



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 29 2003

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

OSWER #9355.0-94

MEMORANDUM

SUBJECT: Release of Summary Report for FY 2000 and FY 2001 for the Superfund Administrative Reform "Updating Remedy Decisions"

FROM: *for* Michael B. Cook, Director *Elizabeth Southland*
Office of Superfund Remediation and Technology Innovation

TO: Superfund National Policy Managers, Regions 1 - 10

We are distributing electronically the third in a series of two-year reports, which summarize the progress made through implementation of the Superfund Administrative Reform entitled Updating Remedy Decisions during FY 2000 and FY 2001. This document can be accessed at the following Superfund Reforms web site:
<http://www.epa.gov/oerrpage/superfund/programs/reforms/docs/>

Since this reform was announced on October 5, 1995, the Superfund program continuously tracked national progress updating remedies. The following statistics concerning the progress of this reform are included in this summary report:

- Cumulatively, from FY 1996 through FY 2001, EPA has updated over 415 remedies, reducing estimated future cleanup costs by more than \$1.7 billion, while at the same time increasing estimated future cleanup costs by only about \$225 million.
- Specifically, for FY 2000 and FY 2001, EPA updated 111 remedies, reducing estimated future cleanup costs by more than \$265 million, while at the same time increasing estimated future cleanup costs by about \$100 million.
- For FY 2000 and FY 2001, half of ten EPA Regions have accumulated estimated savings in excess of \$50 million.

- For FY 2000 and FY 2001, about two-thirds of the remedy updates were initiated by parties outside of EPA . About two-thirds of the remedy updates were documented with Explanations of Significant Differences, not Record of Decision (ROD) Amendments.

These results clearly show that measurable progress continues to be made by implementing this reform. The results also show a maturation of this reform over time. Originally, Regions and outside parties identified numerous remedy updates which generated high estimated savings. Today, we see more remedy updates which generate lower estimated cost savings and, in some cases, an increase in the frequency of updates which result in higher estimated costs than the original remedy.

The data contained in this report was accumulated by contacts in each region and then forwarded to headquarters for national tracking. The bulk of this report consists of two large Appendices, which give site-specific details on each remedy update completed during this two-year period. Much of the data we track was part of a congressional inquiry received during the initial stages of the reform. This data is used for tracking purposes only. This document is not a substitute for EPA's statutes, regulations or guidance, and does not impose requirements or policy changes with regards to remedy selection.

For further information on this reform, please contact Matt Charsky of my staff at Charsky.matthew@epa.gov or (703) 603-8777.

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Updating Remedy Decisions at Select Superfund Sites Biannual Summary Report FY 2000 and FY 2001

February 2003



Cumulative Summary (FY96–FY01)

Since its inception, *Updating Remedy Decisions* has continued to significantly impact Superfund sites across the country. From FY96 - FY99, there were 307 remedy updates reducing future cleanup costs by more than \$1.4 billion while at the same time increasing estimated future cleanup costs by about \$128 million. In FY00 and FY01, EPA updated more than 110 remedies, reducing estimated future cleanup costs by more than \$265 million while at the same time increasing estimated future cleanup costs by about \$100 million. By including the FY00 and FY01 data, the cumulative totals for FY96–FY01 are 418 remedy updates reducing future cleanup costs by more than \$1.7 billion while at the same time increasing estimated future cleanup costs by about \$228 million.

Executive Summary (FY00–FY01)

During FY00 and FY01, *Updating Remedy Decisions* continued to be one of EPA's most successful Superfund reforms. The key successes and findings include the following:

- Most remedy updates completed during FY00 and FY01 were the result of additional technical information gathered as part of the remedy design process. A small number of remedy updates were the result of non-technical changes in the applicable or relevant and appropriate requirements (ARARs), land use, or required cleanup levels. Another small number of remedy updates were the result of State input or community preference which focused on either technical or non-technical modifications to the remedy.
- EPA tracked all remedy updates during FY00 and FY01, most of which were reform-related. In FY00, the total estimated cost savings for remedy updates were in excess of \$185 million, all of which was based on scientific and technological advancements. For remedy updates completed in FY01, the total estimated cost savings were in excess of \$84 million, all of which was based on scientific and technological advancements. There were 10 remedy updates in FY00 that resulted in cost increases totaling an estimated \$87.7 million, and there were 6 remedy updates in FY01 that resulted in cost increases totaling an estimated \$12.5 million.
- Estimated cost savings for 111 individual remedy updates during FY00 and FY01 ranged from a negligible amount to over \$75 million, with most remedy updates generating savings under \$10 million. There were also 16 remedy updates that resulted in estimated cost increases of over \$100 million, with a majority under \$2 million.
- Remedy updates generally occurred in the remedial design phase of the cleanup process and were more likely to be documented with Explanations of Significant Differences (ESDs) than Record of Decision (ROD) Amendments. Over the two-year period, there were 70 ESDs and 41 ROD Amendments representing remedy updates with both cost savings and increases.
- Most remedy updates during FY00 and FY01 were initiated by parties outside of EPA (*e.g.*, potentially responsible parties (PRPs), States, communities, Federal facilities). Over the two-year period, parties outside of EPA initiated 66 updates and EPA initiated 55 updates (these numbers do not include 38 updates initiated by more than one party).
- Over the two-year period, the most commonly addressed medium was ground water (68 updates) followed by soil (59 updates). Nine other media types were addressed by remedy updates during FY00 and FY01.