

US EPA ARCHIVE DOCUMENT

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

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SUBJECT: Natural Resource Trustee Notification and Coordination Protocol

FROM: Richard C. Karl, Director
Superfund Division *R. Karl*

TO: All Superfund Personnel

CERCLA Section 104(b)(2) requires coordination of appropriate federal, state, and tribal Natural Resource Trustees (Trustees) regarding CERCLA Section 104 investigations and planning. CERCLA Section 122(j) requires coordination with Trustees regarding negotiations for response actions taken under Section 122. It is the responsibility of the OSC and RPM to assure that proper Trustee notification and coordination occurs. Superfund staff members are not, however, responsible for determining or negotiating for compensation for Natural Resources Damages.

Attached are three documents that contain important information about how to execute EPA's responsibilities with regard to notification and coordination with the Trustees:

- Attachment 1: EPA OSWER March 1992 Publication 9345.005I, "*The Role of Natural Resource Trustees in the Superfund Process*"
- Attachment 2: EPA Region 5 Natural Resource Trustees
- Attachment 3: Flowcharts for Trustee Notification and Coordination

Please familiarize yourself with this information in order to assure proper execution of our Trustee coordination responsibilities. This memo and attachments, along with a list of current Region 5 state and federal Trustee points of contact, and other resources, can be found at the EPA Region 5 Ecological Risk Assessment website:

www.epa.gov/region5superfund/ecology

A training session for RPMs and OSCs regarding Trustee notification and coordination is currently being planned for late Summer 2012 and will be announced shortly.

Please contact Ajit Vaidya, Chief, Remedial Response Section #1 at (312)-353-5713 with any questions about these issues.

cc: Robert Burr, USDOJ-OEPC
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