

RESPONSIVENESS SUMMARIES

DESCRIPTION

EPA prepares responsiveness summaries to comments, criticisms, and new data received primarily during *Public Comment Periods*, which typically occur when the site is proposed to the National Priorities List (NPL), the remedial plan is proposed for the Record of Decision (ROD), and the notice of intent to delete the site from the NPL is issued. The comments include oral or written citizen input submitted at public meetings, public hearings, or during public comment periods, as well as major issues and concerns raised during the various phases of the program.

Responsiveness summaries provide a comprehensive response to all major comments and concerns raised by the community, including PRPs. They briefly summarize major community concerns and document EPA's response to the comments. Responsiveness summaries are intended to be concise and complete reports that the public can understand.

Responsiveness summaries are used by EPA and the public. For instance, EPA decision makers use information about community preferences on remedial alternatives and general concerns about the site before issuing a ROD. Members of the public may use the document to determine how their comments were considered during the decision making process.

REQUIRED ACTIVITY

At the conclusion of the 30-day public comment period on the Proposed Plan, NCP at 40 CFR § 300.430(f)(3)(F) requires that EPA “[p]repare a written summary of significant comments, criticisms, and new relevant information submitted during the public comment period and the lead agency response to each issue. This responsiveness summary shall be made available with the record of decision.” This summary accompanies the ROD and is made available as a stand-alone document for public distribution. If a Proposed Plan does not generate any public comments, a responsiveness summary need not be provided. EPA makes responsiveness summaries available to the public through the *Information Repository*.

As discussed in the ROD guidance and OSWER Directive “Superfund Responsiveness Summaries,” responsiveness summaries contain four sections: overview; background on community involvement; summary of comments received and agency responses (topics of comments); and remedial design/remedial action concerns.

MAKING IT WORK

WHEN TO USE

Although one responsiveness summary is usually prepared before each ROD is completed, the RPM and CIC can decide to prepare one responsiveness summary for two or more operable units if, for instance, the RODs are completed near the same time.

Although EPA has no obligation to respond to comments received before or after official *Public Comment Periods* on the RI/FS and Proposed Plan, EPA encourages consideration of all significant comments, regardless of when they are received. Comments may be grouped into general topical areas to simplify EPA's response.

HOW TO USE

Typically, community relations staff has the responsibility of coordinating the development of a responsiveness summary. EPA's technical and legal staff may be needed to respond to some



[See Public Comment Periods, Tab 31](#)



[See Information Repository, Tab 21](#)

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comments, and a technical support contractor may be obtained through the Superfund Comprehensive Accomplishments Plan (SCAP) to assist in the effort.

The responsiveness summary should not be viewed as a substitute for other community relations techniques and should not be a point-by-point recitation of each comment. Refer to Chapter 5 of the Community Involvement Handbook for further information.

Some Regions write *Fact Sheets* on specific issues raised by the community. The CIC generally provides information for the *Fact Sheet* and works with the RPM to prepare it. *Fact Sheets* are distributed to community groups.

A responsiveness summary is most effective when all comments are clear and understandable, and the summary is written for the public to understand. The national average reading level is considered to be at an eighth grade level. A responsive summary that resembles a technical treatise is of minimal use to the public or EPA.

Tips

- Maintain good records of all comments.
- Address all significant comments.
- Use *Fact Sheets* and other methods to distribute information on community concerns and EPA's responses to the public.
- Apply the "Keep It Simple" approach in writing. Lay persons must be able to understand all technical information.

RELATED TOOLS/RESOURCE IN THE TOOLKIT

- [Community Involvement Plans, See Tab 7](#)
- [Fact Sheets, See Tab 15](#)
- [Information Repository, See Tab 21](#)
- [Mailing List, See Tab 23](#)
- [Public Comment Periods, See Tab 31](#)