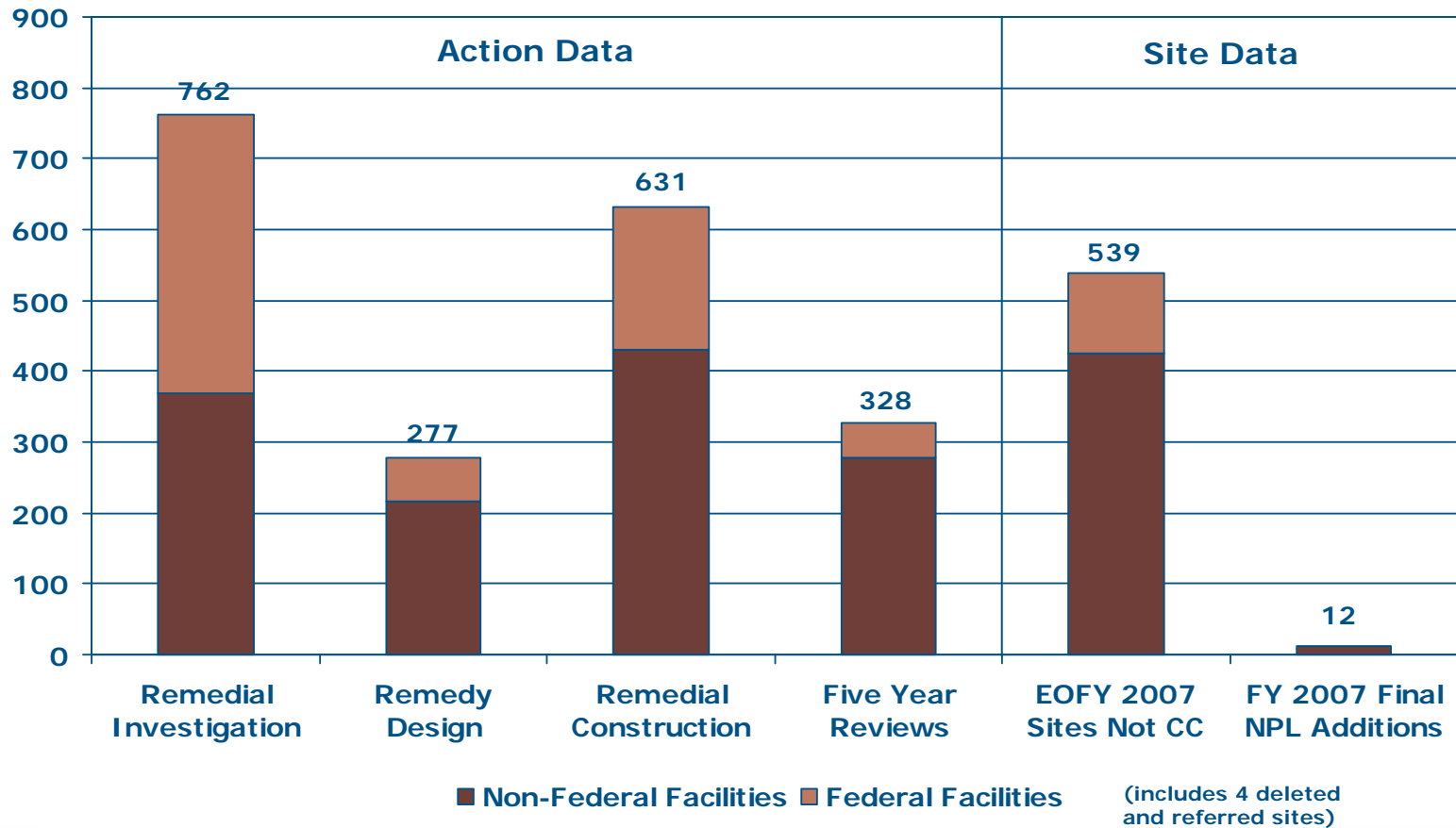
NO
TRESPASSING



Rena Kerfoot
832-4087

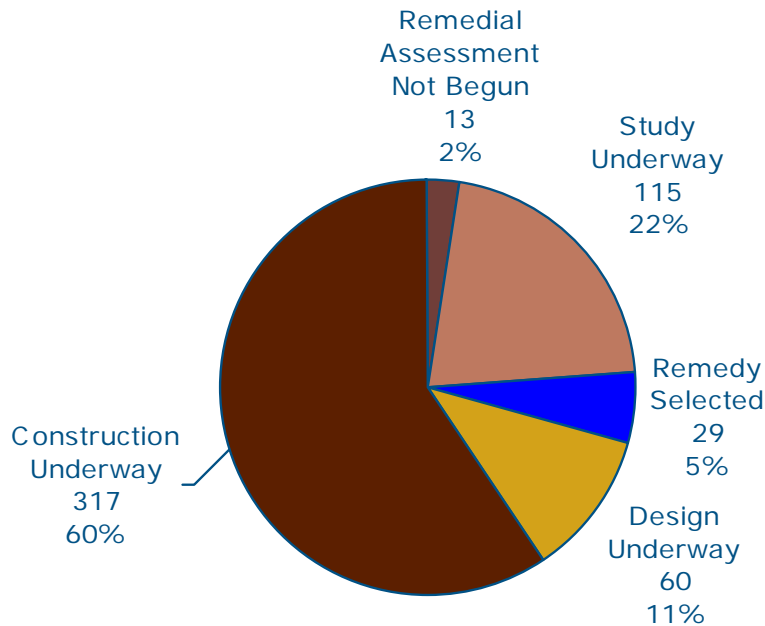
TOMLINSON
BLACK
783-1121
LIVING ENGINEERS BY
THE BOB-CAT GROUP

FY 2007 Snapshot Of Ongoing NPL Activity

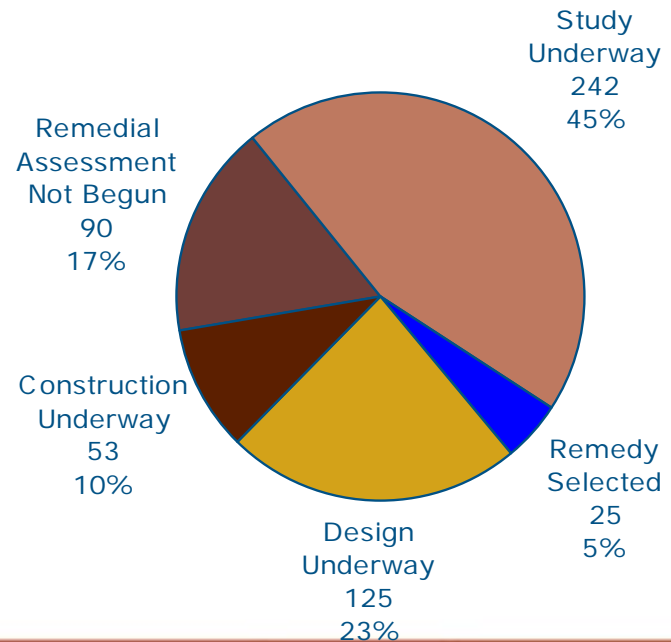


Sites Have Made Significant Progress, But Significant Workload Remains

Status of Non-Construction Complete Sites by Most Advanced Activity



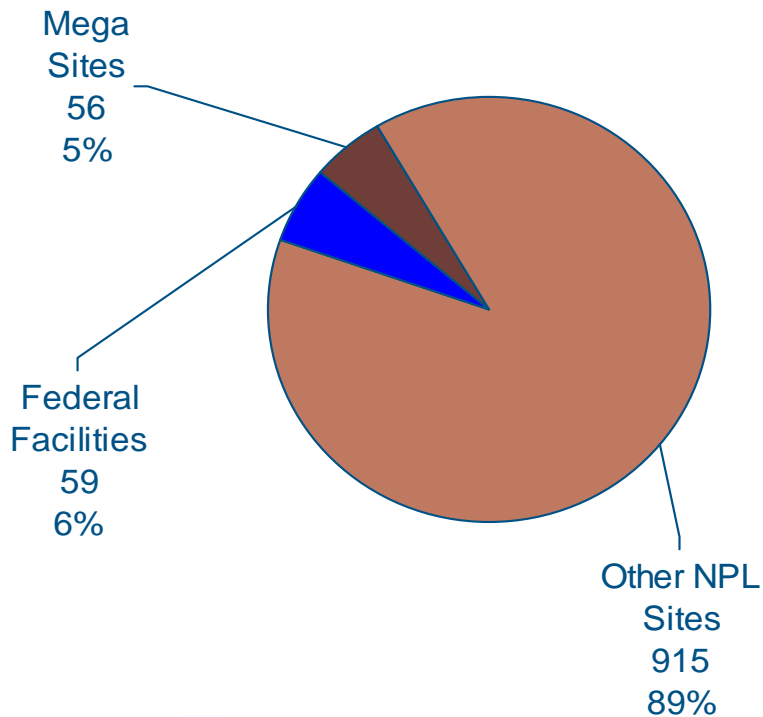
Status of Non-Construction Complete Sites by Least Advanced Activity



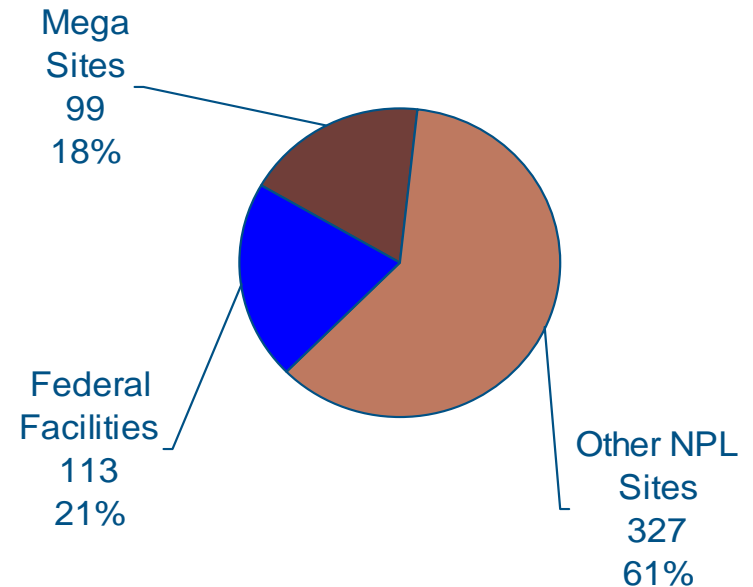
Status of 535 federal and non-federal facility non-construction complete sites as of EOFY 2007 base on site actions (excludes 4 deleted and referred sites)

Remaining NPL Sites are More Complex than Construction Complete Sites

1030 Construction Complete Sites



539 Non-Construction Complete Sites



Emerging / Continuing Issues

- Construction Completes vs. Other Measures of Success
- Funding levels/Renewal of the Superfund Tax
- Mega Sites – Mining, contaminated sediments, Groundwater remediation
- Post-construction
 - Long-term O&M
 - Institutional controls
- Redevelopment
- Community, Cumulative Risk, Environmental Justice
- Nanotechnology for remediation
- Green Remediation Technologies

Additional Resources

- NPL [Hazard Ranking System](#)
- [CERCLA](#) and [SARA](#) overviews
- [Superfund Basic Research Program](#)
- [Student/Postdoc/Alumni Network](#)

Feedback

Please take a moment to complete the [online feedback form](#).