



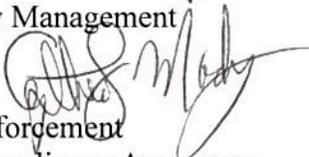
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 19 2016

MEMORANDUM

SUBJECT: Continuing Progress toward RCRA Corrective Action 2020 Goals

FROM: Barnes Johnson, Director 
Office of Resource Conservation and Recovery
Office of Land and Emergency Management

Cynthia L. Mackey, Director 
Office of Site Remediation Enforcement
Office of Enforcement and Compliance Assurance

TO: RCRA Division Directors, Regions 1-10
Enforcement Division Directions, Regions 1-10

The purpose of this memo is to reaffirm the existing RCRA Corrective Action Program goals for 2020, and to express our continued commitment to working with our state partners in progressing toward these goals. As part of this commitment, we wish to highlight a few available resources, tools and efforts to support this work.

Getting RCRA facilities cleaned up, and thus reducing risk posed by contaminants, is a key part of our mission under RCRA, and is vital to protecting human health and the environment. In addition, remediating contaminated properties allows them to be safely reused, helping to revitalize and provide development opportunities for local communities.

Our focus continues to be clear:

- Stabilize sites –control human exposures and migration of contaminated groundwater;
- Select and implement effective remedies;
- Ensure remedies are appropriate for anticipated use, allowing the property to be productive and a community asset; and
- Work toward final cleanups that mitigate risk, ensure long term controls remain effective, and are protective of human health and the environment.

Over the past four decades, together, our state partners and EPA have made great strides in addressing contamination at RCRA facilities with corrective action obligations. In the late 1990s, having spent some years developing the corrective action program and gaining cleanup experience, EPA issued two sets of RCRA Cleanup Reforms aimed at Faster, Focused, More Flexible Cleanups (1999) and Fostering Creative Solutions (2001). To help focus regional and state efforts and to better measure progress, we set and met challenging corrective action GPRA goals to achieve three specific cleanup milestones by 2005 and 2008.

In 2008, the program set an aspirational goal to address the cleanup challenges at 95% of a universe of priority facilities by 2020, measured by meeting cleanup milestones for: human exposures under control, migration of contaminated groundwater under control, and remedy construction. Having a limited number of clear, measurable goals has helped focus cleanup efforts to a set of priority facilities, and has increased significantly the rate of cleanup progress. In addition, the tangible goals have allowed state programs to better communicate their workload and resource needs to their own legislatures. As a result, with the hard work of state and EPA staff across the country, we have achieved significant protections so far: 90% of the baseline facilities have human exposures under control, 82% have groundwater migration under control, and 61% have remedies constructed.

We are now four years away from 2020, and some EPA Regions and states anticipate difficulties reaching all of the 95% milestones by 2020. EPA and the states have discussed the pros and cons of keeping the 2020 aspirational goals, recognizing the many benefits they bring. Notwithstanding the anticipated difficulties of reaching these goals, we have jointly agreed to keep these worthy and challenging goals as they currently stand.

As we move forward, we are continuing to support cleanup efforts. Much of the remaining work includes dealing with difficult facilities such as orphan facilities, financially stressed facilities, facilities with difficult technical cleanup issues, large complex facilities, and recalcitrant facilities and balancing resource constraints and other competing priorities.

Outlined below are a few key resources and activities to support and facilitate continued progress in addressing the remaining facilities. We encourage you to contact us as you identify any technical, enforcement, and policy issues on which we can provide assistance.

Tools to Increase Efficiencies - RCRA FIRST: Over the last few years, a group of EPA and state RCRA staff, led by Region 3 and Region 7, conducted two Lean exercises to identify opportunities for improved efficiencies in the Corrective Action process. The result is the recently launched RCRA FIRST process and associated tools and training which feature several time-saving approaches such as: reaching agreements earlier in the process to expedite investigation and remedy selection, elevating issues for resolution more rapidly, and identifying timing expectations and measuring against them to speed progress.

New STAG allocation distribution starting in FY16: The STAG allocation methodology revisions are complete and we are starting the transition to the new allocation in 2016. The new methodology is based on the workload in each of the states and thus should help assure that the funding is distributed proportionally to the workload. We are also working to determine how and when the methodology should be updated over time.

Special Efforts for Resolution of Policy and Technical Issues: To achieve efficiencies in addressing remaining policy and technical issues, EPA Headquarters will be working with Regions and state partners to identify specific barriers that are stalling progress at the remaining GPR facilities. We will work together to resolve policy and technical issues that are limiting progress and develop tailored solutions particularly where needed at a number of facilities.

Enforcement Tools: Innovative enforcement approaches and tools may be used to address Corrective Action challenges such as impasses with facility owners/operators. Examples of these are found in the National Enforcement Strategy for Corrective Action (NESCA) at: www2.epa.gov/enforcement/national-enforcement-strategy-rcra-corrective-action.

Training and Information Resources: Recognizing the need to replace and strengthen institutional knowledge, Regions and states are working to compile information on available training resources. We also will be developing a centralized training curriculum for use by RCRA staff in the Regions and states. The curriculum will lay out a training program from a beginner to advanced level for people to utilize during the different stages of their career.

Please feel free to contact Sonya Sasseville, Director of the Program Implementation and Information Division, Office of Resource Conservation and Recovery (sasseville.sonya@epa.gov), and Monica Gardner, Director, Policy and Program Evaluation Division, Office of Site Remediation Enforcement (gardner.monica@epa.gov) with questions or if we can provide you with assistance.

By 2020 the RCRA program will be close to 45 years old. We thank our state and Regional RCRA Corrective Action programs for the work they have done so far, and look forward to working with you to achieve further success as we approach 2020.

cc: Dania Rodriguez, ASTSWMO
Kerry Callahan, ASTSWMO

