

US EPA ARCHIVE DOCUMENT



## RCRA CORRECTIVE ACTION NEWS

### A Record of Success

# RCRA Cleanup Reforms Update

## New Corrective Action Guidance Documents Available

### What's Inside

Read about the following exciting RCRA Corrective Action activities:

**Brownfields Pilot Projects**—several regions and states have launched pilot projects to promote coordination, develop creative approaches, and showcase RCRA's regulatory flexibility.

**Winners of the 2000 Corrective Action Awards**—a new set of individuals and teams are recognized for outstanding performance.

**Cleanup of Groundwater Contamination**—EPA, working with state and local partners, settles with New Mexico Company for remedial action.

**Highlights of the RCRA Correction Action Workshop**—this interactive, results-oriented workshop has been applauded by participants in 8 regions.

On July 8, 1999, EPA announced that it was implementing a set of administrative reforms, known as the RCRA Cleanup Reforms, to the Resource Conservation and Recovery Act (RCRA) Corrective Action Program. The reforms are designed to achieve faster, more efficient cleanups at RCRA sites that treat, store, or dispose of hazardous waste and have actual or potential contamination.

EPA identified three guidances that would follow the reforms announcement. To check the status of these documents please visit the Corrective Action Website at [www.epa.gov/correctiveaction](http://www.epa.gov/correctiveaction). Individual *Federal Register* notices will announce the availability of these documents for public comment. The draft *Handbook of Groundwater Policies* is now available for public comment. The others will follow in the coming months.

The draft guidance documents discussed above are significant due to EPA's announcement in October 1999, that a vast majority of the 1990 Proposed Subpart S regulations will not be finalized. EPA withdrew most of the proposed rule because the Agency determined that such regulations are not necessary to carry out its duties under sections 3004(u) and (v). Additionally, attempting to promulgate a comprehensive set of RCRA regulations could unnecessarily disrupt the state and territorial programs already authorized to carry out the Corrective Action Program in lieu of EPA, as well as the additional state programs currently undergoing review for authorization. This decision ended uncertainty related to this rulemaking for state regulators and owners

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## EPA Reaches Settlement on CAMU Rule

On February 11, 2000, the U.S. Environmental Protection Agency (EPA), Environmental Defense, the Natural Resources Defense Council and the Environmental Technology Council reached a settlement agreement on the pending litigation over the Corrective Action Management Unit (CAMU) regulation for remediation waste under the Resource Conservation and Recovery Act (RCRA). Under the settlement, if EPA promulgates amendments to the CAMU rule described in the settlement and certain other conditions are met, the CAMU lawsuit will be dropped.

The 1993 rule was written to address the potential disincentives to cleanup created by RCRA rules when applied to the management of RCRA hazardous remediation wastes during cleanup. Amendments to the 1993 rule specified in the settle-

ment would establish CAMU-specific treatment and design standards. Among other things, the amendments would impose minimum treatment standards for principal hazardous constituents in CAMU wastes and minimum liner and cap standards for CAMUs.

Timothy Fields Jr., EPA Assistant Administrator for Solid Waste and Emergency Response, said this "landmark settlement on CAMU is critical to sustain the success of the RCRA Cleanup Reform agenda. The settlement significantly reduces the cloud of legal uncertainty over the CAMU rule that has discouraged hazardous waste cleanups. As a result, this settlement will allow cleanups already underway to proceed, and it will encourage the cleanup of thousands of other hazardous waste sites across the nation."

The Agency has been in discussions for the better part of a year in an effort to settle litigation over the CAMU rule. In conjunction with the settlement process, EPA obtained feedback from many stakeholders, including industry and state governments, to help inform the settlement. The settlement calls for EPA to propose amendments to the existing CAMU rule by August 7, 2000, and to publish a final rule by October 8, 2001. While not part of the settlement, EPA also intends to include in the proposed amendments provisions for expediting state authorization of these amendments and will take public comment on all of the proposed changes.

For more information see:  
<<http://www.epa.gov/epaoswer/osw/cleanup.htm>>.

# RCRA Brownfields Pilot Projects Are Selected

A major component of the RCRA Brownfields Prevention Initiative has been launched: the selection of RCRA Brownfields pilots. On December 3, 1999, the Assistant Administrators (AA) of the Office of Solid Waste and Emergency Response (OSWER) and the Office of Enforcement and Compliance Assurance (OECA) issued a memorandum requesting Regional/State RCRA Brownfields Pilot Projects. The memorandum explained that EPA would like to capitalize on state or regional pilot projects to promote regional and state coordination; develop creative approaches to address RCRA brownfields issues; utilize the inherent statutory and regulatory flexibility of RCRA to address common reuse/redevelopment issues; and gather information on policy changes for RCRA corrective action and other RCRA programs that impact reuse/redevelopment.

The purpose of the non-funded pilot program is to advance the application of brownfields solutions in the RCRA arenas. The RCRA Brownfields regional and/or state pilots will serve to :

- Achieve protective outcomes while

focusing on effective and efficient reuse/redevelopment opportunities;

- Evaluate streamlined/tailored/innovative cleanup and redevelopment strategies or those that promote resource conservation;
- Identify and use creative solutions to redevelopment barriers including the inherent flexibility in RCRA and other recent regulatory and policy changes, e.g., HWIR-media;
- Facilitate coordinated federal/state/local cleanup and redevelopment;
- Provide information useful to develop strategies to prevent RCRA sites from becoming "brownfields" or Superfund sites.

An evaluation panel consisting of representatives of EPA headquarters offices, regional staff, and two states reviewed the pilot applications that were received. The evaluation panel determined how the pilot project would demonstrate innovative approach efforts, provide evidence of the need for the project, and demonstrate the likelihood of success to fulfill the initiative's objectives.

On March 2, 2000, members of the RCRA Brownfields Prevention Initiative Workgroup presented information about the RCRA Brownfields pilot projects to OSWER AA Tim Fields, Jr. who selected the following pilots: Bethlehem Steel in Lackawanna, NY, Blue Valley Redevelopment Team in Kansas City, MO, CBS in Bridgeport, CT, and PECO Energy Co. in Chester, PA.

Selected pilots will coordinate with their regional work group members for assistance in achieving project milestones, tracking pilot reporting, and providing periodic updates to the RCRA Brownfields Prevention Initiative work group. The work group will also serve as problem-solver, provide technical support and expertise, and continue its coordination and information-sharing efforts as work progresses. An update on the pilots achievements will be presented at the Brownfields 2000 Conference in October. For additional information on the RCRA Brownfields Prevention Initiative, please contact Marjorie Buckholtz or Bob Silva at 202-260-9605.

## Bethlehem Steel Corporation: Lackawanna, NY

The Bethlehem Steel Corp (BSC) facility in Lackawanna, New York, contains a former integrated steel plant occupying approximately 2.5 square miles (1600 acres) extending one mile along the eastern shoreline of Lake Erie. Steel was manufactured on the site from the early 1900's to 1983, when manufacturing operations were significantly reduced. In August 1990, an Administrative Order on Consent (AOC) was issued to BSC to perform a RCRA Facility Investigation (RFI).

The RCRA/Brownfields pilot implementation process will work to facilitate the removal of approximately 600 acres from the RFI order so that this land can be redeveloped. As this RCRA/Brownfields pilot is implemented, it has the potential to test policy as well as several regulations. Some of the types of actions that could come into play include risk-based corrective action at RCRA facilities, flexibility of land disposal restriction

(LDR) soil cleanup standards, and possibly hazardous waste identification rule (HWIR)-media regulations for remediation of contaminated soils.

Under BSC's proposed redevelopment plan, the existing property would be used for a gateway trade center and port, medium industrial and trans-shipment distribution center, a business and commercial center, light industrial areas, and recreational areas such as a marina, open buffer space, fishing areas, and trails.

## Blue Valley Redevelopment Team: Kansas City, MO

The Blue Valley area is on the east side of Kansas City, Missouri, along the Blue River. The area currently is considered "blighted" because many of the businesses that formerly were located there have moved due to past flooding. The Blue Valley area has been identified by Kansas City for investigation, cleanup, and redevelopment as a part of its Brownfields Demonstration Assessment

Pilot cooperative agreement with the EPA. The Blue Valley Redevelopment Team consists of representatives from Kansas City, the Kansas City Economic Development Corporation, the U.S. Army Corps of Engineers, Missouri Department of Natural Resources (MDNR), and EPA's Region 7. The metropolitan Kansas City area is also a designated Brownfields Showcase Community.

Most of the larger properties in the Blue Valley area are RCRA permitted facilities including two former wood treating facilities with post-closure permits, a steel manufacturing facility, an active pesticides production facility, as well as a number of generators of hazardous waste. As part of the pilot's implementation plan, the redevelopment team intends to use the inherent flexibility in the RCRA program, where possible, to promote creative solutions to environmental problems and liability concerns to facilitate redevelopment efforts. For example, MDNR has committed to redefining "facility" under one of the facility's post-closure permit to remove uncontaminated and cleaned portions to allow for redevelopment.

## CBS Bridgeport, CT

For 100 years, from 1888 through 1988, the CBS Corporation site in Bridgeport CT (formerly Westinghouse Electric Corporation - Bryant Electric) was a manufacturing facility for wiring devices. It is ranked as a "high priority site" due to its high National Corrective Action Prioritization System (NCAPS) ranking. In 1994, EPA awarded a Brownfields pilot grant to the City of Bridgeport for the "West End Redevelopment Project" to revitalize this economically depressed section of the city.

Under a 1995 Lease and Sale Agreement, Westinghouse/CBS leased the site property to the City of Bridgeport, Department of Planning and Economic Development, for the purpose of demolishing the site building. Ownership of the CBS site is scheduled to be ultimately transferred to the City of Bridgeport for redevelopment. As part of the state Property Transfer Process, the Connecticut Department of Environmental Protection (CT DEP) and EPA have been working together to ensure that the site is investigated and remediated in compliance with the State of Connecticut Remediation Standards (CT DEP RSRs) and applicable EPA Corrective Action requirements.

EPA has worked closely with CT Property Transfer staff in reviewing CBS'

RCRA Facility Investigation (RFI) work plans and reports and in determining issues/deficiencies common to both programs. This pilot is seen as having not only a substantial impact on the successful completion of an ambitious redevelopment plan undertaken by the City of Bridgeport, but will also serve to identify and resolve important issues concerning the implementation of RCRA Corrective Action in the state of Connecticut in concert with a non-delegated remediation program currently being implemented in the state.

## PECO Energy Company: Chester, PA

The PECO Energy Company's Chester Facility is an 88 acre site located at Jeffrey Street and Delaware Avenue in Chester, Pennsylvania and includes 3,200 feet of waterfront. Since 1993, the facility has been subject to an EPA Consent Order under RCRA to characterize and address hazardous waste contamination on 17 of the 88 acres including 2,600 feet of waterfront. Based on the results of the site characterization, PECO has put measures in place to remove petroleum products found floating on the groundwater and on the Delaware River. Currently, PECO is preparing a document explaining their cleanup plans for the entire site.

The challenge is to clean up the remaining contamination at the PECO site while accommodating economic redevelopment activities. To accomplish this, the pilot will use the administrative flexibility available under RCRA and re-emphasized in the RCRA Reforms Initiative. Following EPA's approval of PECO's cleanup plans, the City of Chester hopes to turn the site into a waterfront park with a marina, sports/entertainment center, public exhibition hall and retail shops.



Aerial view of PECO Energy Co.

## Sparton Technology Settlement Requires New Mexico Company to Clean Up Soil and Groundwater Plume

Under a court settlement that became final on March 3, 2000, Sparton Technology, Inc. will clean up soil and groundwater contamination at their Albuquerque, New Mexico, site. Both the soil and groundwater were found to be contaminated by hazardous metal plating wastes and waste metal cleaning solvents, including trichloroethylene and trichloroethane, which are considered probable carcinogens, as a result of environmental investigations that were conducted at the facility under a 1983 RCRA § 3013 Order and a 1988 RCRA § 3008(h) Order. The contamination was caused by the manufacturing of electronic circuit boards at the facility from 1961 to 1994. The contaminant plume extends at least one-half mile from the facility. The affected groundwater is part of a group of aquifers that is the sole source of drinking water for the Albuquerque area.

EPA and Sparton were unable to reach agreement on either the appropriate remedy or interim measures for the facility and EPA issued its Final Decision on the selected remedy in June 1996. When negotiations on a RCRA 3008(h) Corrective Action Order failed, EPA and state and local agencies filed coordinated enforcement actions in the United States District Court in New Mexico on February 19, 1997, under the Safe Drinking Water Act § 1431, RCRA §§ 7002 and 7003 and state authorities. Over the next two years the governmental parties attended frequent court-ordered mediation sessions and coordinated their efforts through meetings, correspondence, and teleconferences.

In a January 18, 2000, press release, Gregg A. Cooke, the Regional Administrator for EPA Region 6 in Dallas, said "EPA worked closely with state and local officials to develop a comprehen-

sive and effective strategy for cleaning up contamination at the Sparton plant. This Consent Decree and the cleanup which will follow demonstrates EPA's commitment to work with its state and local partners to ensure protection of the environment."

The Consent Decree requires Sparton to take corrective actions which will prevent further migration of the contaminant plume; reduce the quantity of chemical sources in the soil to prevent further groundwater contamination; and restore the contaminated aquifer to federal and state drinking water standards.

For more information about this case, contact Michael Hebert (at 214-665-8315) or Gloria Small Moran (at 214-665-3193) in the EPA Region 6 Compliance Assurance and Enforcement Division.



# 2000 RCRA Correct

## OUTSTANDING TEAM OF THE YEAR AWARD



### Anniston PCB Work Group, Region 4

**Wes Hardegree, Russ Mclean, Mita Ghosh, Tim Slagle, Danny France, Katherine Hastie, Elmer Akin, Brian Holtzclaw, Don Rigger, Mario Villamarzo, Rick Canady, Barbara Slade, Carl Blair, Yvonne Barnett, Cheryl Browder, and Jim Grassiano**

This year, the Anniston PCB Work Group is receiving the Outstanding Team of the Year Award for their work in identifying and implementing approaches for dealing with PCB contamination at the Solutia, Inc. facility in Anniston, AL.

The Solutia, Inc. (formerly Monsanto) facility in Anniston, AL is one of two facilities in the U.S. that produced PCBs. In February 1999, the regional office received a letter from the West Anniston Environmental Justice Task Force, otherwise known as Citizens Against Pollution, asking for EPA action in regard to the PCB contamination in Anniston. This led to a meeting of approximately 60 people including 30 residents, their lawyers, EPA, Alabama Department of Environmental Management (ADEM), Alabama Department of Public Health (ADPH), and Agency for Toxic Substances and Disease Registry (ATSDR) officials. Through investigations regulated under the RCRA program, it was determined that the Solutia facility, the adjacent community, the drainage ditches exiting the property, and various downstream waterways were contaminated with PCBs. Contamination has also been found in areas not directly linked to Solutia facility storm water runoff (i.e., remote soil contamination).

As a result, Solutia, Inc. has evaluated and determined the extent of the contamination and has instituted interim measures to eliminate further releases and minimize human exposure.

Currently, the downstream waterways are being assessed for impacts to human health and environmental exposure.

The collaborative efforts of this team have resulted in the efficient assessment of the contamination occurring in

Anniston. The innovative approaches they have taken to solving environmental problems include: drafting community-based health surveys; working with ATSDR and ADPH experts to review samples to eliminate current exposures to contaminants and gaining community involvement so a faster more focused environmental benefit could be achieved.

## OUTSTANDING TEAM OF THE YEAR AWARD



### Corrective Action Environmental Indicator Evaluation Team, Region 9

**Katherine Baylor, Mary Blevins, Jennifer Downey, Mitch Kaplan, Thomas Kelly, Ronald Leach, Carmen Santos, Ray Saracino, Carl Warren, Patrick Wilson, Kevin Wong, Jennifer Wu, and Larry Bowerman**

In February 1999, Tim Fields, the OSWER Assistant Administrator, sent out two memos to the regions. One requested the improvement of the accuracy of RCRA Corrective Action program data and the second stated the importance of meeting the GPRA EI goals. In response to these memos, the Corrective Action Environmental Indicator Evaluation Team was formed. The Team planned, organized, and implemented a multi-faceted effort to: 1) update corrective action information; 2) complete the remaining EI evaluations; and 3) develop a strategy for attaining the GPRA EI goals by 2005. Working collaboratively with the states, the Team conducted EI evaluations at 69 sites and updated their information in the national RCRIS database. As a result, Region 9 exceeded their annual EI goals for FY99 and can better track its progress in achieving EIs in the future to attain the 2005 goals.

To complete the EI evaluations and update RCRIS in an efficient manner, the Team developed a plan to effectively leverage state and federal resources as well as a comprehensive three-hour training curriculum for state and EPA offi-



Award winner Gary Miller from Region 6 is congratulated by Clifford (Deputy RA, Region 6), Steven Herman (AA, OEO).

cial. The training course served to enhance stakeholder involvement by providing an opportunity for both state and federal project managers to discuss challenges and complex site remediation issues. In addition, the training highlighted the importance of regulators and facility managers collaborating to achieve positive environmental results. Well-received by all parties, the training reduced the time typically required to document environmental results and determine EI status.

Recognizing that state involvement is crucial to progress, team members worked closely with their counterparts to keep states informed about EIs and RCRA Cleanup Reform development through meetings, conference calls, letters, guidance documents, and briefing papers. In addition, the Team designed an innovative approach to completing EI forms in cooperation with state officials.

Through its collaborative efforts, the Team not only finalized 69 EI evaluations and updated RCRIS, but also developed a strategy that increases assessment efficiency and facilitated states' involvement and commitment to help EPA achieve RCRA cleanup goals.

# ive Action Awards



by (from left) Elizabeth Cotsworth (OD, OSW), Jerry CA), and Tim Fields (AA, OSWER).

## OUTSTANDING ENVIRONMENTAL INDICATOR AWARD

### Ray Cody, Region 1

This year, the Outstanding Environmental Indicator Award is being given to Ray Cody for his work in the RCRA Corrective



Action Section of EPA Region 1. Ray is a RCRA Facility Manager who is currently responsible for 17 sites on the RCRA Cleanup Baseline. Ray has been very successful in achieving the EI goals at these facilities, while also establishing positive working relationships with the owners and operators of his assigned sites. Almost half of Ray's assigned facilities have met both of their EIs, and 18 percent achieved both during FY99. Those that have not met both EIs yet are on a clear track to do so in the near future. His success is attributable to his ability to set clear and achievable goals, communicate specific technical requirements, and serve as a credible representative of EPA.

Ray is one of the best advocates in his section for promoting the use of environmental indicators. In his interactions with stakeholders such as facility owners and operators, consultants, his state counterparts and peers, he sells the EIs

as measures that facilities can use to affirmatively state that their properties are safe from a public health perspective. Ray is an effective promoter of the environmental indicators because he believes strongly in what he does — he is a credible voice for EPA. He is able to convince owners and operators that he is working on their behalf by willingly articulating why certain data is needed.

An expert in his section, Ray is generally known as the one to go to for information and help. He is experienced and knowledgeable on such topics as vacuum extraction technology, chemistry, natural attenuation of contaminants in groundwater and subsurface soils, and policy. Additionally, he consistently shows genuine concern and interest for those he works with, which is reflected in the work he produces.

## OUTSTANDING TEAM OF THE YEAR AWARD

### Streamlining Team for RCRA Corrective Action Enforcement, Region 6



### Sue Westbrook, Robert Wilkinson, Michael Hebert, Maria Martinez, Terry Sykes, and Cathy Gilmore

The Streamlining Team for RCRA Corrective Action Enforcement was awarded the RCRA Outstanding Team of the Year Award for its achievements in developing several very effective tools for expediting corrective action in the Region 6 enforcement program. The process for this accomplishment involved several parts, including the development of tools to shorten the negotiation process on what needs to be cleaned up, approaches for reduced oversight, and an enforcement tool that expedites the legal negotiation process while not compromising the corrective action program's goals. The Team was instrumental in developing a Streamlined Risk Evaluation (SLRE) process, a Letter Agreement for cooperative parties; and an application of techniques to reduce oversight of facilities in agreements with EPA for facility cleanup.

Because the preparation of traditional corrective action enforcement orders is very time consuming and has the potential to become confrontational, the Team developed the SLRE to decrease the time and costs associated with negotiations of agreements with the facility as well as oversight of the implementation of facility activities. Designed to reduce the time it takes to establish cases, the SLRE uses all known information about the facility to develop a preliminary risk evaluation. Once risk is established, the corrective action team and state officials determine who will lead the corrective action activities, thereby reducing conflicts and implementation time. By developing and implementing the SLRE process, as well as the sampling plans, the Team was able to expedite corrective action activities, which illustrates a result-oriented rather than a process-oriented focus.

In addition, the Team developed the Letter Agreement process, which is designed for proactive and cooperative facilities that want to expedite corrective action requirements. It is a prescriptive letter outlining the scope of work, a work schedule, and a reservation of rights to issue an Order should the facility not perform work as agreed. The reservation of rights contingency not only reduces the time required to complete each phase of the process, but decreases traditional oversight requirements as well. This innovative approach has been successfully used on several occasions under RCRA Section 7003, Section 3013, and Section 3008(h), which led to effective cleanup much sooner than with traditional methods.

## OUTSTANDING STAKEHOLDER INVOLVEMENT

### M. Gary Miller, Region 6



M. Gary Miller is being awarded the Outstanding Stakeholder Involvement Award for his work as the corrective action enforcement project manager at a facility with substantial contamination partially destroyed by an explosion and fire. Gary worked effectively with the

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concerned surrounding community as well as with the state agency, EPA Headquarters, and the facility owner to ensure that proper actions were taken to cleanup the site.

The Chief Supply Company began operations in 1978 to treat, store, and recycle a wide variety of hazardous wastes. After the RCRA-permitted facility was partially destroyed by an explosion and fire in March 1997, environmental samples detected chlorinated solvents, benzene, toluene, ethylbenzene, and xylene contamination. In May and June 1997, the Region 6 enforcement corrective action group issued two Unilateral Administrative Orders under Section 7003 - one to stop the fuel blending operations at the facility and the other to clean up the hazardous waste contamination and ensure proper storage of the wastes still being stored at the facility. Subsequent to receiving the orders, the facility was purchased by Greenway Environmental which took over the operations at the site.

As the corrective action enforcement project manager, Gary effectively assembled and worked with diverse stakeholder groups, including the community, the state, EPA Headquarters, and the facility owners. Immediately after the explosion and fire at the facility, Gary inspected the facility and met with local citizens to explain the situation and how and what the EPA RCRA enforcement program could do to rectify the problems. He also coordinated efforts with the state, which was pursuing the facility in state court regarding numerous environmental violations. Gary assembled the community, the state, and EPA Headquarters for numerous discussions regarding the best way to approach the facility and the necessary course of action.

Although the surrounding community had been concerned about facility operations prior to the fire, they became increasingly worried after the fire and subsequent issuance of the RCRA Section 7003 Imminent and Substantial Endangerment orders. Gary conducted several community meetings as a forum to gather information on community concerns and to explain EPA's actions and intentions, as well as the safety of the facility's operations. In addition, he opened an ongoing dialogue with the community via e-mail.

Gary continues to work with the state

agency and the facility owners to complete the cleanup as required by the EPA orders, and to ensure that the first order is upheld and that there is a viable company on the property that can complete all required activities. In a recent letter to the Regional Administrator and local Congressmen, a member of the community thanked the Agency for their continued efforts and specifically for Gary's exceptional work. One community member stated that Gary is "an asset to the Agency," while another stated that "his efforts have given the community the hope that the reckless disregard in which this facility has operated will not be allowed to continue in the future."

### **FASTER, FOCUSED, MORE FLEXIBLE CLEANUP AWARD**

**Matt Hoagland,  
Region 1**



Matt Hoagland, the EPA-New England RCRA Corrective Action Section first line supervisor, is this year's recipient of the Faster, Focused, More Flexible Cleanup Award. At the beginning of the decade, the New England program was reputed internally for managing unwieldy, risk-averse processes, and externally for its weak command and control process. However, as the decade came to a close, the New England program has become known for its innovations that have led to more efficient and effective site cleanups. Because of Matt's management and leadership, Region 1 is known as a success in the RCRA Corrective Action Program.

This success is the result of the implementation of many changes, both small and large. Although much of the work was actually accomplished by the staff of the section, it was Matt who provided the atmosphere for change and the leadership for innovation. He encouraged creative thinking, questioned whether to continue past practices, set new goals for the regional program, and demanded more from the staff to achieve these goals. Change involves risk, and Matt took the necessary risks for his ideas and goals to become reality.

Matt is known nationally for the outstanding technical and policy support that he provides. Much of the work that he and his team does meets or exceeds

expectations. For example, Matt and his staff have initiated a very successful facility lead program. To date, there are 55 facilities who are moving forward on a facility lead basis in Region 1. In May 1999, an innovative 3013 order, known as the Short-Order, was completed and issued. It is geared toward those facilities who are lagging in their facility lead commitments to meet the GPRA goals. The "short"-order is more than 100 pages shorter than pre-existing versions.

In addition, Matt has made outstanding efforts to work with the states to creatively use appropriate Federal/State authorities and resources to implement the Corrective Action Program. Matt and his staff utilize the state Performance Partnership Agreements and Performance Partnership Grants. Goals are set before the fiscal year begins and the progress is tracked throughout the year. Vermont and New Hampshire, two of the three states in New England who have attained Corrective Action authorization, have already achieved the 2005 GPRA goals as a result of the PPA/PPG process.

These are but a few examples of the dramatic changes he has made across the board, and how Matt has made a difference in the management of his section.

## **EPA Regional News**

The new and improved Region 5 Corrective Action Home Page is completed and on the Internet. This new Web page, created by Kristen Tyrpin, OPA, is easier to navigate and use and can be found at <[www.epa.gov/region5/rcraca](http://www.epa.gov/region5/rcraca)>. The Web page has the most recent Regional guidance documents relating to corrective action; links to the OSW Web page; and Hotline RCRA training modules. Examples of available documents include: "Region 5 QAPP," "Volatiles in Soils," "Environmental Indicators," and "Region 5 EDQLS." The web page will continually be updated as new documents become available.



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and operators of hazardous waste management facilities. As a result, the guidance documents will provide some of the suggested direction on how EPA, the states, and industry should perform the cleanup, or “corrective action,” of contamination at RCRA facilities. The three guidances are as follows:

### Results-Based Approaches to Corrective Action

This document defines results-based corrective action and lists a sampling of approaches that the Agency feels will help stakeholders achieve program goals. This list includes approaches such as tailored oversight, presumptive remedies, performance standards, innovative technologies, targeted data collection, and facility-lead corrective action. Program implementors are encouraged to take advantage of these approaches at all facilities but particularly at those sites on the Government Performance and Results Act (GPRA) cleanup baseline. The Results-Based Approaches to Corrective Action Overview broadly defines results-based approaches and serves as an umbrella document for specific guidances that will deal with implementation of some of the approaches mentioned above.

The “Results-Based Approaches to Corrective Action: Tailored Oversight”

section provides a national framework for applying tailored oversight to facilities subject to corrective action and encourages tailored oversight at facilities on the RCRA Cleanup Baseline.

### Corrective Action Completion Guidance

This guidance discusses how EPA regional and state regulators, as well as facility owner/operators, can document completion of corrective action at facilities. It addresses how to terminate permits and interim status where corrective action is complete; how to determine whether corrective action is complete at part of a facility; and the importance of public involvement in corrective action. Once finalized, this guidance will allow for a more predictable completion process and provide facility owner/operators with reasonable assurance that regulatory activities can be completed at their facility.

### Handbook of Groundwater Policies for RCRA Corrective Action

EPA has compiled in a single handbook all important policies concerning groundwater at facilities subject to corrective action under RCRA. This handbook will help reduce time-consuming uncertainties and confusion about EPA’s expectations for groundwater protection and

clean up. It offers considerable flexibility in existing policies, particularly to those states that have distinguished the relative value and priority of their groundwater resources. The handbook also encourages states to take a lead role in protecting their groundwater resources.

Topic areas discussed in the guidance include: Groundwater Use Designations, Short-Term Protectiveness Goals, Final Remediation Goals, Cleanup Levels, Point of Compliance, Source Control, Monitored Natural Attenuation, Technical Impracticability, and Completing Remedies.

EPA continues to seek feedback from all stakeholders on the need for additional reforms to the RCRA Corrective Action Program. Based on stakeholder input and our ongoing assessment of the program, we will continue to refine the RCRA Cleanup Reforms, add reforms as needed, and communicate program changes including those resulting from stakeholder input.

For more detailed information on specific aspects of the RCRA Cleanup Reforms, contact Kevin Donovan, Office of Solid Waste, 5303W, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, D.C. 20460, (703 308-8761), (donovan.kevin-e@epa.gov).

## RCRA Corrective Action Workshop is a Huge Success

*“...excellent, high-energy delivery; it is the best training in my 10 years at EPA; the workshop was a highly organized, positive learning experience; good speaker, good audience interaction, good ideas on getting people to clean up”*

*—Previous Workshop Participant*

The RCRA Corrective Action Workshop for Results-Based Management has travelled to eight regions in the past year and is being heralded as a huge success by those who attended. The workshop has benefitted a wide variety of stakeholders involved with RCRA Corrective Action including management, project managers, and individuals providing geo-technical, engineering, risk and legal support. Representatives from other cleanup programs (e.g., Superfund) have also taken advantage of this workshop because it deals with many issues pertaining to investigation and remediation.

The workshop provides an interactive environment where instructors and participants share tools/approaches focused on efficiently achieving Environmental Indicators and Final Remedies at facilities

subject to RCRA Corrective Action. The primary message conveyed throughout the workshop is that facilities should focus on desired results, not process, through effective communication, uncertainty management, and administrative flexibility.

If you haven’t had a chance to catch the workshop yet, you still have a few chances. It will be in Kansas City, MO (Region 7) June 12–16; Boston, MA (Region 1) July 11–14; and a workshop will also be held by the State of Florida in Orlando May 16–18. To get more information, or to register, visit [www.correctiveaction-wksp.org](http://www.correctiveaction-wksp.org).

Interactive workshop modules are also being introduced

on the Internet. Check the workshop Web site to obtain more information about the availability of these modules.

### On-Line Assistance for Managing Remediation Waste

Coming in August, an on-line system will be available that you can use to organize site-specific information on remediation waste and get direct access to existing EPA remediation waste rules, policies, and guidance that might apply to your site. According to early feedback, the on-line computer program is an “excellent idea to help people better manage these wastes.”



## 2000 National RCRA Program Meeting to Be Held in August

The National RCRA Program Meeting will be held at the Hyatt Regency on Capitol Hill in Washington, D.C. from August 15–18, 2000. The meeting is conducted by EPA's Office of Solid Waste and will combine RCRA Corrective Action, Federal, State & Tribal Programs, Permitting, Municipal, Non-Hazardous Industrial and Special Waste, and Waste Minimization and Pollution Prevention issues into one four-day meeting. EPA Headquarters and Regional staff, along with our co-implementors in the States and Tribes, are encouraged to attend the meeting. Similar to last year's meeting, the public will be invited to attend the plenary sessions held on the mornings of August 15th and 17th.

Plenary sessions, smaller breakout sessions, and poster sessions will be conducted during the four days. As with last year's meeting, we will have presenters from Headquarters, Regions, States and

Tribes for the breakout and poster sessions. Issues that involve overlap with the Office of Enforcement and Compliance Assurance and Superfund will be incorporated into the meeting agenda.

Register on-line at <[www.RCRAnationalmeeting.org](http://www.RCRAnationalmeeting.org)>. This Web site will be available in May.

### El Forum — Getting to Yes

A 3-day Environmental Indicator (EI) Forum will be held on August 15, 16, 17, 2000, in Washington, D.C. in conjunction with the RCRA National Meeting. The EI Forum will be open to regulators, facility owner/operators, and other interested stakeholders and will be focused on "Getting to Yes" for both the Human Exposures and Groundwater EIs. The forum will consist of a Monday morning review of the EI portions of the RCRA Corrective Action Workshop and both afternoon sessions will consist of presentation and discussion of examples of ways that either have been used, or could be used, to demonstrate that conditions are "Under Control." Instructors/panels will include State, Regional and HQ personnel. For more information or to register on-line visit <[www.RCRAnationalmeeting.org](http://www.RCRAnationalmeeting.org)>. This Web site will be available at the end of May.



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