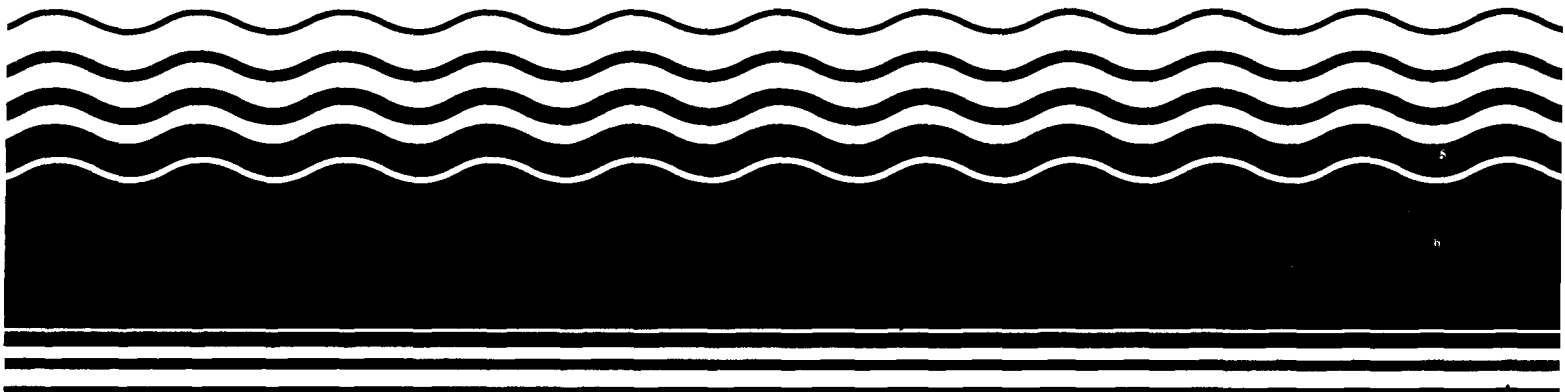

Superfund



SUPERFUND REMOVAL PROCEDURES

Removal Response Reporting: POLREPs and OSC Reports



SUPERFUND REMOVAL PROCEDURES

REMOVAL RESPONSE REPORTING:

POLREPs and OSC Reports

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U.S. Environmental Protection Agency
Washington, DC 20460**

NOTICE

The procedures set out in this document are intended solely for the guidance of Government personnel. They are not intended nor can they be relied upon to create any rights enforceable by any party in litigation with the United States. EPA officials may decide to follow the guidance provided in this document, or to act at variance with the guidance, based on an analysis of site circumstances. The Agency also reserves the right to change this guidance at any time without public notice.

KEY TO SYMBOLS

Two types of symbols appear throughout this document to assist readers in obtaining additional information or to focus attention on specific points.

Bracketed numbers [#] appear in the text and exhibits and correspond to specific references in Appendix B. This comprehensive reference list includes related guidance documents, statutes, and regulations which provide more detailed information on Superfund program policies and procedures.

Some information required for the reports may also be required for the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS). This information is denoted by the symbol ^o in the POLREP models and the model OSC Report. This symbol is intended to assist OSCs in identifying items to be entered into CERCLIS.

This document is part of a ten-volume series of guidance documents collectively titled the Superfund Removal Procedures. These stand-alone volumes update and replace OSWER Directive 9360.0-03B, the single-volume Superfund Removal Procedures manual, which was issued in February 1988.

Each volume in the series is dedicated to a particular aspect of the removal process and includes a volume-specific Contents, References, and Key Words Index. The series comprises the following nine procedural volumes:

The Removal Response Decision: Site Discovery to Response Decision

Action Memorandum Guidance [*Publication 9360.3-01*]

Response Management: Removal Start-up to Close-out

Removal Enforcement Guidance for On-Scene Coordinators [*Publication 9360.3-06*]

Public Participation Guidance for On-Scene Coordinators: Community Relations and the Administrative Record [*Publication 9360.3-05*]

Removal Response Reporting: POLREPs and OSC Reports

Special Requirements

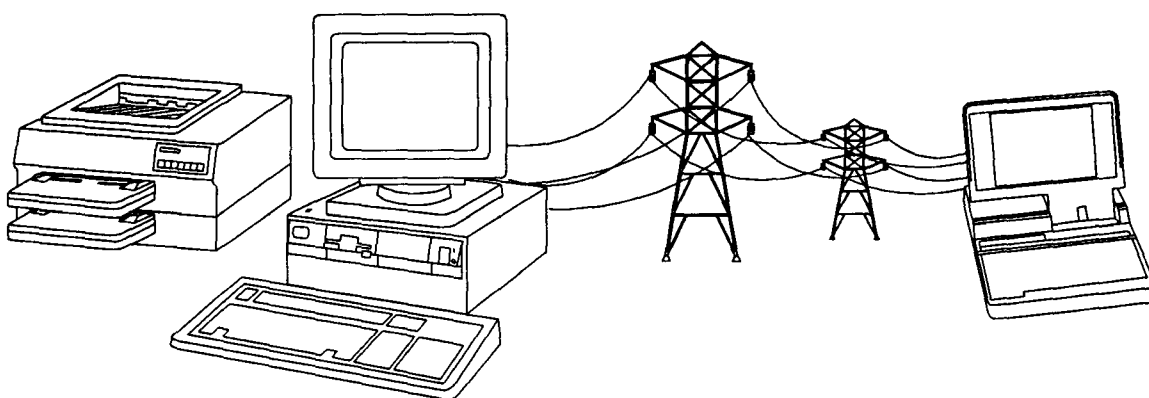
Guidance on the Consideration of ARARs During Removal Actions [*Publication 9360.3-02*]

State Participation in Federal-Lead Removals

In addition, the series includes an Overview volume containing a comprehensive Table of Contents, List of Exhibits, Index of Key Words, List of Acronyms, and Glossary, for use as a quick reference.

One of the most important responsibilities of the On-Scene Coordinator (OSC) is reporting all removal activities to EPA management and the public. Reporting requirements include preparing a series of Pollution Reports (POLREPs) and an OSC Report for each removal. This Removal Response Reporting volume describes how to prepare and distribute POLREPs and OSC Reports. POLREPs and OSC Reports must meet the Superfund program policy requirements and, where applicable, the regulatory requirements under section 300.165 of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP).

This volume clarifies reporting criteria and informs the preparers of POLREPs and OSC Reports about the potential users and uses of these reports. This volume will make these reports more useful by promoting their accurate preparation and timely distribution. Accurate documentation is critical for cost recovery and overall program management.



Preparation of accurate, complete, and timely reports is an important part of an OSC's job and critical to the success of the program.

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SECTION I

POLLUTION REPORT GUIDANCE

Pollution Reports (POLREPs) comprise initial, progress, special, and final POLREPs. They provide factual, operational, and progressive data on an incident or on site activities, and a current accounting of the total funds allocated for removal activities[1]. POLREPs also detail the search for potentially responsible parties (PRPs), other enforcement activities, and measures taken to inform the community of the removal activities. They also inform OSCs at other sites about innovative approaches to containment, site cleanup, and waste treatment or disposal which were successful or unsuccessful. POLREPs provide detailed progressive information on cumulative costs and activities at removal sites. POLREPs are a means of alerting EPA Headquarters and Regional program management about ongoing removal activities, cumulative costs, and important or critical events occurring or pending at sites.

POLLUTION REPORTS

Purpose

Pollution Reports (POLREPs) provide documentation of activities for: removal activities under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 as amended by the Superfund Amendments and Reauthorization Act (SARA) of 1986 [2]; oil spill responses under the Oil Pollution Act (OPA) of 1990¹; and, in some instances, underground storage tank removals under the Resource Conservation and Recovery Act (RCRA). Although the POLREP model presented in this document may be used to write POLREPs for all three response activities mentioned, the information and examples used in this volume of the Superfund Removal Procedures (SRP) apply only to CERCLA removal activities.

The principal function of the POLREP is to inform Regional management, EPA Headquarters, the Regional Response Team (RRT), the National Response Team (NRT), and the trustees of affected natural resources regarding:

- The source and circumstances of the release
- The identity of potentially responsible parties (PRPs)
- The removal activities performed
- The costs incurred for the removal activities
- The impact and potential impact of the release on public health and welfare, and on the environment

OSCs prepare POLREPs throughout a removal activity, providing factual and timely reporting of ongoing removal activities and the total costs incurred for most removal sites. Although the NCP does not require POLREPs for PRP-lead sites, OSCs are encouraged to prepare POLREPs and keep Regional management, Headquarters, the NRT, and the RRT informed of activities on site, especially any unusual or significant incidents. POLREPs are prepared at the initiation and completion of a removal activity, and at regular intervals in-between. POLREPs should be prepared daily, weekly, monthly, or as the need arises due to changes at the site, keeping in mind Regional practices. POLREPs provide detailed information regarding the initial situation, ongoing removal activities, the next steps to be taken, and the

¹ Responses to oil spills prior to August 18, 1990, were funded under Section 311(k) of the Clean Water Act (CWA). Under Section 2002(b)(2) of the Oil Pollution Act (OPA) of 1990, Section 311(k) was repealed. In brief, the OPA increases the Federal oil spill fund from \$35 million to \$1 billion. The OPA also increases and expands the administrative and civil penalties for discharges of oil. The OPA establishes stricter requirements (including potential administrative penalties for noncompliance) for the development of prevention, containment, and cleanup contingency plans for onshore and offshore facilities.

POLLUTION REPORTS

breakdown of cumulative project costs. They provide details regarding enforcement activities, media attention, and measures taken to inform the affected community of removal activities. The final POLREP for the removal documents that all proposed tasks have been completed as outlined in the Action Memorandum, thereby establishing the completion date for the removal. The final POLREP also summarizes the results achieved by the removal.

The collection of POLREPs for each site is often the best detailed record of removal activities.

POLREP Distribution

POLREPs are sent to the Director of the Emergency Response Division (ERD) at:

- E-Mail EPA 5511, or
- Telefax number (703) 603-9116 or (703) 603-9107

In the event that neither one of these methods of communication is available, POLREPs may be mailed to:

Director, Emergency Response Division, 5202-G
U.S. Environmental Protection Agency
401 M Street, SW
Washington, DC 20460

In addition, POLREPs should be distributed to Regional branch/section chiefs and all agencies or parties participating in the removal activity, as appropriate, including, but not limited to:

- U.S. Coast Guard, telefax number (202) 267-2165
- RRT representatives
- State representatives
- Local/county representatives
- U.S. Fish and Wildlife Service
- National Oceanic and Atmospheric Administration

Users and Uses of POLREPs

The primary users of POLREPs are Regional program managers and EPA Headquarters staff. POLREPs are the primary means for OSCs to notify Headquarters Regional Coordinators (and all Headquarters personnel) of routine site progress and important or critical events. OSCs also use POLREPs to inform the NRT, the RRT, and the trustees of natural resources affected by the release, the identity of the PRP, the removal activity, the costs, and the effects of the release on public health, welfare, and the environment.

POLREPs provide a current, cumulative, estimated accounting of the total funds allocated for the removal activities and of how those funds are spent. Costs reported in POLREPs assist Regional section chiefs and Regional Coordinators in anticipating the need to amend Action Memoranda and to request ceiling increases [4]. POLREPs provide information on problems that may require Headquarters support. The Regional Coordinators emphasize that POLREPs should report not only what has occurred, but also upcoming events. Headquarters and Regional program managers use POLREPs for research purposes to assist in defining policy and developing guidance, and to learn about innovative approaches to hazardous substance containment, treatment, and disposal. POLREPs may also be used to report under the Superfund Comprehensive Accomplishments Plan and the Strategic Planning and Management System. Final POLREPs are important to cost recovery personnel in the Regions, the Office of Enforcement Compliance Assurance (formerly the Office of Waste Programs Enforcement), and the Department of Justice for Statute of Limitations determinations.

Information Requirements for POLREPs

POLREPs should contain **only factual information concerning a site**. Presenting the information as objective statements of fact will minimize the possible adverse effects of negative performance appraisals on cost recovery efforts. In describing the effectiveness of removal activities, **do not make subjective judgments, draw conclusions which are not fact-based, or discuss the legality of actions or events**.

There are four main types of POLREPs: initial, progress, special, and final. After an initial POLREP, progress POLREPs are prepared intermittently throughout the removal activity. Special POLREPs document unanticipated developments which affect the progress or focus of the removal (e.g., flooding, accidents). Final POLREPs document that all response activities listed in the Action Memorandum and any addenda are complete. Some response activities require only one POLREP, which acts as both an initial and final POLREP. Refer to Appendix A for a model of this type of POLREP. Summaries of the information requirements for each type of POLREP are presented below.

POLLUTION REPORTS

Initial POLREPs

An initial POLREP is prepared for each new removal activity. The information in an initial POLREP should be clear, precise, and as complete as possible. Subsequent POLREPs need not have as much detail as the initial POLREP. Readers of later POLREPs are frequently referred to the initial POLREP for background and site information. The initial report should give the exact site location and coordinates (latitude/longitude); describe the incident, including results of the preliminary assessment (PA) or site inspection; discuss the status of removal or remedial activities (including enforcement); verify that the State has been consulted and discuss any results of that notification; describe the next steps to be taken; and identify any key issues or problem areas.

At some sites, a combined site screening and assessment may be performed which will address both removal and remedial requirements. The results of the assessment and/or site inspection must be reported in the initial POLREP.

Depending on the circumstances of the response, initial POLREPs may be written before the Action Memorandum for the site has been written and approved for the site. If the Action Memorandum has been written, the initial POLREP should indicate its status, noting when it was written, if the Action Memorandum was approved, and specifying the project ceiling and expenditures. A model for an initial POLREP is presented on pages 11 to 16.

Some information that should be in a POLREP:

The exact site location including site coordinates (latitude/longitude), street address (city, county, state), acreage, and boundaries.

Whether an alternative to land disposal of wastes was used. Use care in documenting the rationale and the use of any alternative technology. Be sure to document which wastes are returned to a manufacturer or user or are otherwise recycled.

Contact with news media staff and with officials at the local, State, or national level. Document all public meetings that are held.

All contact with PRPs, including notice letters, administrative orders, and all written or oral communications.

Problems with disposal of wastes.

Unusual occurrences that may have affected the scope or cost of the removal action. Discuss inclement weather, flooding, additional contaminants found, citizen protests, etc.

In many cases, the initial POLREP is written prior to the completion of the Action Memorandum.

Progress POLREPs

Progress POLREPs should describe the status of ongoing removal activities; explain the actions taken since the last POLREP; describe the next steps to be taken; briefly discuss the key issues and problem areas; and detail current cost information (project ceiling and expenditures). In addition, progress POLREPs should include other pertinent (but non-sensitive) information, such as the status of efforts to locate and obtain cleanup by PRPs, and community relations concerns. In general, progress POLREPs should contain information on any changes since the previous POLREP.

Progress POLREPs track estimated cumulative project ceiling expenditures. Regional practices may differ on the frequency of progress POLREPs. However, if the activity at the site warrants them, routine progress POLREPs generally should be prepared and submitted to ERD once every week. If there is little to report and the activities do not change substantially from week to week (e.g., the continued sampling and removal of hundreds of drums), routine progress POLREPs should be submitted once a month. Where the situation warrants (e.g., response to a spill which included the evacuation of nearby residents), submit progress reports on a more frequent (such as daily) basis. If circumstances warrant delays in submission of POLREPs, such delays should not be deemed actions at variance with this guidance. A model for a progress POLREP begins on page 19.

Special POLREPs

Special POLREPs are written when the situation at the site justifies particular attention. There is no unique format required for a special POLREP. The format for a progress POLREP may be used; however, the POLREP should carry the banner "SPECIAL" across the top to alert the reader. Situations that justify particular attention may include fires, explosions, floods, heightened community or media attention, and accidents, even where no damage or injury was sustained. (If there is an accident on site, an OSHA 101 form should be completed, in addition to reporting the accident in the POLREP.) Special POLREPs should describe the incident or change in circumstances which warranted special attention; outline the actions taken in response to the incident; specify any change in scope of work the incident caused; list any key issues associated with the incident (such as media attention or demobilization of the contractor); and provide current cost information (including expenditures associated with the incident). Refer to the model of a progress/special POLREP on page 19.

Final POLREPs

When a removal has been completed (i.e., when all objectives outlined in the Action Memorandum and any addenda, including removal and transport of wastes off site, waste disposal, and demobilization have been accomplished), a final POLREP is prepared and submitted. The final POLREP is submitted on the action completion date. It describes the current situation (site conditions at the completion of the

POLLUTION REPORTS

removal activity); explains the actions taken since the last POLREP; outlines the next action(s), if any, to be conducted after the completion of this response (e.g., remedial activity or post-removal site control); presents the results achieved by the removal activity; and details final costs associated with the removal activity. A final POLREP should be precise and detailed because it is often used by cost recovery personnel in the Regions, the Office of Enforcement Compliance Assurance, and the Department of Justice. A model of a final POLREP begins on page 25.

Write the final POLREP immediately after the completion of the removal action.

POLREP Format

All POLREPs should be objective, containing only factual, non-sensitive information concerning the site, and should not draw conclusions or make recommendations. POLREPs must be concise, generally one to two pages in length, and should contain only the kinds of information listed in the models below. The initial and final POLREPs should be detailed and complete, while the progress and special POLREPs may be updates of the previous POLREP and can refer the reader to the initial POLREP for more information, if necessary. The use of the following models by all ten Regions will result in nationally consistent and comprehensive reporting and will make accessing information from any of the POLREPs easier for all users.

In addition to providing a summary of the site situation and actions taken since the last POLREP, each POLREP includes a detailed cost accounting of site expenditures, specifying the project ceiling, the current cost to date, and the amount remaining for

Some information that should not be in a POLREP:

Uncommon abbreviations. Be aware that not all readers are familiar with abbreviations for State agencies, local computer systems, etc.

Indeterminate measures for quantities of waste removed from a site; (e.g., three truckloads of contaminated soil were removed, or four dumpsters filled with soil and debris were trucked off the site). Unless the volume of such containers has been indicated, the reader has no information about the quantity of waste removed. Use defined measures of weight and volume instead.

Chronological descriptions of work performed, with hour-by-hour, step-by-step notations. Do not repeat the site log entries verbatim. The POLREP should be more concise than log book accounts.

Confidential and PRP-sensitive information that may hamper enforcement efforts.

Unspecified or subjective complaints about contractor performance. Such comments are useful only when they are factual (e.g., the ERRS contractor did not have the drum grapppler needed to stage the drums), and not statements of opinion.

SPECIFICITY IN RECORDING ACTIONS

For all POLREPs: Be as specific as possible when recording information about a site. Record the exact location of the site, including site coordinates (latitude/longitude), street address (city, county, state), acreage, and boundaries. Use precise measures (or best estimates) of area, volume, or weight. Indeterminate quantities and undefined references provide little information. Try to provide quantitative measures when describing:

- Concentrations above "background levels" -- indicate the background levels
- Amounts of stained soil or affected vegetation (e.g., stressed, diseased, or dead) -- estimate the area and volume of contamination
- Number of residents relocated
- Number of individuals or residences provided with alternative water supplies
- Quantities of solid or liquid wastes removed from the site or treated on site

the removal activity. Cost data may be supplemented according to Regional cost-tracking practices, provided the required information is complete.

Exhibit 1 on page 10 provides the standard outline for all POLREPs. The three model POLREPs that follow address data requirements and provide examples for each type of POLREP.

Exhibit 2 on page 17 provides detailed information on recording site wastes that should be listed in the waste matrix. It lists the types of wastestreams, containment, treatment, and disposal options available to the OSC.

Exhibit 3 on page 30 provides a POLREP review checklist. OSCs should refer to this checklist to ensure that all POLREPs are complete.

POLLUTION REPORTS

EXHIBIT 1. POLREP OUTLINE

I. Heading

Date POLREP is written
Subject (site name)
From
To
POLREP Number

II. Background

Site Number
Delivery Order Number
Response Authority
ERNS Number/CERCLIS Number
NPL Status
State Notification
Action Memorandum Status
Start Date
Demobilization Date
Completion Date

III. Site Information

- A. Incident Category
- B. Site Description
 - 1. Site location
 - 2. Description of threat
- C. Preliminary Assessment/Site Inspection Results

IV. Response Information

- A. Situation
 - 1. Current situation
 - 2. Removal activities to date
 - 3. Enforcement
- B. Planned Removal Activities
- C. Next Steps
- D. Key Issues

V. Cost Information

VI. Disposition of Wastes

**U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION REPORT
Model Initial POLREP**

I. HEADING *Example:*

☉² Date: *October 10, 1991*

☉ Subject: *Whimperton Wire Company Site, Bobsled, New Jersey*

☉ From: *Joan Smith, OSC, U.S. EPA, Region 2, Response and Prevention Branch*

To: *Robert Watson, Director, ERD*
Janet Cohen, Response Operations Branch Chief, Region 2
James Stacks, NJDEP

POLREP No.: *POLREP 1³*

II. BACKGROUND *Example:*

☉ Site No.: *Q9*

Delivery Order No.: *N/A*

Response Authority: *CERCLA, § 104(a)*

ERNS No.:⁴ *30691*

☉ CERCLIS No.:⁵ *N/A*

☉ NPL Status: *Final NPL*

State Notification: *NJDEP notified*

☉ Action Memorandum Status: *Under preparation*

Start Date:⁶ *N/A*

Demobilization Date: *N/A*

Completion Date: *N/A*

² A ☉ denotes information that should be included in CERCLIS.

³ Certain removals may require only one POLREP that becomes both the initial POLREP and the final POLREP. If this is the case, refer to the model initial and final POLREP in Appendix A to ensure that the information requirements for both the initial and the final POLREP are met.

⁴ Emergency Response Notification System (ERNS) is a national computer database and retrieval system used to store information on the release of oil and hazardous substances.

⁵ If the CERCLIS number is available at this stage, use both the CERCLIS and ERNS numbers.

⁶ The start date is the date of the actual start of the removal and not the date of the preliminary assessment. The initial POLREP may be written before the Action Memorandum has been written and approved for the site. If the initial POLREP is written before the actual start of the removal, the start date should be indicated as N/A.

MODEL INITIAL POLREP

III. SITE INFORMATION

© A. Incident Category

- Indicate the appropriate CERCLA incident category for the site from the following list:

Active Production Facility
Inactive Production Facility
Active Waste Management Facility
Inactive Waste Management Facility
Midnight Dump
Transportation-Related
Other (Explain)

Example: CERCLA incident category: Inactive Production Facility

© B. Site Description

1. Site location

- Briefly describe the site setting, including site coordinates (latitude/longitude), location (city, county, state), acreage, and ownership.

Example: The Whimperton Wire Company is located in Bobsled Township, Hunterdon County, NJ (38° 37' 57" N, 75° 35' 06" W). The site is a 200-acre abandoned steel manufacturing facility owned by David A. Whimperton.

- Describe the area (e.g., residential, urban, commercial) and estimate the threatened population (as identified in the Preliminary Assessment).

Example: The site borders the Delaware River to the north and Sanders Creek to the east. The residential community of Bobsled surrounds the site to the south and west. Approximately 1,450 people reside within a one-mile radius of the site.

- Discuss past and present site activities.

Example: The company operated from 1906 until 1984, and produced primarily steel wire and cable; in recent years the site also served a variety of industrial purposes, including a polymer reclamation facility, a warehouse facility, a repair facility for trailers, and an equipment storage facility for a construction company.

2. Description of threat

- Describe the threat to human health or the environment posed by the site. If the threat is the result of a single incident or

release, describe the incident or release, including the date and what ensued.

Example: In September 1991, the EPA Region 2 Removal Action Branch requested that the Region 2 Response and Prevention Branch conduct a preliminary assessment of the Whimperton Wire Company site. The request was based in part on requests from local officials, including the Bobsled Town Fire Marshal, who had expressed concern that uncontained hazardous substances at this site presented a potential threat to the local population.

C. Preliminary Assessment/Site Inspection Results

- Briefly discuss the results of the site evaluation.

Example: On September 23, 1991, EPA and the technical assistance contractor conducted a preliminary assessment to determine the need to remove hazardous substances from the site. The site was found to contain approximately 2,100 drums containing unknown liquids and solids, 3 chemical treatment baths in which unknown solutions were present, 59 compressed gas cylinders, 4 chemical laboratories containing various sized containers, 2 aboveground storage tanks with unknown contents, stained soil areas, and exposed asbestos insulation on overhead pipes.

IV. RESPONSE INFORMATION

© **A. Situation**

1. Current situation

- Summarize the current situation on site; include information pertinent to site conditions, including (but not limited to) weather, media activity, and unusual incidents.

2. Removal activities to date

- Describe what, if any, removal activities have already been initiated, including preparation of the Action Memorandum, whether the OSC invoked the \$50K response authority for emergency situations, any actual site mobilization and the actions taken, and any community relations activities.

Example: The OSC is currently writing an Action Memorandum for authorization to begin removal activities. The Action Memorandum will be submitted to the Regional Administrator by October 23, 1991.

After the Action Memorandum is signed, the OSC will meet with Bobsled Township Mayor Brenda Cook and New Jersey Congressman Bart Wilson to discuss future cleanup activities for the site.

- Discuss State and local agency involvement, including any request for EPA assistance; any State or local agency cooperation in assessing the incident and threats, any "first responder" or other actions taken by State or other agencies to protect public health and the environment; and whether State or other agency personnel remain at the site.

Example: The State (NJDEP) provided historical information on the site during the assessment phase of the removal. In addition, the Bobsled Township Fire Department provided a renewable air supply during the preliminary assessment.

3. Enforcement

- Indicate whether EPA or State enforcement activities have been initiated.

Example: Nineteen PRPs have been identified and letters notifying them of potential liability under Section 107(a) of CERCLA are being prepared by the Removal Enforcement Section.

B. Planned Removal Activities

- If the Action Memorandum has already been prepared, discuss the planned removal activity as outlined in the Action Memorandum.

Example: Because of the large size of the facility, the site will be divided into four quadrants and a two-phase removal activity is proposed. Phase 1 will include immediate site stabilization measures. Drums, aboveground tanks, and compressed air cylinders will be inspected for integrity, sampled for analysis, and stored on site while arrangements for transportation and disposal off site are made. Loose asbestos will be removed from buildings and containerized on site for disposal. Phase 2 will consist of the off-site transport and disposal of materials stored during Phase 1.

C. Next Steps

- Describe plans for removal activities, including site mobilization, sampling, and other cleanup activities.

Example: If the Action Memorandum is approved, EPA will mobilize the ERRS contractor on November 2, 1991, and begin removal activities with the collection of uncontrolled and uncontained materials.

- Discuss ongoing PRP search or other enforcement activities, as appropriate.

Example: EPA will meet next week with Personal Investments, Incorporated (PII), which holds a financial interest in the site as lien-holder. PII is currently providing security guards for the site on a 24-hour basis.

- Outline any planned meetings with local authorities.

Example: If the Action Memorandum is approved, the OSC will attend a meeting

with Bobsled Township Mayor Brenda Cook and New Jersey Congressman Bart Wilson on October 26, 1991, to discuss future site activity.

- Discuss planned community relations activities.

Example: EPA is planning to issue a fact sheet concerning the site and cleanup activities. This fact sheet will include a telephone number for an EPA Regional contact who will address questions from concerned residents.

D. Key Issues

- Identify any problem areas.

V. COST INFORMATION

- Provide detailed current cost estimates for the site using the RCMS daily cost summary. All expenditures relevant to the site should be noted in the POLREP. OSCs should also indicate any anticipated future funding needs.

NOTE: There are no costs noted in this model initial POLREP, because the Action Memo is not complete, no costs have been incurred, and there is no project ceiling⁷ yet. Only those costs that can be attributed to the project ceiling should be included. For an example of cost summary in a model POLREP, please refer to the Cost Information section in the model progress POLREP on page 23.

- Include the following statement in all POLREPs where costs are noted:

The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

Note: Regional offices should include ceilings for ERRS, TAT/START, or other line items if such ceilings are maintained. In addition, Regional offices may track other costs not mentioned here according to Regional practices, provided that the required cost information is included in the Cost Information section.

⁷ The project ceiling is the proposed total removal cost as estimated in the Action Memorandum.

MODEL INITIAL POLREP

VI. DISPOSITION OF WASTES

- Using the waste disposal matrix below, list the wastestreams identified and note the medium and quantity affected. For each wastestream, indicate the planned or actual disposition (e.g., containment, treatment, disposal). See Exhibit 2 on page 17 for more information on recording site wastes.
- Abbreviations may be used in the matrix and clarified in the text of the POLREP. Keep each individual wastestream separate. See Exhibit 2 for more information.

Example:

<i>Wastestream</i>	<i>Medium</i>	<i>Quantity</i>	<i>Containment - Migration Control</i>	<i>Treatment</i>	<i>Disposal</i>
<i>Base neutral solids</i>	<i>Solid wastes</i>	<i>450 cu yd</i>	<i>Bulked & overpacked</i>	<i>None</i>	
<i>Acids</i>	<i>Liquid wastes</i>	<i>5,000 gal</i>	<i>Bulked & overpacked</i>	<i>None</i>	

EXHIBIT 2. WASTE TREATMENT, CONTAINMENT, AND DISPOSAL

When describing waste treatment, containment, and/or disposal, include the following information in the waste disposal matrix:

<i>Wastestream:</i>	Indicate either the specific type of waste, the particular contaminant(s) of concern, or the general contaminant category: solvents, acids, base neutral solids, cyanide, PCBs, heavy metals (specify), dioxins or furans, halogenated organic compounds, other RCRA-listed wastes (specify), non-hazardous or de-listed wastes.
<i>Medium:</i>	Choose from wastewater, liquid wastes, organic sludge, solid or solidified waste, contaminated soil or debris, or other medium.
<i>Quantity:</i>	Select volume, area, or weight. Use exact, standard measurements whenever possible.
<i>Containment:</i>	Indicate how a wastestream has been contained or how the migration of contaminants was controlled. This may include mitigating exposure to hazardous materials through site security, alternative water supply, relocation of residents, or temporary removal of materials.
<i>Treatment:</i>	Note the treatment that was used (e.g., precipitation, neutralization, solidification, fixation, stabilization, etc.), or "none," if applicable.
<i>Disposal:</i>	Note the type of disposal of the wastestream, if applicable. Note if disposal was on site or off site; include specific details such as a company address, city and state.

**U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION REPORT
Model Progress/Special POLREP**

Maintain consistent information by revising and summarizing previously completed initial or progress POLREPs. See Exhibit 1 on page 10 for a POLREP outline.

I. HEADING

Example:

Date: January 22, 1992
 Subject: Whimperton Wire Company Site, Bobsled, New Jersey
 © From: Joan Smith, OSC, U.S. EPA, Region 2, Response and Prevention Branch
 To: Robert Watson, Director, ERD
 Janet Cohen, Response Operations Branch Chief, Region 2
 James Stacks, NJDEP
 POLREP No.: POLREP 19 [Indicate here if this is a special POLREP.]

II. BACKGROUND

Example:

© Site No.: Q9
 Delivery Order No.: 7334-02-063
 Response Authority: CERCLA, § 104(a)
 ERNS No.: 30691
 © CERCLIS No.: NJD987654321
 © NPL Status: Final NPL
 State Notification: NJDEP notified
 Action Memorandum Status: Approved, October 31, 1991
 © Start Date: November 2, 1991
 Demobilization Date: N/A
 Completion Date: N/A

III. SITE INFORMATION

Summarize this information from either the initial or most recent POLREP. If POLREPs are written often for the site (e.g., weekly), this summary may be as short as one line. If POLREPs are not written at frequent intervals, the summary may be up to six lines in length, or more.

Example: The site is an abandoned steel wire and cable manufacturing facility, and was previously a polymer reclamation facility, located in the residential township of Bobsled, NJ. EPA discovered drums of unknown liquids and solids, chemical treatment baths, compressed gas cylinders, chemical labs, and storage tanks with unknown contents. (Refer to POLREP #1 for more detailed site information.)

MODEL PROGRESS/SPECIAL POLREP

IV. RESPONSE INFORMATION

© A. Situation

1. Current situation

- Summarize the current situation at the site and the status of the ongoing removal activity, including information pertaining to site conditions, weather (if pertinent), media activity, and other relevant factors. In addition, describe any changes in the situation since the last POLREP.

Example: Work operations have been slowed down this week because of inclement weather and icy conditions.

- If this is a special POLREP, describe the incident or change in circumstances which necessitated a special POLREP. Describe any fires, accidents, or other situations of note, since the last POLREP.

Example: Today the ERRS contractor discovered that Building #22 had been vandalized and that there was extensive damage. All of the contractor's heavy equipment which was stored in the building had been damaged. In addition, hoses to the emergency shower were cut, and a generator, a power washer, and a compressor were damaged. Thirty drums containing flammable liquids were also vandalized. Approximately 1,200 drums containing liquid wastes, including cyanide, are stored in the building near the equipment. The technical assistance contractor took photographs of the damage. The OSC ordered all personnel off the site for demobilization. The township police and county sheriff were notified of the damage, and of the risk in entering the building. As of this date, site activities have ceased until the police arrest the miscreants and assure the OSC of safety for all site personnel.

2. Removal activities to date

- Describe removal activities undertaken since the last POLREP, including mobilization, sampling and analysis, waste containment (at a minimum include the information required in section VI of the POLREP), and community relations activities. Describe any fires, accidents, or other situations of note since the last POLREP.

Example: A 60-foot manlift was rented to investigate on-site buildings with catwalks. The ERRS contractor discovered nearly 200 5-gallon containers on the catwalks of buildings in quadrant I.

The ERRS contractor continued to collect drums and cylinders from the interior of buildings in quadrant I. In addition, the ERRS contractor completed color-coding the drums. Seven different wastestreams have been designated. Base neutral

solids were bulked into 15 rolloff containers of 30 cubic yards each. Five thousand gallons of acids have been bulked into 55-gallon drums.

- Discuss State and local agency involvement, including any request for EPA assistance; any State or local agency cooperation in assessing the incident and threats; any "first responder" or other actions taken by State or other agencies to protect public health and the environment; and whether State or other agency personnel remain at the site. If there has been no change since the last POLREP, skip this section.

For a special POLREP:

Example: The township police and county sheriff have provided assistance in preparing reports on the vandalism and documenting the results of the vandalism.

3. Enforcement

- Indicate whether EPA or State enforcement activities have been initiated.

Example: Nineteen PRPs have been identified, and notification letters under Section 107(a) of CERCLA have been sent by the Removal Enforcement Section.

B. Planned Removal Activities

- Discuss the planned removal activities as outlined in the Action Memorandum. Summarize the information from the initial POLREP, unless a subsequent Action Memorandum was written. If there has been no change since the last POLREP, refer the reader to the initial POLREP and skip this section.

Example: Phase 1 (site stabilization measures) of the removal activity continues in all four quadrants of the site. Drums and aboveground tanks are being sampled and analyzed on site. Loose asbestos from the buildings will then be removed and containerized on site, pending disposal. Phase 2 will consist of the off-site transport and disposal of materials stored during Phase 1.

- If this is a special POLREP, include any additional planned removal activities as a result of the special situation.

Example: As a result of the vandalism, the OSC is currently preparing a Request for Ceiling Increase and exemption from the \$2 million funding limitation. This will increase the cost ceiling and will expand the scope of the removal activity originally outlined in the Action Memorandum.

C. Next Steps

- Describe plans for ongoing removal activity, including waste analysis, containment, and cleanup; enforcement; planned meetings with local

MODEL PROGRESS/SPECIAL POLREP

or Regional environmental or enforcement agencies; and community relations activities.

Example: As sampling and analysis of the drums proceeds, drums will be segregated and color-coded according to wastestream.

Arrangements will be made for a lab pack company to remove lab packs with known contents for recycling or disposal.

Twenty-four hour site security will continue to be provided by Personal Investments, Inc., the lien holder.

For a special POLREP:

Example: The OSC will await advice and counsel from EPA management regarding mobilization of ERRS and continuation of site activities.

D. Key Issues

- Identify any problem areas.

Example: All site personnel were temporarily demobilized due to the vandalism in Building #22. This necessitated a change in the scope of work. The delay in completion of the removal, combined with the cost for additional site security, has raised the costs well beyond the project ceiling approved in the Action Memo.

- For a special POLREP, identify any problem areas. Indicate if a change in the scope of the response is required because of the special situation.

Example: As a result of the vandalism, the OSC is preparing a Request for Ceiling Increase requesting an emergency exemption from the \$2 million funding limit and a change in the scope of work.

- Discuss measures which could have been taken or are being taken to avoid future releases or incidents of a similar nature.

Example: With the assistance of the N.J. State Police and the U.S. Marshal, a revised site safety plan is being prepared. The OSC will meet with FBI agents to request a Federal investigation of violence and vandalism at this site in order to better address future site security measures.

V. COST INFORMATION

- Provide detailed current cost information for the site using the RCMS daily cost summary. The table below lists examples of cost information that OSCs should provide. To the extent practicable, all expenditures relevant to the site should be noted in the POLREP. OSCs should also indicate any anticipated future funding needs.

MODEL PROGRESS/SPECIAL POLREP

<i>Example:</i>	<i>Cost To Date</i>
ERRS Contractor	\$ 850,195
LAGs	30,000
Letter Contracts	N/A
Extramural Cleanup Contractor Costs	880,195
TAT/START Contractor Costs	98,164
CLP Analytical Services	N/A
REAC	N/A
Intramural Direct Costs (HQ, Regions, ERT)	107,000
Intramural Indirect Costs	184,136
Total Intramural Costs	291,136
TOTAL	\$ <u>1,269,495</u>
© Project Ceiling	\$ 1,800,000
© Percent of Project Funds Remaining	29.5%

Individual Regions should note ceilings for ERRS, TAT/START, or other line items if such ceilings are maintained. In addition, Regional offices may track other costs not mentioned here according to Regional practices, provided that the required cost information is included in the Cost Information section.

For a special POLREP:

<i>Example:</i>	<i>Cost To Date</i>
ERRS Contractor	\$ 865,847
LAGs	35,000
Letter Contracts	N/A
Extramural Cleanup Contractor Costs	900,847
TAT/START Contractor Costs	117,000
CLP Analytical Services	N/A
REAC	N/A
Intramural Direct Costs (HQ, Regions, ERT)	146,000
Intramural Indirect Costs	201,000
Total Intramural Costs	347,000
TOTAL	\$ <u>1,364,847</u>
© Project Ceiling	\$ 1,800,000
© Percent of Project Funds Remaining	24.2%

NOTE: Because building #22 was vandalized, the OSC is preparing a Request for Ceiling Increase to obtain an emergency exemption from the \$2 million funding limit.

- Include the following statement in all POLREPs:

The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

MODEL PROGRESS/SPECIAL POLREP

VI. DISPOSITION OF WASTES

- Using the waste disposal matrix below, list the wastestreams identified, and note the medium and quantity affected. For each wastestream, indicate the planned or actual disposition (e.g., containment, treatment, or disposal). See Exhibit 2 on page 17 for more information on recording site wastes.
- Abbreviations may be used in the matrix and clarified in the text of the POLREP. Keep each individual wastestream separate. The matrix should be cumulative: add incremental figures to the data noted in any previous POLREP. If a wastestream was removed off site after being contained, delete the information entered for that wastestream from the containment category and add it to the disposal category. **Containment and disposal should not both be denoted for the same wastestream.** See Exhibit 2 on page 17 for more information.

Example:

<i>Wastestream</i>	<i>Medium</i>	<i>Quantity</i>	<i>Containment - Migration Control</i>	<i>Treatment</i>	<i>Disposal</i>
<i>Base neutral solids</i>	<i>Solid wastes</i>	<i>450 cu yd</i>	<i>Bulked & overpacked</i>	<i>None</i>	
<i>Acids</i>	<i>Liquid wastes</i>	<i>5,000 gal</i>		<i>Recycled</i>	<i>Everclear Products Camden, NJ</i>

**U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION REPORT
Model Final POLREP**

Maintain consistent information by revising and summarizing previously completed initial or progress POLREPs. See Exhibit 1 on page 10 for a POLREP outline.

- I. HEADING** *Example:*
- Date: *September 1, 1993*
- © Subject: *Whimperton Wire Company Site, Bobsled, New Jersey*
- © From: *Joan Smith, OSC, U.S. EPA, Region 2, Response and Prevention Branch*
- To: *Robert Watson, Director, ERD*
Janet Cohen, Response and Operations Branch Chief, Region 2
James Stacks, NJDEP
- POLREP No.: *POLREP 42 and Final⁸*
-
- II. BACKGROUND** *Example:*
- © Site No.: *Q9*
- Delivery Order No.: *7334-02-063*
- Response Authority: *CERCLA, § 104(a)*
- ERNS No.: *30691*
- CERCLIS No.: *NJD987654321*
- © NPL Status: *Final NPL*
- State Notification: *NJDEP notified*
- Action Memorandum Status: *Approved, October 31, 1991*
\$2 million exemption - May 14, 1992
12-month exemption - October 3, 1992
- © Start Date: *November 2, 1991*
- Demobilization Date: *August 31, 1993*
- © Completion Date: *September 1, 1993*

⁸ See footnote 3 in the initial POLREP section of this volume. If there is only one POLREP for the removal, refer to the model of the initial and final POLREP in Appendix A to ensure that the information requirements of both the initial and the final POLREP are met.

MODEL FINAL POLREP

Note: The response is considered complete when all actions at the site are complete and any wastes sent off site for treatment and/or disposal have been received at the off-site facility. Indicate the actual date that the objective of the response (including any off-site treatment or disposal) was achieved. Write the final POLREP immediately after the removal activity is complete. The date of the final POLREP is the removal completion date for the Statute of Limitations.

III. SITE INFORMATION

Summarize this information from either the initial or the most recent POLREP.

Example: The site is an abandoned steel wire and cable manufacturing facility, and was previously a polymer reclamation facility, located in Bobsled, NJ. EPA conducted a preliminary assessment at the request of the local authorities and discovered drums containing unknown liquids and solids, chemical treatment baths, chemical labs, and storage tanks with unknown contents. (Refer to POLREP #1 for more detailed site information.)

IV. RESPONSE INFORMATION

© A. Situation

1. Current situation

- Describe any changes in the situation since the last POLREP.

2. Removal activities to date

- Describe removal activities undertaken since the last POLREP, including waste containment/disposal (at a minimum include the information required in section VI of the POLREP), and community relations activities. Describe any situation of note since the last POLREP.

Example: On August 31, 1993, the OSC demobilized site security. He later attended the kick-off public meeting called by remedial personnel.

- Describe any State or local agency cooperation in assessing the incident and threats; any action taken by State or other agencies to protect public health and the environment; and whether any State or other agency personnel remain at the site.

3. Enforcement

- Indicate the status of EPA or State enforcement activities.

Example: Nineteen PRPs were identified and notification letters under Section 107(a) of CERCLA were sent by the Removal Enforcement Section. There was no response.

B. Planned Removal Activities

- Discuss the removal activity as outlined in the Action Memorandum.

C. Next Steps

- Describe plans for any further site activity, including any post-removal site control; waste analysis, containment, and cleanup; enforcement; planned meetings with local or Regional environmental or enforcement agencies; and community relations activities.
- Discuss the status of the OSC Report and the expected completion date. If applicable, indicate any future site activities (e.g., PRP, remedial, or State).

Example: Preparation of the OSC Report will begin next week and will be submitted by December 1, 1993.

D. Key Issues

- Identify any problem areas.
- State how the objectives set forth in the Action Memorandum were achieved through the removal activity. Specifically address any wastes remaining on site, including those which are contained. Document how threats to human health and the environment have been reduced or eliminated.

Example: Access to the site has been restricted by fencing and 24-hour guard service. Long-term security will now be addressed by the remedial personnel as they address continued cleanup of this NPL site. All surface hazardous materials have been shipped off site and no further surface contamination remains. The remedial staff will also be addressing groundwater contamination issues.

V. COST INFORMATION

- Provide detailed final cost information for the site using the RCMS daily cost summary. The table below lists examples of cost information that OSCs should provide. Individual Regions should also note ceilings for ERRS, TAT/START, or other line items if such ceilings are maintained. To the extent practicable, all expenditures relevant to the site should be noted in the POLREP. Final cost information should be as detailed as possible.

MODEL FINAL POLREP

<i>Example:</i>		<i>Cost To Date</i>
<i>ERRS Contractor</i>	\$	2,788,444
<i>IAGs</i>		47,000
<i>Letter Contracts</i>		N/A
<i>Extramural Cleanup Contractor Costs</i>		2,835,444
<i>TAT/START Contractor Costs</i>		168,353
<i>CLP Analytical Services</i>		N/A
<i>REAC</i>		N/A
<i>Intramural Direct Costs (HQ, Regions, ERT)</i>		200,000
<i>Intramural Indirect Costs</i>		299,569
<i>Total Intramural Costs</i>		499,569
<i>TOTAL</i>	\$	<u>3,503,366</u>
⊙ <i>Project Ceiling</i>	\$	3,600,000
⊙ <i>Percent of Project Funds Remaining</i>		2.7%

- Include the following statement in all final POLREPs:

The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data, which the OSC must rely upon, may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

VI. DISPOSITION OF WASTES

- Using the waste disposal matrix below, list the wastestreams identified, and note the medium and quantity affected. For each wastestream, indicate the planned or actual disposition (e.g., containment, treatment, or disposal). See Exhibit 2 on page 17 for more information on recording site wastes.
- Abbreviations may be used in the matrix and clarified in the text of the POLREP. Keep each individual wastestream separate. The matrix should be cumulative: add incremental figures to data noted in any previous POLREP. If a wastestream was removed off site after being contained, delete the information entered for that wastestream from the containment category and add it to the disposal category. Containment and disposal should not both be denoted for the same wastestream. See Exhibit 2 on page 17 for more information.

Example:

<i>Wastestream</i>	<i>Medium</i>	<i>Quantity</i>	<i>Containment - Migration Control</i>	<i>Treatment</i>	<i>Disposal</i>
<i>Base neutral solids</i>	<i>Solid wastes</i>	<i>450 cu yd</i>		<i>Landfilled</i>	<i>Chemical Management Fort Wayne, IN</i>
<i>Acids</i>	<i>Liquid wastes</i>	<i>5,000 gal</i>		<i>Recycled</i>	<i>Everclear Products Camden, NJ</i>

See Exhibit 3, the POLREP Review Checklist, on the next page.

POLREP REVIEW CHECKLIST

EXHIBIT 3. POLREP REVIEW CHECKLIST

The following checklist has been developed to help OSCs ensure that all POLREPs are completed correctly. Though the four types of POLREPs (initial, progress, special, and final) are similar in format, each requires information specific to it. **POLREPs should not include subjective judgments, draw conclusions which are not fact-based, express unsubstantiated opinions, or discuss the legality of actions or events.** The items marked with an asterisk (*) are common to all POLREPs.

The completed POLREP has:

— Provided the necessary administrative information:

- Dates*
 - today's date*
 - start date*
 - demobilization date
 - completion date
- Name of the person sending the POLREP*
- Names of the persons to whom the report is sent*
- Site name*
- POLREP number*
- Site identification number*
- Delivery Order (D.O.) number*
- ERNS/CERCLIS numbers*
- NPL status*
- Response authority*
- State notification*

— Described the incident thoroughly by including:

- Incident category
- Site description
 - coordinates
 - location
 - acreage
 - ownership
 - past and present site activities
- Details of the incident or release
 - date
 - reasons, causes, PRPs

EXHIBIT 3. POLREP REVIEW CHECKLIST (Continued)

The completed POLREP has (continued):

- ___ Detailed the results of the preliminary assessment/site inspection:
 - Contaminants, if known
 - Quantity (e.g., number of drums, gallons)
 - Nature of the threat
- ___ Indicated the status of the Action Memorandum:*
 - Approval date, if applicable
 - Approval date of ceiling increase and/or exemption, if applicable
- ___ Described the planned and/or completed response activities (as detailed in the Action Memorandum):*
 - Enforcement activities
 - State and/or other agency involvement
 - Information on the amount and types of wastes which were contained, treated, and/or removed from the site
 - Results achieved
- ___ Discussed community relations actions, including planned activities.
- ___ Identified problem areas.*
- ___ Provided detailed, current cost information for the site:*
 - Project ceiling
 - Total cost to date
 - Percent remaining
- ___ Provided accurate, consistent data on site wastes:*
 - Type/medium
 - Quantity
 - Containment/migration control
 - Treatment
 - Disposal

SECTION II

OSC REPORT GUIDANCE

OSC Reports are concise and comprehensive documents that best summarize the removal activities at a site, the effectiveness of those activities, and the resources committed. OSC Reports present discussions of removal site problems, views on improvements, or cautions which need to be shared with the National Response Team (NRT), Regional Response Team (RRT), and other OSCs. OSC Reports are used by Headquarters and Regional management to observe the implementation of Superfund regulations and policies in the field. OSC Reports are available to the public and other agencies for information purposes.

OSC REPORTS

Purpose

An OSC Report provides a written summary of a removal activity, recording the situation as it developed, the actions taken, their effectiveness, the resources committed, and the problems encountered. OSC recommendations are summarized. The OSC Report is the most concise and comprehensive document pertaining to a particular site. When completed and distributed according to requirements of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), the OSC Report can serve as the primary vehicle for conveying important information on technologies used and lessons learned at a site to other OSCs and to Superfund managers.

Section 300.165 of the NCP requires that within one year of completion of removal activities at a site, the OSC submit a complete report of the removal activity. EPA expects, however, that OSC Reports will be written as soon as practicable. Each OSC Report must follow the standard model discussed in this guidance to ensure compliance with NCP requirements and consistent reporting procedures.

While the NCP does not specifically require an OSC Report for a PRP-lead site, preparation of one is common in many Regions. The title of the report may differ across the Regions, but its general format and content are similar to those of an OSC Report. The Administrative Order often stipulates that the PRP prepare a Final Report upon completion of a response. Even if the Order does not specifically require it, OSCs should encourage the PRP to prepare a Final Report, using the same format as that required for a Fund-lead removal (excluding inappropriate sections). It is recommended that OSCs overseeing/monitoring the PRP response review and approve the Final Report before it is distributed. Final Reports at PRP-lead sites are important sources of information for historical and research purposes.

The emphasis of the Superfund program is on cross-program coordination, communication, and integration of expertise and resources to achieve risk reduction and site cleanup quickly and efficiently. Preparation and distribution of OSC Reports or Final Reports for both Fund-lead and PRP-lead removal activities will aid in sharing valuable information across the Regions.

Users and Uses of OSC Reports

OSC Reports serve an important function in the Superfund program. The National Response Team (NRT) and Regional Response Teams (RRTs) use OSC Reports for transferring information on technologies used and lessons learned at sites throughout the national response system, and for developing training programs for OSCs. Regional Counsel, Department of Justice attorneys, and Regional cost recovery staff use OSC Reports as a convenient summary of the history of a removal activity when

OSC REPORTS

EXHIBIT 4. OSC REPORT USAGE		
Users of OSC Reports	Uses of OSC Reports	Information Important to Users
On-Scene Coordinators and Regional Program Management	As a reference tool for questions on similar site conditions and activities, and as a historical record of the removal. To fill out CERCLIS Removal Information Forms (CRIFs).	Incident description and details of removal activities. Chronology of events. Contaminants and threats. Treatment or disposal approaches used or pursued.
Regional Cost Recovery and Regional Counsel Staff Department of Justice	As a historical record of the removal activity and the results achieved to support cost recovery.	Incident description and details of removal activities. Chronology of events. Treatment or disposal approaches used or pursued. Results achieved. Rationale for changes to scope of work.
Headquarters (EPA) Program Management	As a tool to evaluate program policies, guidance, regulations, and operations. As a reference tool for responding to inquiries from the public, Congress, EPA's Inspector General, and the General Accounting Office (GAO).	Difficulties encountered. Recommendations.
Regional Response Teams	As an advisory or informational tool. For cross-transfer of technology between EPA and USCG.	Treatment or disposal approaches used or pursued. Impact of incident on natural resources at the site.
National Response Team	For conveying lessons learned and developing training efforts for OSCs.	Effectiveness of the removal and coordination efforts. Difficulties encountered. Recommendations.
Local Communities/Media	As a historical record, for research and public interest.	Incident description and details of removal activities, including treatment or disposal approaches used or pursued. Results achieved. Rationale for changes to scope of work.
Potentially Responsible Parties	As a historical record to prepare legal defense and as a source for evidence in legal proceedings.	Incident descriptions and details of removal activities. Attachments to the report (maps, correspondence, pictorial evidence). Treatment or disposal approaches used or pursued. Results achieved and costs incurred.

prosecuting a cost recovery case. Superfund program managers, focusing primarily on difficulties encountered at sites and on the recommendations of OSCs, use OSC Reports to evaluate program policies and regulations and to make appropriate adjustments. **Exhibit 4 summarizes the primary uses of OSC Reports, and the information within OSC Reports that is important to the users.**

The value and usefulness of OSC Reports is directly related to their completeness, quality, and timely distribution. OSCs should be aware of the important role they serve as preparers of OSC Reports, and ensure that OSC Reports conform to the guidelines. OSC Reports that do not adequately address all of the information requirements may result in delayed recognition of technological innovations; more complex, costly, and time-consuming cost recovery efforts; and extra work searching for missing data. Ensuring that the information needs of OSC Report users are met will maximize the value and usefulness of these documents to the Superfund program.

Timeliness of Preparation

Section 300.165 of the NCP requires OSCs to prepare and submit OSC Reports to the RRTs within one year from the completion of the removal activity [1]. However, OSC Reports should be completed and submitted as soon as is practicable. For removals of short duration (i.e., lasting less than 30 days), preparation of OSC Reports should begin as soon as possible and availability should be within six months of the date of completion of the removal action.⁹ By preparing and submitting the reports in a timely manner, OSCs can facilitate the transfer of current information to benefit other OSCs and the Superfund program.

Preparation of OSC Reports should be initiated at the onset of the removal action. This strategy will make it easier to meet the required submission deadline, and contribute to orderly and early report preparation.

Format and Information Requirements

In compliance with section 300.165 of the NCP, OSC Reports are to strictly follow the format outlined below, and should briefly cover all of the topics listed. The use

⁹ The Preamble to the NCP, Section 300.165 states: "For removals of short duration (e.g., lasting less than 30 days), OSC reports should be available within six months of completion of the removal action because there is less to report."

OSC REPORTS

of a uniform and familiar format by all ten Regions will make accessing information from any OSC Report easier for all users. Because detailed information regarding day-to-day events at a site may be found in the site file, do not attempt to include or duplicate all of this information in the OSC Report, but rather summarize and refer to it. The OSC Report should contain only information listed in the format provided. References should be made to supplemental documents which may, if necessary, be placed in an addendum to the Report.

OSC Reports are to contain **only factual information concerning the site**. Specifically, in describing the effectiveness of removal activities and in listing the difficulties encountered, **do not make subjective judgments, draw conclusions which are not fact-based, or discuss the legality of actions or events**. Rather, allow readers to decide for themselves. For example, rather than saying that the cleanup contractor did a great job, say that the contractor arrived on site with all the proper equipment and with personnel ready to work; or, rather than saying that the contractor's performance was unsatisfactory, say that the contractor took three weeks to obtain the necessary equipment. Presenting the information as objective statements of fact will minimize any possible adverse effects on cost recovery efforts, and will indicate to Superfund managers issues that require investigation, evaluation, or communication to others.

There is no minimum or maximum length requirement for OSC Reports, but they should be as concise as possible. OSC Reports for relatively routine and low cost removal activities, such as the removal of a few drums or the building of a fence, should be especially brief, unless particular attention needs to be brought to any site-specific issue. For more complex and costly removal activities, especially those involving communication and coordination among numerous agencies or the use of an innovative or alternative technology, or where significant natural resource damage has occurred, OSC Reports should include the level of detail needed to ensure that other OSCs and the removal personnel will profit from the lessons learned.

In meeting all reporting requirements for OSC Reports, pay particular attention to the Difficulties Encountered and Recommendations sections, which are valuable to the national response system. Because they are the focus of OSC Report reviews by program managers, OSCs' constructive recommendations are most likely to benefit the Superfund program.

Remember to address all of the outlined information requirements. If an item or issue is not relevant to the removal conducted, indicate this fact so that the reader does not make assumptions about why the information is missing.

Exhibit 5 presents the standard outline for OSC Reports.

EXHIBIT 5. OUTLINE OF AN OSC REPORT

Title Page*

Executive Summary*

I. Summary of Events

- A. Site Conditions and Background
 - 1. Initial situation
 - 2. Location of hazardous substance(s)
 - 3. Cause of release or discharge
 - 4. Efforts to obtain response by responsible parties
- B. Organization of the Response
- C. Injury/Possible Injury to Natural Resources
 - 1. Content and time of notice to natural resource trustees
 - 2. Trustee damage assessment and restoration activities
- D. Chronological Narrative of Response Actions
 - 1. Threat abatement actions taken
 - 2. Treatment/disposal/alternative technology approaches pursued
 - 3. Public information and community relations activities
- E. Resources Committed

II. Effectiveness of Removal Actions

- A. Actions Taken by PRPs
- B. Actions Taken by State and Local Forces
- C. Actions Taken by Federal Agencies and Special Teams
- D. Actions Taken by Contractors, Private Groups, and Volunteers

III. Difficulties Encountered

- A. Items that Affected the Response
- B. Issues of Intergovernmental Coordination
- C. Difficulties Interpreting, Complying with, or Implementing Policies and Regulations

IV. Recommendations

- A. Means to Prevent a Recurrence of the Discharge or Release
- B. Means to Improve Response Actions
- C. Proposals for Changes in Regulations and Response Plans

* Suggested for inclusion.

OSC REPORTS

OSC Report Attachments

The OSC Report should be short and concise. While POLREPs, correspondence, and Action Memoranda are valuable sources of information, the unnecessary inclusion of these documents increases the bulk of the OSC Report. To the extent permissible by Regional practices and procedures, avoid attaching supplemental documents to the OSC Report. Instead, include a list of these additional documents and where they can be found (e.g., site file). Where it is necessary to include other documents, they should be placed in an addendum to the Report.

OSC Report Distribution

As of the date of this document, section 300.165 of the NCP requires OSCs to submit OSC Reports to the RRTs within one year of the completion of the removal activity[1]. At the same time, copies of OSC Reports are to be sent to the Secretary of the NRT and to the Director of ERD.

OSC Reports must be submitted to RRTs, the Secretary of the NRT, and the Director of ERD.

This minimum distribution increases the awareness of program managers and members of the national response system to issues of concern to OSCs, and prepares ERD to respond to inquiries from the public, Congress, the Office of the Inspector General, and the General Accounting Office about actions taken at sites. The reports should be organized, indexed, and stored in the Region for easy access.

When information about a removal action is of special significance to other OSCs and to the removal program, use the Cleanup Information (CLU-IN) Bulletin Board System at (301) 589-8366 (formerly OSWER BBS) for wide and expeditious distribution of this special information, even before the OSC Report becomes available.

OSC REPORT REVIEW PROCEDURES

Thorough review procedures will eliminate typographical errors and organizational problems, avoid unnecessary delays in report distribution, and ensure that the OSC Report addresses the reporting criteria outlined in the NCP and this document.

Each Region should allot time for adequate review of the OSC Report and adhere to a consistent review process. In addition to a thorough proofreading for typographical errors and other minor problems, OSCs should refer to the checklist provided in Exhibit 10 on page 61 to ensure that the OSC Report meets NCP requirements. When possible, the OSC Report should be reviewed by people not involved in the preparation of the document, to provide a fresh perspective and to help the OSC evaluate its usefulness to other OSCs and Superfund program managers.

The OSC should give the Office of Regional Counsel an opportunity to review the OSC Report before it is finalized and distributed. This is especially crucial if the details of the Report relate to:

- Pending or anticipated civil or criminal litigation
- Possible responsibility of the United States or an agency of the United States for a release or discharge

A model OSC Report that addresses the regulatory requirements for OSC Reports is presented on pages 43 to 60. Examples are provided.

Title Page

[Regional Letterhead]

FEDERAL ON-SCENE COORDINATOR'S REPORT

[Site, NPL Status]
[Location]

[Project Dates]

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY**

MODEL OSC REPORT

Executive Summary

Although not required in the NCP, a one-page summary of the response activity is strongly recommended.

The Executive Summary allows readers to quickly familiarize themselves with the contents of the report, and provides a place to emphasize the most significant aspects of the situation and the actions taken. The contents of the executive summary of a removal activity should therefore focus on identifying the site and presenting a brief description of the major aspects of the situation, the mitigative actions, and the disposal method.

Exhibit 6 on the following page presents the standard outline and example information for an executive summary of removal activity.

I. SUMMARY OF EVENTS

Ensure that the information contained throughout this section is consistent with the Action Memorandum, or that deviations in the scope of the response are justified. Where appropriate, information on the site conditions and background may be abstracted from the Action Memorandum.

A. Site Conditions and Background

©¹⁰ 1. Initial situation

- Describe the current and prior uses of the site and the nature and type of each facility which operated on the site. Indicate the NPL status of the site.

Example: The Whimperton Wire Company site, listed on the NPL, is an abandoned steel manufacturing facility which contained thousands of drums of unknown liquids and solids, bulk quantities of acids, laboratory chemicals, and other regulated hazardous materials which were scattered throughout the approximately 200-acre site. The site was used primarily to produce steel wire and cable for more than 75 years; in recent years it has also operated as a polymer reclamation facility, a

¹⁰ A © denotes information which should be included in CERCLIS.

EXHIBIT 6. EXECUTIVE SUMMARY OF THE REMOVAL ACTIVITY

SITE: Whimperton Wire Company Site

LOCATION: Bobsled, New Jersey

PROJECT DATES: 10/26/91 - 9/1/93

INCIDENT DESCRIPTION: The site, listed on the NPL, is an abandoned steel manufacturing facility encompassing approximately 200 acres. The company produced steel wire and cable on site for more than 75 years, with other industrial activities added in recent years. Soil, ground water and surface water, including the Delaware River and Sander's Creek, were threatened by more than 2,000 deteriorating drums of unknown liquids and solids, unstable acid baths, compressed gas cylinders, chemical laboratories, and loose asbestos in on-site buildings. A laboratory fire on October 17, 1991, in a building housing acids, gases, poisons, and other hazardous substances alerted the Response and Prevention Branch to the potential hazards at the site, and accelerated its efforts to begin a CERCLA §104(a) response. No PRP was found financially viable to undertake a full cleanup of the site.

ACTIONS: EPA and the technical assistance contractor conducted an extensive assessment between October 14, 1991, and October 27, 1991. The ERRS contractor mobilized on November 2, 1991, and began site preparation and stabilization. A command post was established in an on-site building, site security was enhanced, and warning signs were posted along the site perimeter. Bulking and staging of materials began in November 1991. Laboratory chemicals were removed from all buildings and catwalk areas, and then separated and labeled. All drums were staged and tested for compatibility and color coded into 16 separate wastestreams. Vandalism of equipment and fires on site brought work to a standstill and made added site security necessary. The ERRS contractor temporarily demobilized in April 1992 and remobilized in October 1992. Since November 1992, the ERRS contractor shipped 1,200 overpacked drums for disposal; 15 roll-offs containing 55-gallon drums of waste acid for disposal; 5,000 gallons of acids for recycling; and 60 gas cylinders were either reclaimed by their manufacturers or treated on site. Site security continued to be provided until the remedial personnel procured the services of a contractor.

(Signature) _____
Joan Smith, OSC
U.S. EPA, Region II
New York, NY

MODEL OSC REPORT

warehouse facility, and an equipment storage facility for a construction company.

- Describe the site's physical location in terms of exact street address, coordinates (latitude/longitude), surrounding land use, local population size, and distance(s) to sensitive populations, habitats, and natural resources.
Example: The site is located in Bobsled Township, Hunterdon County, New Jersey (38° 37' 57" N, 75° 35' 06" W) and is bounded by the Delaware River to the north, Sanders Creek to the east, and the residential community of Bobsled to the south and west. Bobsled Township comprises approximately 400 residences with a population of about 1,450.
- Briefly describe the history of the incident or release, including the date of the incident, the type of incident that occurred, and the facts concerning the discovery of the release.
Example: In September 1991, the Chief of the Removal Action Branch requested that the Response and Prevention Branch conduct a preliminary assessment at the Whimperton Wire Company site. The request was based in part on requests from local officials, including the Bobsled Township Fire Marshal, who had expressed concerns that acutely toxic and hazardous substances were uncontained and uncontrolled at this site and presented a potential time-critical threat to the local population.
- List the known materials on site and the quantities.
Example: The assessment revealed the presence of more than 2,000 drums, several acids baths, approximately 60 compressed gas cylinders, several chemical laboratories, and numerous buildings with asbestos-contaminated pipes. Materials on site included acids, bases, halogenated and non-halogenated solvents, heavy metals, oxidizers, and waste oils. Lead contamination in soil as high as 7,000 ppm was also found.
- Describe the threat to human health or the environment posed by the incident or release. (Refer to information contained in section III of the Action Memorandum.)

2. Location of hazardous substance(s)

- Specify areas of concern on site, indicating water sources that were contaminated or threatened. (Note: A map or diagram of the site may assist in indicating areas of concern on the site. If a site map is used, include it as the next page in the report.)
Example: Drums, bulk quantities of acids, laboratory chemicals, and other hazardous materials were located throughout the site. Particular areas of concern included: four on-site buildings (#15, #20, #32, #35) containing laboratory chemicals, one of which was involved in a fire on October 17, 1991; a sulfuric

acid tank and a phosphoric acid tank, both with poor structural integrity and containing over 2,000 gallons of acid; and an area of surface soil along the site's southwest property border that had lead levels as high as 7,000 ppm. In addition, the migration of contamination from the site may have affected ground water in the area, and contaminated run-off from the site has entered the Delaware River and Sanders Creek. The extent of impact has not been determined; results of sample analyses are pending.

3. Cause of the release or discharge

- Describe the facts concerning the cause or threat of the release or discharge, and the activities that may have contributed to or were contributing to the incident.

Example: The on-site fire on October 17, 1991, in building #15 alerted Response and Prevention Branch personnel to the potential hazards at the site, and accelerated the completion of the preliminary assessment and the start of removal activity.

4. Efforts to locate and obtain response by responsible parties

- Describe the actions taken to locate responsible or potentially responsible parties and to obtain from them a prompt and proper response.

Example: No financially viable PRP was found that was willing to undertake a full cleanup. Therefore, no orders pursuant to Section 106 of CERCLA, as amended by SARA, were issued. One PRP, Zimmer Container Corp., was issued a Notice Letter regarding the surface wastes in and around its area of operations. Zimmer was willing to clean up the portion of surface wastes that it generated during its lease operations. On October 29, 1991, Notice Letters pursuant to Section 107(a) of CERCLA, as amended by SARA, were sent to 19 PRPs, identified by EPA, inviting participation in the removal activity. Six replies were received by EPA, but only one PRP, Whimperton Wire Corp., accepted any responsibility or liability for hazardous substances at the Whimperton Site. Seven letters were returned to sender or indicated that the party had moved and left no forwarding address. Nine potentially responsible parties were identified by EPA as potentially viable and were issued Section 104(e) Request for Information letters on December 18, 1991.

B. Organization of the Response

- For multiple phase removal activities, summarize the activities planned and conducted during each phase.

Example: The site was divided into four quadrants and the removal activity was conducted in two phases. Phase 1 was directed towards immediate site stabilization measures. Phase 2 consisted of bulking, transporting, and

MODEL OSC REPORT

disposing of materials staged in Phase 1. Exhibit xyz outlines the agencies or parties which provided response, assessment, or disposal assistance, and the action(s) each took or the role(s) each served.

- Indicate in tabular form the name of specific Federal, State, and/or local government agencies or parties, and contractors, that provided response or assessment assistance or disposal. Briefly describe the actions of these groups, or their roles in protecting public health and the environment.

Exhibit 7 on the following page shows a sample table for outlining the organization of the response. The description in this example is incomplete, but indicates the format and the types of information to include.

C. Injury or Possible Injury to Natural Resources

1. Content and time of notice to natural resource trustees

- State the details of any notification provided to natural resource trustees relating injury or possible injury to natural resources, and the date of notification.

Example: On October 25, 1991, the OSC sent written notification to the New Jersey Department of Environmental Protection (NJDEP) of the potential ground water contamination on site and the potential surface water contamination of the Delaware River and Sander's Creek from site run-off.

2. Trustee damage assessment and restoration activities

- Describe damage assessment activities and efforts to replace or restore damaged natural resources undertaken by Federal or State trustees.

Example: The NJDEP hired a contractor, Water Resources, Inc., to determine the extent of contamination to the Delaware River and Sander's Creek. Water Resources collected sediment and water samples from both bodies of water along the perimeter of the site. Results of analyses were not available at the time of this writing.

EXHIBIT 7. ORGANIZATION OF RESPONSE		
Agencies or Parties Involved	Contact	Description of Participation
U.S. EPA - Region 2 Woodbridge Avenue Raritan Depot, Building 209 Edison, NJ 08837 (212) 434-8079	Joan Smith Greg Norman Courtney Barnes	Federal OSC responsible for overall response oversight and success. Assisted with project oversight and control.
U.S. EPA - Region 2 CERCLA Removal Enforcement Section One Federal Plaza New York, NY 65478 (212) 545-7878	Peter Simpson	Issued written Notice Letters and Request for Information Letters to potentially responsible parties.
New Jersey Department of Environmental Protection 312 Westview Lane Trenton, NJ 08967 (201) 346-7111	Becky Steinberg Mark Slupek	Provided historical information on the site and responded to fires at the site.
EnviroTEK, Inc. Technical Assistance Team 9797 Main Street Arlington, VA 22209 (703) 986-3452	Ralph Zapatos Paul George	Provided the OSC with technical assistance, administrative support, sampling, photo and site documentation, site safety, and draft report preparation.
HazWaste Cleanup Corporation 34 Quincy Street Philadelphia, PA 57894 (215) 248-2234	Irving Niles Lois West	Provided personnel and equipment necessary for removal and conducted the cleanup. Coordinated shipment and disposal of materials.
Bobsled Township Fire Department Bobsled, NJ 90808 (201) 345-7896	James Steele	Provided renewable air during site assessment and water for site decontamination. Also responded to fires on site.

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Information for the following section should be presented in a concise, narrative summary.

D. Chronological Narrative of Removal Activities

1. Threat abatement actions taken

- Indicate whether the response was conducted under the authority of CERCLA, RCRA, or OPA.
Example: This response was conducted under the authority of CERCLA Section 104(a).

- Describe chronologically the details of any threat abatement actions taken.

Example: EPA Region 2, supported by the technical assistance contractor, conducted an extensive site assessment between October 14, 1991, and October 27, 1991. EPA mobilized the Emergency and Rapid Response Services (ERRS) contractor, HazWaste Cleanup Corp., on November 2, 1991. Between that time and November 12, 1991, the scope of work was focused on general site preparation, which included establishing a command post area and enhancing site security. Site security was enhanced by installing chains and locks on all site entrance gates, barbed wire in areas where the site fence was broken or in weakened condition, and warning signs along the entire site perimeter, as well as in some interior areas of the site where physical hazards were present.

Building #22 was designated as the laboratory chemical and drum staging area for the site, and a decontamination trailer was set up as a support zone for the building. All easy access points were secured by the installation of doors with locks, chicken wire, and barbed wire, and by boarding up broken windows with plywood...

[Description of the site preparation might continue for a few paragraphs.]

Most of the chemical bulking and staging phase (i.e., Phase 1) of the project was conducted between November 1991 and March 1992. It began with the removal of laboratory chemicals from each building, beginning in Quadrant III and progressing to Quadrants II, I, and IV, respectively ...

[The remainder of the section describes the rest of the removal activity in a similar fashion.]

If this is an early-action site, mention the combined site assessment; if remedial activities are planned or ongoing, report them here.

2. Treatment, disposal, or alternative technology approaches pursued

- State the technology approaches tested and implemented for on-site treatment or disposal of materials.
Example: The diverse wastestreams, materials, and debris on site were incinerated, recycled, chemically treated, or disposed of in RCRA-approved landfills.
- State the materials and quantities disposed of, the method of disposal, and the location of the disposal facility. Present this information in tabular form.

Exhibit 8 on the following page provides the tabular format for materials and their disposition.

- Provide concise but detailed descriptions of available, innovative, or emerging alternative technologies successfully used in treating or disposing of materials on site.
Example: No on-site treatment, disposal, or alternative technologies were pursued at this site.

[Examples of alternative technologies would include in situ vitrification, biodegradation, solidification, high pressure solvent extraction, etc.]

3. Public information and community relations activities

- Describe the actions taken to inform the community of the release and the removal activities completed to solicit or respond to community concerns.
Example: Prior to mobilization of the cleanup contractor, the OSC prepared a community relations plan. An initial meeting was held on October 26, 1991, at the Bobsled Township Mayor's Office to notify public officials of the proposed site removal activities and to discuss public notification procedures in the event of an incident during cleanup operations. Following a press conference, the local officials and representatives of the EPA Office of External Affairs performed a door-to-door tour of residences located along the perimeter of the site to explain EPA's ongoing removal activities and to answer any questions concerning local involvement. The OSC also met with local fire and police officials to discuss general cleanup activities and contingency plans. Fact sheets were issued to all Bobsled residents outlining the site hazards and mitigative actions being conducted.

EXHIBIT 8. MATERIALS AND DISPOSITION

Material	Amount	Method	Location
Crushed empty drums and debris	5 roll-offs at 30 cu yd each	Landfill	Chemical Management Fort Wayne, IN
Solid waste containing heavy metals	75 55-gal drums, 15 roll-offs at 30 cu yd each	Landfill	Chemical Management Emelle, AL
Cyanide and corrosive liquid waste	120 55-gal drums	Chemical treatment	SinoChem, Inc. Detroit, MI
Halogenated liquid organics	59 55-gal drums	Incineration	Rally Environmental Services, Inc. Austin, TX
Phosphoric and sulfuric acids	5,000 gal liquid	Recycle	Everclear Products Camden, NJ
Elemental mercury	2.8 lb	Recycle	Polymer-Science, Inc. Harvey, MO

E. Resources Committed

- Summarize the estimated total project costs, highlighting the categories below. (Note: Use the Removal Cost Management System [RCMS] to determine the estimated total project costs.) [5]

Extramural costs:

- Regional removal allowance costs (or total cleanup contractor costs), including costs for Emergency and Rapid Response Services (ERRS), Regional ERRS, subcontractors, prequalified vendors and other site-specific contracts, letter contracts, order services, notices to proceed, and interagency agreements (IAGs) with other Federal agencies
- Technical Assistance Team (TAT)/Superfund Technical Assessment and Response Team (START) costs
- Contract Laboratory Program (CLP) costs
- Response Engineering and Analytical Contract (REAC) costs

EPA Intramural costs:

(Note: See the Removal Cost Management Manual for the formula for calculating intramural direct and indirect costs [6]. Contact the Regional Financial Officer for direct and indirect cost rates to be used in the formula.)

- Provide the removal project ceiling from the Action Memorandum for comparison.
- The cost information may be supplemented according to individual Regional cost tracking, provided that the required information is complete.

Exhibit 9 on the following page shows an estimated total cost summary for a sample removal project.

With the expected increase in the number of non-time-critical removal activities under the early action initiative, there will be a consequent increase in the number of cost recovery actions subject to the removal Statute of Limitations (SOL). The SOL for removal activities is three years from a removal completion, unless remedial activity is initiated within three years of the completed removal activity. The need for accurate, timely, and complete cost documentation and reporting of work performed is extremely important [3].

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EXHIBIT 9. REMOVAL PROJECT ESTIMATED TOTAL COST SUMMARY

Extramural Costs:

Total Cleanup Contractor Costs	\$2,835,444
Total TAT/START Costs	168,353
Total CLP Costs	0
Total REAC Costs	0

EXTRAMURAL SUBTOTAL	<u>\$3,003,797</u>
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Intramural Costs:

EPA Direct Costs	\$200,000
EPA Indirect Costs	299,569

INTRAMURAL SUBTOTAL	<u>\$499,569</u>
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ESTIMATED TOTAL PROJECT COSTS	\$3,503,366
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PROJECT CEILING	\$3,600,000
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II. EFFECTIVENESS OF REMOVAL ACTIVITIES

The evaluation of the removal action should be objective. The criteria include: timeliness of response, level of preparedness to respond, appropriateness of actions, whether safety procedures were followed, whether the PRP contributed to the removal action, and the form and quantity of that contribution. Only facts should be noted.

A. Actions Taken by PRPs

- Indicate whether the PRP(s) responded to any notice letter(s) and how cooperative they were in providing information to assist with the removal.

Example: Only one PRP, Zimmer Container Corporation, was financially viable or willing to undertake any cleanup. Zimmer was issued a Notice Letter on September 19, 1991, regarding the hazardous substances, debris, and solid waste in and around its area of operations. Zimmer agreed to clean up the portion of surface wastes that it had generated during its lease operations.

- If the PRP did any portion of the site work, indicate whether the PRP responded to an administrative order.

Example: Under an Administrative Order, Zimmer Container Corporation conducted cleanup of its portion of wastes on site.

- For work performed by the PRP(s), cite instances indicating whether the PRP(s) or their representatives took adequate health and safety measures, and conformed to the site safety plan.

- Indicate whether the performance of the PRP conflicted with performance expectations.

Example: Zimmer Container Corporation cleaned up and removed most of the surface wastes identified by EPA; however, the potential soil contamination resulting from its welding, spraying, and refurbishing operations of box trailers is unknown at this time and was not addressed during the removal activity. This potential contamination will be addressed in future action by the remedial personnel.

B. Actions by State and Local Agencies

- Indicate whether any role was played or assistance provided by State or local agencies in the removal. Describe actions of State and local agencies as first responders, in the preliminary assessment of the site, and/or in community relations which were either valuable or a hindrance to the removal activity.

Example: The NJDEP provided historical information on the site during the assessment phase of the removal. The NJDEP also responded to incidents involving fires at the site to aid in mitigation actions.

The Bobsled Township Fire Department provided a renewable air supply during the site assessment. The Fire Department also coordinated with the ERRS contractor to respond to several site fires caused by vandals and, for a nominal fee, provided water for the site decontamination trailer.

The New Jersey State Police (NJSP) responded to several incidents involving fires and vandalism at the site. However, the OSC's first request to the NJSP for support was denied because assistance was not requested through the Bobsled Township Police Department's mutual aid agreement.

- Indicate whether the State made arrangements for post-removal site control.

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C. Actions Taken by Federal Agencies and Special Teams

- Indicate whether any role was played or assistance provided by the U.S. Coast Guard, the Agency for Toxic Substances and Disease Registry (ATSDR), the Federal Emergency Management Agency (FEMA), or any other agency during the removal. Describe technical assistance provided by these agencies.

Example: Upon discovery of vandalized equipment on site, the OSC contacted the Federal Bureau of Investigation (FBI). The FBI declined to investigate the matter because of the uncertainty involved with the status of ownership of the damaged equipment.

EPA's Office of the Inspector General (IG) provided an investigator at the time of the discovery of the damaged equipment; however, the lack of a Federal or State agency representative to investigate outside causes of the vandalism hampered the IG investigation.

- Indicate any participation by the NRT, the RRT, or other teams during the removal. Describe any assistance they provided in coordinating with Federal, State, and local agencies and other interested parties, and in planning the removal activity.

Example: The USCG National Strike Force denied the OSC's request for a site visit and assistance in the final removal of hazardous materials.

D. Actions Taken by Contractors, Private Groups, and Volunteers

- Review the delivery orders and work performed by the ERRS contractor (or other cleanup contractor). Indicate whether all personnel, materials, and equipment were provided as required by the contract and delivery orders, and whether they were provided within acceptable time frames.

Example: The EPA ERRS contractor, HazWaste Cleanup Corp., conducted the cleanup of the site. In addition to performing wastestream staging and bulking and drum sampling, ERRS coordinated the shipment and disposal of the materials. Through the ERRS contractor, site security and utilities support were also provided. The ERRS contractor provided an on-site mobile laboratory, as well as equipment and personnel to conduct the field operations.

- Indicate whether health and safety protocols were observed, and whether applicable safety and environmental laws and regulations were followed in storage, transportation, treatment, and disposal of wastes. Cite any violations.

Example: All health and safety protocols and safety and environmental laws were followed during this removal activity.

- Indicate whether tasks assigned to the technical assistance contractor were completed in a timely and effective manner.

Example: The EPA technical assistance contractor, EnviroTEK, Inc., provided

timely assistance in the preliminary assessment of all site buildings, the development and maintenance of the site safety plan, documentation of on-site activities, air quality monitoring of all work areas, and coordination of the disposal and reclamation of abandoned cylinders and acids.

- Describe instances where work performed by volunteers was valuable to the success of the removal activity or where their presence hindered site activities.

Example: Volunteers from a local Boy Scout troop assisted in the distribution of fact sheets to local Bobsled residents.

III. DIFFICULTIES ENCOUNTERED

Most removal activities encounter some problems. When difficulties arise on site, especially those involving intergovernmental coordination or compliance with policies and regulations, communicating these difficulties program-wide will help avoid them at other sites or facilitate their solutions should they occur.

In this part of the OSC Report, list the items that affected the response, giving careful attention to issues of intergovernmental communication and coordination, and regulatory and policy interpretation and compliance. Give each type of difficulty a short title for easy reference.

A. Items That Affected the Response

- Evaluate the efficiency of the removal activity. List technical, naturally occurring, and uncontrollable items that adversely affected the removal activity.

Example: Incineration: The high cost of transportation of hazardous waste to an off-site incinerator (because of community resistance to mobilization of an on-site incinerator) and the delays due to work stoppage by the hazardous waste haulers union greatly increased the total removal cost.

Vandalism: Fires and vandalism occurred on several occasions at the site; some of these incidents hindered site actions and endangered EPA personnel, cleanup contractors, and the local residents. Because of the large size of the site, it was difficult to limit access. Site security through ERRS subcontractors was unsuccessful in most incidents because security guards could not maintain a constant watch on perimeter areas. Local authorities were not able to curtail trespassing and illegal dumping on site and did not have the resources to contend with these problems.

Union Actions: On March 8, 1992, the Heavy Equipment Operators and Laborers Union formed a picket line across the site entrance and disrupted site work for several days. Subcontractors, such as the

hazardous waste haulers and the site sanitation subcontractor, honored this line. Even after site work was resumed, physical harassment against the ERRS contractor personnel hindered site progress on several occasions. The local community exhibited no concern over the disruption of removal activities.

Delays: On March 30, 1992, all personnel were demobilized from the site after vandals caused extensive damage to the heavy equipment and other operational equipment at the site. Work was delayed until October 1992, when the cooperation of the Department of Justice and the U.S. Marshal's Office was obtained in order to provide safer and more secure working conditions.

B. Issues of Intergovernmental Coordination

- Evaluate communication and coordination efforts among Federal, State, and local parties and the effect of the efforts on the removal activity. Cite examples that hindered or disrupted the coordination of a smooth removal activity.

Example: EPA's ability to request assistance from State and Federal agencies outside of the RRT framework should be addressed. The role of an OSC during an emergency response or removal activity is unknown to those State and Federal agencies that do not have participating members on the RRT. In addition, the OSC did not know the extent of assistance which can be requested or provided from other agencies, as was the case with the FBI.

C. Difficulties Interpreting, Complying With, or Implementing Policies and Regulations

- Indicate those policies and regulations that in any way affected the efficient conduct of the removal activity and how they affected the removal activity.

Example: Threats to health and safety of personnel: EPA lacks formal guidance or policy on health and safety issues unrelated to standard OSHA or EPA requirements for hazardous waste activities. The site-specific health and safety plan did not address the acts of violence perpetrated by vandals and arsonists. Without such guidance, the OSC can use only his best judgment as to whether removal activities can safely continue.

IV. RECOMMENDATIONS

This part of the OSC Report provides the opportunity for OSCs to share the benefits of their site experiences. As site managers and implementors of EPA's operating policies and regulations, OSCs are most qualified to provide valuable feedback from a field perspective to removal program managers on the effectiveness of these policies and regulations. Through their experience and expertise conducting removals, OSCs can assist other OSCs and developers of policy by communicating their successes in conducting particular types of removal actions, using innovative technologies, and by providing recommendations for the prevention of future discharges and releases.

To ensure the value of OSC Reports to the removal program, all the issues presented below should be carefully addressed. Give all recommendations a short title for easy reference.

A. Means to Prevent a Recurrence of the Discharge or Release

- Examine the cause of the incident and determine, if possible, what action(s) could have prevented it. Provide specific recommendations for how EPA or other Federal or State agencies could act to prevent similar occurrences.

Example: Routine audits: Audits should be conducted routinely for companies that are producers or users of large quantities of hazardous substances, and these companies should be required to routinely dispose of wastes produced and materials no longer used. Companies that fall into these categories could be required to carry and maintain liability insurance to pay for potential environmental damage or threats that result from operations.

B. Means to Improve Removal Activities

- Provide recommendations from section III of the OSC Report to address the difficulties encountered during the removal activity. Focus on improvements to intra-program coordination and on issues that could have broad application within, or implications for, the Superfund program.

Example: On-site incineration: The mobilization of an on-site incinerator for the destruction of wastes would have reduced transportation costs associated with off-site disposal.

Site security: EPA's effort to provide continuous site security at hazardous waste sites where local and State authorities are unable to supplement or support such activities needs to be examined.

- Highlight what actions went well during the removal and provide specific recommendations so that other OSCs can take advantage of these experiences.

Example: Multiple OSCs: Using several OSCs, with one lead OSC, to oversee

different phases of the removal activities can improve complex removal activities. Because of the numerous tasks undertaken for this action, more than two OSCs were used at different phases of the removal activity, which greatly aided in contractor monitoring and in planning initiatives.

C. Recommendations for New Policy or Regulations, and Changes in Current Regulations and Response Plans

- Indicate those regulations or policies that hinder rather than promote the efficient, timely, and safe completion of removal activities. State the manner(s) in which they hinder operations, and provide recommendations for their revision.

Example:

1. DOJ support: *There should be expedited methods for obtaining Department of Justice response to criminal activities against EPA employees or its contractors.*

2. MOU or IAG: *A Memorandum of Understanding and Interagency Agreement should be developed between the EPA and the U.S. Marshal's Office to immediately address threats or potential threats to EPA employees from outside parties interfering with an approved Federal removal activity.*

3. Guidance: *EPA should develop guidance or policy pertaining to the protection of its employees and contractors under its direction, and incorporate it by reference in the Federal Regional Contingency Plan. It is also suggested that a legal determination of Federal property be made known to OSCs in order to distinguish the threshold for FBI or other agency involvement.*

Exhibit 10 presents an OSC Report Review Checklist which can be used to ensure that all information requirements have been addressed and that the report is error-free.

EXHIBIT 10. OSC REPORT REVIEW CHECKLIST

The following checklist has been developed to help ensure that all OSC Reports are complete. A comprehensive list of topics for inclusion in OSC Reports is provided. OSCs should compare OSC Reports to the checklist and add their own procedures if they desire. **The OSC Report should not include subjective judgments, draw conclusions which are not fact-based, express unsubstantiated opinions, or discuss the legality of actions or events.**

The OSC Report has:

- ___ Provided an executive summary of the response action (optional).
- ___ Described the primary aspects of the site conditions and site background succinctly and accurately, and includes:
 - Initial situation, background, site location, coordinates, and NPL status
 - Location of hazardous substances and areas of concern on site
 - Cause of the release or discharge
 - Efforts to obtain response by responsible parties (section I.A).
- ___ Outlined the organization of the response, indicating agencies, parties, and contractors that provided assistance, and their action(s) or role(s) (section I.B).
- ___ Indicated the content and date of any notice to natural resource trustees about injury or possible injury to natural resources (section I.C).
- ___ Indicated Federal and State trustee damage assessment activities and efforts to replace or restore damaged natural resources (section I.C).
- ___ Indicated the response authority and described in a chronological narrative the details of threat abatement actions taken (section I.D).
- ___ Stated the technologic approaches tested and implemented, and concisely described innovative or emerging alternative technologies successfully used (section I.D).
- ___ Stated the materials and quantities disposed of, the method(s) of disposal, and the location of the disposal facility/facilities (section I.D).

OSC REPORT REVIEW CHECKLIST

EXHIBIT 10. OSC REPORT REVIEW CHECKLIST (Continued)

The OSC Report has (continued):

- Described the public information and community relations activities performed (section I.D).
- Summarized the estimated total project costs and provided the removal project ceiling for comparison (section I.E).
- Provided an objective evaluation of the effectiveness of removal activities, including:
 - Actions taken by PRPs (section II.A)
 - Actions taken by State and local agencies (section II.B)
 - Actions taken by Federal agencies and special teams (section II.C)
 - Actions taken by contractors, private groups, and volunteers (section II.D).
- Listed the difficulties encountered during the response activity, including:
 - Technical, naturally occurring, and uncontrollable items that affected the response (section III.A)
 - Issues of intergovernmental coordination (section III.B)
 - Difficulties interpreting, complying with, or implementing policies and regulations (section III.C).
- Provided recommendations on means to prevent a recurrence of the discharge or release (section IV.A).
- Provided recommendations on means to improve response activities (section IV.B).
- Provided recommendations or proposals for changes in regulations and response plans (section IV.C).
- Provided a reference list of related or supplemental documents (in lieu of attachments).

APPENDIX A. MODEL COMBINED INITIAL AND FINAL POLREP

U.S. ENVIRONMENTAL PROTECTION AGENCY POLLUTION REPORT

Model Combined Initial and Final POLREP

I. HEADING

Example:

- Date: *November 4, 1992*
- Subject: *Elmhurst Dump, Caroline County, New Jersey*
- From: *Joan Smith, OSC, U.S. EPA, Region 2, Response and Prevention Branch*
- To: *Robert Watson, Director, ERD*
Janet Cohen, Response and Operations Branch Chief, Region 2
James Stacks, NJDEP
Local Emergency Planning Committee
- POLREP No.: *1 and Final*

II. BACKGROUND

Example:

- Site No.: *Q6*
- Delivery Order No.: *1234-56-78*
- Response Authority: *CERCLA, § 104(a)*
- ERNS No.: *30580*
- NPL Status: *Non-NPL*
- CERCLIS No.: *N/A*
- State Notification: *NJDEP notified*
- Action Memorandum Status: *Action Memorandum being prepared*
- Start Date: *November 2, 1992*
- Demobilization Date: *November 3, 1992*
- Completion Date: *November 4, 1992*

III. SITE INFORMATION

• A. Incident Category

- Indicate the appropriate CERCLA incident category for the site from the following list:

Active Production Facility
Inactive Production Facility
Active Waste Management Facility
Inactive Waste Management Facility
Midnight Dump
Transportation-Related
Other

Example: CERCLA incident category: Midnight Dump

◉ **B. Site Description**

1. Site description

- Briefly describe the site setting, including coordinates (latitude/longitude), location (city, county, state), acreage, and ownership.

Example: On November 1, 1992, four sealed but badly damaged boxes were found by a local resident in a deserted field near Elmhurst, Caroline County, NJ (39° 49' 57" N, 77° 38' 19" W). The boxes were soggy, the labels had almost completely peeled off, and poison symbols were barely visible. Present ownership of this 40-acre field was under dispute and the last legal owner could not be immediately located. Well-established trails through the unsecured field indicated routine use by residents. The NJDEP, due to the potentially hazardous contents of the boxes, requested EPA assistance.

- Describe the area (e.g., residential, urban, commercial) and estimate the threatened population (as identified in the Preliminary Assessment).

Example: The field where the boxes were found is not cultivated, but the surrounding fields are irrigated with water from a nearby stream. The field is in a very rural area of Caroline County, with a population of fewer than 250 people within a one-mile radius. Two miles downstream of the site is a small town (Elmhurst) with a population of approximately 5,000 people.

- Discuss past and present site activities.

Example: The site was formerly a cornfield, and is currently not farmed due to legal disputes over ownership.

2. Description of threat

- Describe the threat to human health or the environment posed by the site. If the threat is the result of a single incident or release, describe the incident or release, including the date and what ensued.

Example: The barely visible symbols on the labels of the boxes appeared to indicate that the boxes contained arsenic trioxide -- a highly toxic carcinogen. This posed a potential serious contact/inhalation threat to passersby. Rain could destroy the containers, wash the contents into the soil, and/or contaminate the nearby stream.

C. Preliminary Assessment Results

- Briefly discuss the results of the preliminary assessment, if any.

Example: The boxes appeared to contain the original material. No leakage was initially observed, but the boxes were deteriorated.

IV. RESPONSE INFORMATION

© A. Situation

1. Current situation

- Summarize the current situation at the site and the status of the ongoing removal activity, including information pertaining to site conditions, weather (if pertinent), media activity, and other relevant factors.

Example: Heavy rain caused muddy conditions which hampered access to the site. The OSC arrived on scene at 1300 hours on November 1 and determined the location of the boxes to be 50 feet from the swollen stream flowing nearby. On closer inspection, the OSC found no other boxes or drums anywhere near the four identified boxes.

Technical assistance contractor personnel arrived on scene at 1530 hours on November 1 to assist the OSC with the response activity by collecting soil and water samples for analysis, and by performing air monitoring.

On verifying the contents of the boxes, the OSC mobilized the ERRS contractor who arrived on the scene at 1700 hours on November 1.

2. Removal activity to date

- Describe what removal activities have already been initiated, including preparation of the Action Memorandum, whether the OSC invoked the \$50K response authority, any actual site mobilization and the actions taken, and any community relations activities.

Example: The area was immediately fenced off by the ERRS contractor and warning signs were posted. The boxes were overpacked and staged within the secured area. After the boxes had partially dried out, and on closer scrutiny, the contents of the boxes appeared intact. The OSC with the help of the technical assistance contractor identified the name of the manufacturer on the labels, and contacted the manufacturer – Metchem, Inc., of Trenton, NJ.

- Discuss State and local agency involvement, including any request for EPA assistance; any State or local agency cooperation in assessing the incident and threats; any "first responder" or other actions taken by State or other agencies to protect public health and the environment; and whether State or other agency personnel remain at the site.

Example: The NJDEP contacted the EPA Duty Officer, and a representative was present on site from the outset.

3. Enforcement

- Indicate whether EPA or State enforcement actions have been initiated.

Example: The manufacturer of the arsenic, Metchem, Inc. was contacted on November 2 and representatives arrived on site on November 3, 1992, at 1400 hours.

B. Planned Removal Activities

- Discuss the removal activity as outlined in the Action Memorandum.

Example: Because of the imminent threat to public health and the environment posed by the highly toxic and hazardous contents of the damaged boxes, this site met the criteria of a CERCLA emergency response. Using the \$50K authority, the OSC initiated an immediate response.

The manufacturer will assume responsibility of the secured containers of hazardous materials. The contents will be repackaged at their factory for reuse.

C. Next Steps

- Describe plans for ongoing removal activity, including waste analysis, containment, and cleanup; enforcement; planned meetings with local or Regional environmental or enforcement agencies; and community relations activities.

Example: Sample analysis results showed no contamination of the soil or water.

- Discuss the status of the OSC Report and the expected completion date. If applicable, indicate any future site activity (e.g., PRP, remedial, or State).

Example: The OSC Report is under preparation and is expected to be completed by November 30, 1992. No further Federal response activities are anticipated.

D. Key Issues

- Identify any problem areas.
- State how the objectives set forth in the Action Memorandum were achieved through the removal activity. Specifically address any wastes remaining on site, including those which are contained. Document how threats to human health and the environment have been reduced or eliminated.

Example: An Action Memorandum is being prepared. Prompt and immediate Federal action eliminated a potentially hazardous situation.

V. COST INFORMATION

- Provide detailed final cost information for the site. Below is an example of cost information that OSCs should provide. Individual Regions should also note ceilings for ERRS, TAT/START, or other line items if such ceilings are maintained. To the extent practicable, all expenditures relevant to the site should be noted in the POLREP. Cost information should be as detailed and complete as possible.

<i>Example:</i>		<i>Cost To Date</i>
<i>ERRS Contractor</i>	\$	3,010-
<i>IAGs</i>		N/A
<i>Letter Contracts</i>		N/A
<i>Extramural Cleanup Contractor Costs</i>		3,010
<i>TAT/START Contractor Costs</i>		1,850
<i>CLP Analytical Services</i>		N/A
<i>REAC</i>		N/A
<i>Intramural Direct Costs (HQ, Regions, ERT)</i>		1,900
<i>Intramural Indirect Costs</i>		2,150
<i>Total Intramural Costs</i>		4,050
<i>TOTAL</i>	\$	<u>8,910</u>
⊙ <i>Project Ceiling</i>	\$	50,000
⊙ <i>Percent of Project Funds Remaining</i>		82.2%

- Include the following statement in all final POLREPs:

The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

VI. DISPOSITION OF WASTES

- Using the waste disposal matrix below, list the wastestreams identified, and note the medium and quantity. For each wastestream, indicate the planned or actual disposition (e.g., containment, treatment, disposal). See Exhibit 2 on page 17 for more information on recording site wastes.
- Abbreviations may be used in the matrix and clarified in the text of the POLREP. Keep each individual wastestream separate. Containment and disposal should not both be denoted for the same wastestream. See Exhibit 2 on page 17 for more information.

Example:

<i>Wastestream</i>	<i>Medium</i>	<i>Quantity</i>	<i>Containment - Migration Control</i>	<i>Treatment</i>	<i>Disposal</i>
<i>Heavy metal (arsenic)</i>	<i>Solid, contained in boxes</i>	<i>4 boxes, each 20 lb</i>	<i>Boxes secured, area fenced off</i>	<i>None</i>	<i>Collected by Metchem, Inc., NJ, for reuse</i>

APPENDIX B. REFERENCES¹¹

Statutes and Regulations

- [1] The National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 55 FR 8666, 40 CFR Part 300, (March 8, 1990)
- [2] The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. sections 9601-9675

Guidance

- [3] OSWER Directive 9203.1-05, Volumes 1 - 5, "Superfund Accelerated Cleanup Model - Interim Guidance," (December 1992)
- [4] OSWER Directive 9360.3-01, "Superfund Removal Procedures: Action Memorandum Guidance," EPA/540/P-90/004 (December 1990)
- [5] *Removal Cost Management System User's Guide*, Version 3.2 (June 1989)
- [6] OSWER Directive 9360.0-02B, "Removal Cost Management Manual," (April 1988)

¹¹ Bracketed numbers appear throughout the text and correspond to the references listed in this appendix. These references may be consulted for additional information on specific topics affecting the preparation and content of POLREPs and OSC Reports.

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