



U.S. ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL

Results and Benefits Information Is Needed to Support Impacts of EPA's Superfund Removal Program

Report No. 13-P-0176

March 11, 2013



Scan this mobile code
to learn more about
the EPA OIG.

Report Contributors:

Carolyn Copper
Steve Hanna
Roopa Batni
Tapati Bhattacharyya
Brooke Shull
Chad Kincheloe

Abbreviations

CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CERCLIS	Comprehensive Environmental Response, Compensation, and Liability Information System
EPA	U.S. Environmental Protection Agency
GAO	U.S. Government Accountability Office
GPRA	Government Performance and Results Act
NPL	National Priorities List
OEM	Office of Emergency Management
OIG	Office of Inspector General
ORCR	Office of Resource Conservation and Recovery
OSC	On-Scene Coordinator
OSWER	Office of Solid Waste and Emergency Response
POLREP	Pollution Report
PRP	Potentially Responsible Party
SPIM	Superfund Program Implementation Manual

Cover photo: The River Road Drum Site, a 2010 Superfund emergency removal in Morgantown, West Virginia. (EPA photo)

Hotline

To report fraud, waste, or abuse, contact us through one of the following methods:

e-mail: OIG_Hotline@epa.gov
phone: 1-888-546-8740
fax: 202-566-2599
online: <http://www.epa.gov/oig/hotline.htm>

write: EPA Inspector General Hotline
1200 Pennsylvania Avenue, NW
Mailcode 2431T
Washington, DC 20460



At a Glance

Why We Did This Review

We conducted this review to determine the environmental benefits and impact of the U.S. Environmental Protection Agency's (EPA's) Superfund removal program, and the Agency's plan to achieve its future program goal. Superfund removals are used to respond to emergencies or accidental releases of hazardous substances and mitigate damage to the public or the environment from hazardous substance releases. EPA has established an annual Superfund removal goal of 170 EPA-lead and 170 potentially responsible party-lead removals each fiscal year through 2015.

This report addresses the following EPA Goal or Cross-Cutting Strategy:

- *Cleaning up communities and advancing sustainable development.*

For further information, contact our Office of Congressional and Public Affairs at (202) 566-2391.

The full report is at:
www.epa.gov/oig/reports/2013/20130311-13-P-0176.pdf

Results and Benefits Information Is Needed to Support Impacts of EPA's Superfund Removal Program

What We Found

EPA does not measure the environmental impact and benefits of the Superfund removal program. The goals of the program are measured by determining the number of removals completed rather than how removals protect human health and the environment. This measurement limitation can diminish the perceived value of the program and be an obstacle to a management focus on how removals contribute to protection of human health and the environment. Information on removal program impacts will allow EPA to better inform the public on the benefits of the program and provide a strong foundation for budget requests. EPA's current numeric removal goal appears to be attainable based on past performance, although reductions in funding or changes in state needs or capabilities may impact EPA's ability to meet its goal.

EPA's information on removals—such as the type of removal, start and completion dates, contaminant, and volume—is maintained in the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS). However, EPA's system controls do not adequately monitor the completion of required removal actions in CERCLIS. For example, an action memo should be completed within 5 business days of each removal start, but these were missing or late for about half of all removals completed in 2007–2011. Further, CERCLIS does not monitor approval of the required exemptions to ensure EPA is in compliance with Superfund law. Much of the missing or inaccurate CERCLIS data may be in pollution reports that track removal actions. However, although EPA staff said they were working on a process to ensure that pollution report data are accurately transferred to CERCLIS, no such process currently exists. Accurate CERCLIS information is needed to ensure removal actions are justified, completed on time, and address threats to human health and the environment.

Recommendations and Planned Agency Corrective Actions

We recommend that EPA identify environmental results and benefits of the removal program, communicate those results along with existing program results, and implement system controls to ensure required CERCLIS data are entered and completed. EPA agreed with the recommendations and provided acceptable corrective actions to enhance communications of program accomplishments and to control removals data integrity. CERCLIS is expected to be integrated into the Superfund Enterprise Management System by September 2013.



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

THE INSPECTOR GENERAL

March 11, 2013

MEMORANDUM

SUBJECT: Results and Benefits Information Is Needed to Support Impacts of EPA's Superfund Removal Program
Report No. 13-P-0176

FROM: Arthur A. Elkins Jr.

A handwritten signature in black ink, appearing to read "Arthur A. Elkins Jr.", is written over the printed name.

TO: Mathy Stanislaus, Assistant Administrator
Office of Solid Waste and Emergency Response

This is our report on the subject evaluation conducted by the Office of Inspector General (OIG) of the U.S. Environmental Protection Agency (EPA). This report contains findings that describe the problems the OIG has identified and corrective actions the OIG recommends. This report represents the opinion of the OIG and does not necessarily represent the final EPA position.

Action Required

In responding to the draft report, the Agency provided a corrective action plan for addressing the recommendations with milestone dates. Because you have provided a corrective action plan with milestone dates, you are not required to provide a written response to this final report. Should you choose to provide a response, your response will be posted on the OIG's public website, along with our memorandum commenting on your response. The Agency should track corrective actions not yet fully implemented in the Management Audit Tracking System. We have no objections to the further release of this report to the public. This report will be available at <http://www.epa.gov/oig>.

If you or your staff have any questions regarding this report, please contact Carolyn Copper at (202) 566-0829 or copper.carolyn@epa.gov, or Tina Lovingood at (202) 566-2906 or lovingood.tina@epa.gov.

Table of Contents

Chapters

1	Introduction	1
	Purpose	1
	Background	1
	Scope and Methodology	2
	Prior Evaluation Coverage	3
2	Removal Goal Appears Attainable But Does Not Communicate Environmental Results and Benefits	4
	EPA’s Removal Goal Appears Attainable If Resources Are Maintained	4
	Environmental Results and Benefits Are Not Communicated by Goal	7
	Conclusions	7
	Recommendation	8
	Agency Response and OIG Evaluation	8
3	System Controls Do Not Monitor Required Removal Information	9
	Missing or Inaccurate Removal Information Is Not Corrected	9
	Conclusions	13
	Recommendation	13
	Agency Response and OIG Evaluation	14
	Status of Recommendations and Potential Monetary Benefits	15

Appendices

A	Agency Response to Draft Report and OIG Comment	16
B	Distribution	19

Chapter 1

Introduction

Purpose

The purpose of this review was to determine whether there are opportunities for improved management in the U.S. Environmental Protection Agency's (EPA's) Superfund removal program, and whether resources could be better directed to meet the current program goal. We asked the following questions:

- What are the environmental results and benefits achieved through Superfund removals?
- What is EPA's plan to maintain its targeted level of Superfund removals through 2015?

Background

The Superfund removal program provides responses to immediate threats to public health and the environment from releases of hazardous substances, pollutants or contaminants. The program is authorized under the 1980 Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). CERCLA was reauthorized in 1986 by the Superfund Amendments and Reauthorization Act. Superfund removal actions are guided by the National Oil and Hazardous Substances Pollution Contingency Plan, commonly referred to as the National Contingency Plan.

Superfund removals are intended to prevent, minimize, or mitigate damage to the public or the environment at sites where hazardous substances have been released or are threatened to be released. If a site presents a relatively time-sensitive, non-complex problem that should be addressed inexpensively, EPA will normally address the problem by use of removal authority. However, even expensive and complex response actions may be removal action candidates if they are relatively time-sensitive. Removals are characterized as either fund-lead or potentially responsible party (PRP)-lead actions. Fund-lead removals are paid for by EPA, while PRP-lead removals are paid for by PRPs.

To make a clear distinction between long-term remedial actions and removals, Congress placed limits on the time and money available to conduct a removal response. An EPA-lead (i.e., "fund-lead") removal may not exceed \$2 million in spending or 12 months in duration. The limits may be extended if required to address an emergency that will cause an immediate risk to public health or the environment. The limits may also be extended if the removal is consistent with remedial actions taken at proposed or final NPL sites. A regional administrator

must approve fund-lead removals that exceed the statutory limits of \$2 million or 12 months. Fund-lead removal actions exceeding \$6 million must be approved by the Assistant Administrator for the Office of Solid Waste and Emergency Response (OSWER).

Removals are placed in one of three categories:

- **Classic emergencies** – Action required within minutes or hours.
- **Time-critical** – Less than 6 months available before the removal action must be initiated. Specific community relations and administrative record actions are required.
- **Non-time-critical** – A planning period of more than 6 months is available before removal actions must begin. An engineering analysis and cost evaluation are required.

Classic emergencies and time-critical removals are managed by OSWER's Office of Emergency Management (OEM). Non-time-critical removals are managed by OSWER's Office of Superfund Remediation Technology and Innovation. OEM's top priority is to eliminate any danger to the public and the environment posed by hazardous substance releases and oil spills. OEM provides funding to EPA regional offices for management of removals. Regional on-scene coordinators (OSCs) document the status of removals in pollution reports (POLREPs). Information on removals, such as the type of removal, start and completion dates, contaminant, and volume, is captured and maintained in the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS). According to the 2012 Superfund Program Implementation Manual (SPIM), CERCLIS will be integrated into the Superfund Enterprise Management System by September 2013.

EPA has developed a national goal of 170 fund-lead removals and 170 PRP-lead removals each fiscal year through 2015.

Scope and Methodology

We conducted our work from March 2012 to November 2012 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the evaluation to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our objectives. We believe the evidence obtained provides a reasonable basis for our findings and conclusions based upon our objectives.

We interviewed OSWER staff, including staff in OEM and the Office of Superfund Remediation and Technology Innovation; and staff of EPA Regions 3, 4, 5, and 9. Regions selected included those with both high and low numbers of removals per year.

We reviewed EPA programs, regulations, and guidance documents related to removals including relevant sections of CERCLA, the National Contingency Plan, SPIM, OSC website guidance documents, and OEM's Strategic Direction for Emergency Management Programs Fiscal Years 2010-2014. We also reviewed performance goals and program measures of the OEM removal program.

Our review focused on fund-lead removals. We reviewed removals data from CERCLIS for all 10 EPA regions to assess how program requirements are tracked. We also reviewed POLREPs for selected removal sites to compare information with CERCLIS and to review data not available in CERCLIS.

Prior Evaluation Coverage

The following Office of Inspector General (OIG) and U.S. Government Accountability Office (GAO) reports addressed issues related to the scope of our review:

- *OIG Report No. 09-P-0144, EPA Needs to Improve Internal Controls to Increase Cost Recovery, April 27, 2009.*
- *GAO Report No. GAO-08-841R, Superfund: Funding and Reported Costs of Enforcement and Administration Activities, July 18, 2008.*
- *OIG Report No. 2006-P-00013, EPA Can Better Manage Superfund Resources, February 28, 2006.*

Chapter 2

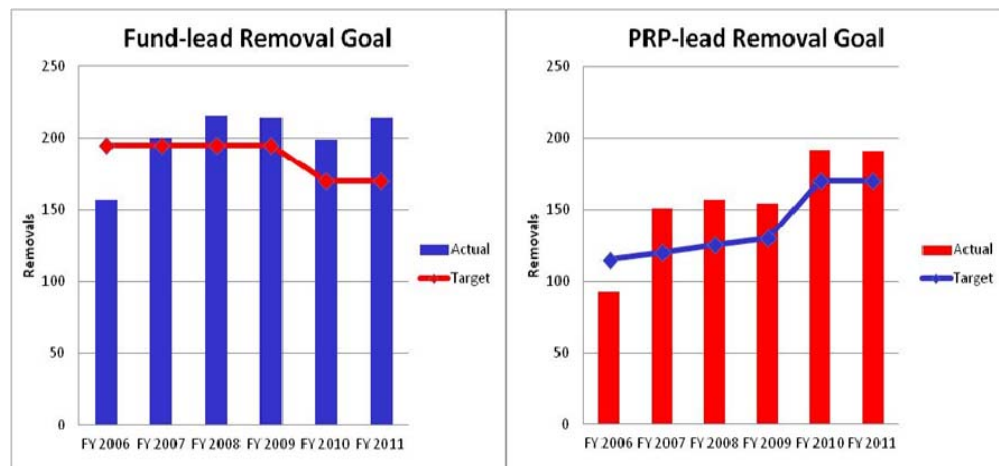
Removal Goal Appears Attainable But Does Not Communicate Environmental Results and Benefits

OEM’s annual Superfund removal goal appears to be attainable based on past performance. However, there are factors that can impact EPA’s ability to achieve its goal, such as possible decreases in program funding or changes in state capabilities to respond to removals. In addition, the goal does not demonstrate the environmental results and benefits of the removal program. The goal simply counts removal completions and thus does not reflect the impact of removal actions. Consequently, the environmental results and benefits of EPA’s Superfund removal program are not measured or communicated, which could diminish the perceived value of the program and be an obstacle to effective management focused on program results and impact.

EPA’s Removal Goal Appears Attainable If Resources Are Maintained

EPA’s *2011-2015 Strategic Plan* establishes a Government Performance and Results Act (GPRA) goal to complete 1,700 removals by 2015. Annual targets are 170 each for fund-lead and PRP-lead removal completions. EPA reported that it has exceeded its removal goal since fiscal year 2007 (figure 1). The goal of 170 fund-lead and 170 PRP-lead removals began in 2010 and was met in fiscal years 2010 and 2011. Therefore, EPA’s ability to maintain this goal through 2015 appears attainable. However, staff in one regional office expressed concern about the long-term viability of the goal. Staff stated that state removal response capabilities in the region had improved, so EPA assistance was only requested for larger and more expensive removals.¹

Figure 1: Removals – target goal and actual



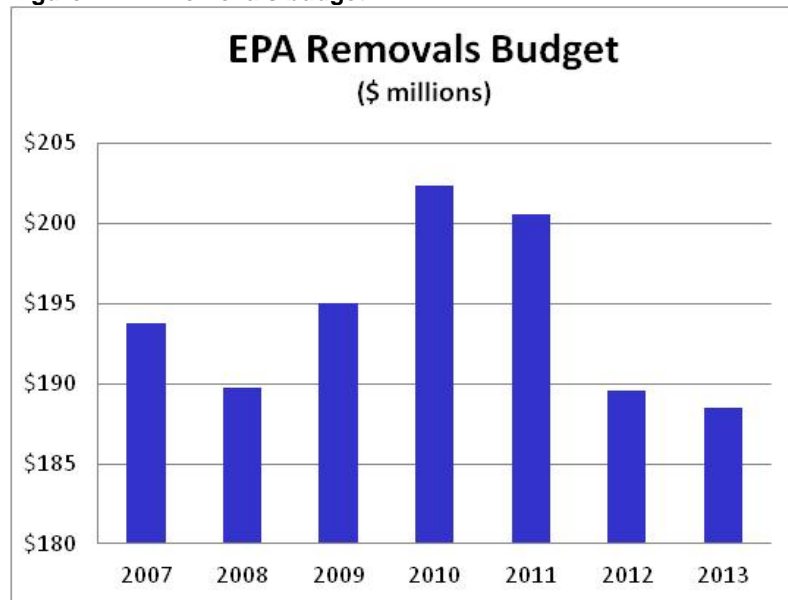
Source: EPA 2013 budget justification

¹ Results and benefits from fewer EPA removals cannot yet be measured.

We identified issues that could impact EPA’s ability to continue to meet the fund-lead removal goal:

1. **Basing the goal on historical trends** – EPA’s removal goal is based on past trends in removal actions conducted. Because removals are responses to immediate threats, an estimate of the number that will occur in future years may be inaccurate.
2. **Decreases in program funding** – Annual funding for the emergency response and removal program has historically been about \$200 million. However, in recent years funding for removals has declined (figure 2). If program funding continues to decrease, the Agency’s ability to respond to both emergency and long-term, expensive removals may be impacted.

Figure 2: EPA removals budget



Source: OEM. (Note – numbers represent the enacted budget for each year except 2013, which represents the projected amount.)

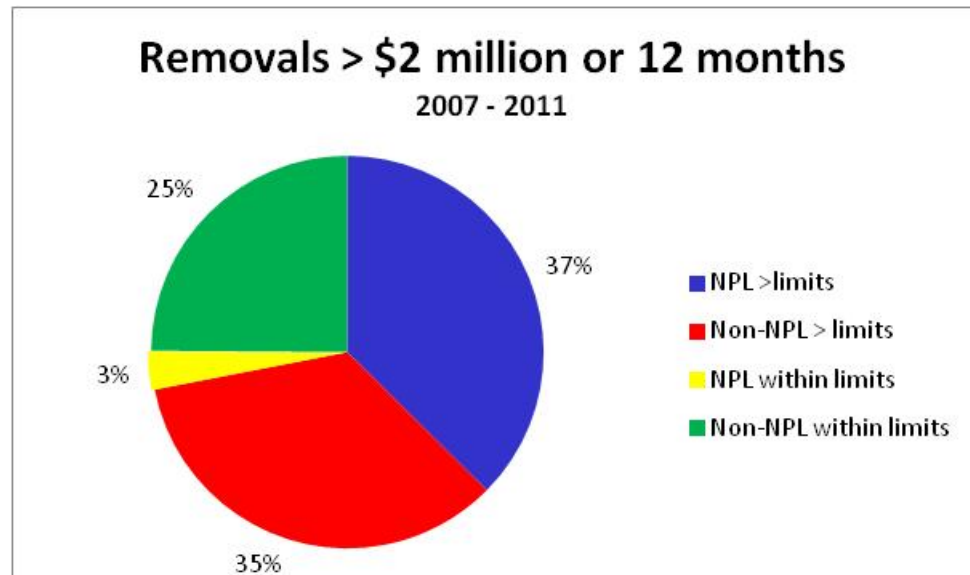
3. **Changes in state capabilities or funding** – If a state’s capacity to respond to removals diminishes due to funding reductions or other impacts on resources, this could create an increased demand for EPA’s response resources. On the other hand, if state response capabilities improve and EPA’s assistance is needed less, EPA could have fewer removals to count toward its goal.
4. **Impact of large removals** – EPA recognizes that some removals require more resources or time than others. EPA’s *Fiscal Year 2013 Justification of Appropriation Estimates for the Committee on Appropriations* states, “In recent years, emergency response and removal activities have grown more complicated, such as large lead and asbestos cleanups, requiring

more resources and time to complete.” Examples of such removals include:

- **Lead** – One removal in Alabama required more than \$6 million and 4 years, from 2002-2006. The contaminants were lead and polychlorinated biphenyls present in residential yards. EPA sampled more than 2,000 properties and removed soil from 175 of them.
- **Asbestos** – This time-critical removal in New York cost more than \$8 million and lasted about 16 months in 2010-2011. EPA determined that the 14.5-acre site contained asbestos and hazardous materials that presented direct contact threats to the public. EPA removed 14,500 tons of asbestos-contaminated demolition debris from the site.

Fund-lead removals that exceed the statutory limits of \$2 million in removal costs or 12 months duration represent a significant amount of removal resources. OIG analysis of data on removals completed from 2007 through 2011 indicates that sites exceeding these limits account for approximately 72 percent of the funding obligations (figure 3). In contrast, these sites represent only 15 percent of the total sites, indicating that a relatively small number of sites represents a large portion of the costs during the time period we reviewed. The impact of these removals is not reflected in the current goal that simply counts the total number of removals. For example, the two removals described above would count the same as small removals requiring only a few days and several thousand dollars. Because removals such as these require more resources and time than other removals, they could affect EPA’s ability to meet its current numeric goals.

Figure 3: Obligations for sites exceeding statutory removal limits



Source: OIG analysis of CERCLIS data.

Environmental Results and Benefits Are Not Communicated by Goal

OEM's overall mission is the protection of human health and the environment from exposure to accidental releases of hazardous substances, pollutants or contaminants. Various strategic planning, annual performance planning, guidance, and budget documents reflect the importance of the removal program to protect the public from exposure to accidental releases of harmful substances. The current removal goal of conducting 170 fund-lead and 170 PRP-lead removals each fiscal year does not reflect this mission and does not describe the removal program's environmental results and benefits.

In response to a 2005 Office of Management and Budget assessment of the removal program's performance, OEM committed to developing measures that track the program's impact on human health and the environment. OEM management stated that they have attempted to develop a goal more directly related to their mission but acknowledged that they have not yet succeeded. This was attributed to the GPRA requirement for a goal that could be easily counted, resulting in the existing goal that tallies all removal completions irrespective of their impact, duration, or cost.

In the past, OEM provided information on the impact of removals in annual reports, but it no longer reports this information. For example, in a 2009 report, OEM stated that EPA removals prevented an estimated 1,900,000 human exposures, identified the major contaminants, and provided additional detail on 3 large removals. This type of information can convey the impact and benefits of the Superfund removal program, but this type of information is not included in the Agency's removal goals.

Conclusions

The effectiveness, impact, and value of EPA's removal program is not measured or communicated. Although EPA's numeric removal goal appears to be attainable based on past performance, changes in funding or state needs or capabilities may impact EPA's ability to meet its goal. EPA's Superfund removal program appears likely to provide significant environmental benefits and human health protection. However, the program's inability to convey those benefits could diminish the perceived value of the removal program and impede management that is focused on program results and impact.

Recommendation

We recommend the Assistant Administrator for Solid Waste and Emergency Response:

1. Define environmental results and benefits of the removal program, and communicate these results and outcomes with the existing removal goal outcomes.

Agency Response and OIG Evaluation

OSWER agreed with our recommendation and provided a corrective action plan with goals and milestone dates. The plan includes reporting on the top 10 contaminants of concern each fiscal year, reporting on total contaminant volumes for removals, highlighting program accomplishments in OSWER publications such as the annual OSWER Accomplishments Report, and working with EPA regions to document success stories. OSWER has also committed to continue working with the regions to better define the environmental results and benefits of the removal program. Based on the Agency's response, this recommendation is open with corrective actions underway. Appendix A contains OSWER's response to our draft report and planned actions to address our recommendation. We reviewed OSWER's technical comments and made revisions to the report as appropriate.

Chapter 3

System Controls Do Not Monitor Required Removal Information

CERCLIS – EPA’s Superfund performance accomplishment planning and tracking system – does not adequately track key data that EPA has determined to be a requirement for removals. While CERCLIS contains almost all data elements necessary, data were missing or incomplete in approximately half of the removals we reviewed. Interviews with EPA regional staff confirmed that data were available in POLREPs but had not been entered into CERCLIS. However, in some instances statutory exemptions were not met. Without consistent and complete data, EPA cannot effectively monitor removals to ensure all removal actions are justified and approved, are completed on time, and address the threat to public health and the environment.

Missing or Inaccurate Removal Information Is Not Corrected

Specific Data Required by EPA

CERCLIS is the Superfund program’s data management system.² EPA uses CERCLIS data to track, manage, and report on program performance. Data are entered into CERCLIS by EPA regional staff. CERCLIS data entry requirements are specified in the annual SPIM and are implemented through data entry control plans established by each EPA region.

The fiscal year 2012 SPIM includes specific planning and reporting requirements. For example, it requires that “Upon completion of a removal, an action qualifier must be recorded to identify whether the removal resulted in the site being Cleaned Up or Stabilized. This is both a Government Performance and Results Act (GPRA) annual performance goal and GPRA measure.” In addition, it required the following removal program data elements to be entered into CERCLIS; if these fields are left blank the removal will not count toward the GPRA annual performance goal:

² According to the 2012 SPIM, CERCLIS will be integrated into the Superfund Enterprise Management System by September 2013.

- Removal Action Name
- Removal Lead
- Removal Action Critical Indicator
- Action Qualifier
- Start Date
- Completion Date
- Media Name
- Media Type
- NPL/Non-NPL
- Site Type
- Volume (estimate)
- Contaminant
- Contaminant of Concern

In addition to these requirements, we have identified other requirements for removals specified in Superfund statutes, regulations, or guidance documents. These additional requirements include:

- **Action memorandum** – An action memo should be completed as soon as practicable or within 5 business days of a removal start date. EPA’s September 2009 action memo guidance illustrates the importance of the action memo for a removal. According to this guidance, the action memo is the primary decision document that:
 - Determines the need for a CERCLA removal action.
 - Authorizes the removal action.
 - Identifies the applicable action and cleanup levels.
 - Explains the rationale for the removal response.
- **12 month or \$2 million exemption** – An exemption approved by a regional administrator is required for fund-lead removals exceeding \$2 million or 12 months.
- **\$6 million exemption** – An exemption approved by the OSWER assistant administrator is required for fund-lead removals exceeding \$6 million.
- **Community involvement** – EPA’s 1992 “Public Participation Guidance for On-Scene Coordinators: Community Relations and the Administrative Record” specifies community involvement requirements for all removals, and additional requirements for removals longer than 120 days.
- **POLREP** – A POLREP is required at the start (initial POLREP) and completion (final POLREP) of a removal action. In some instances, response activities require only one POLREP, which serves as both an initial and final POLREP.

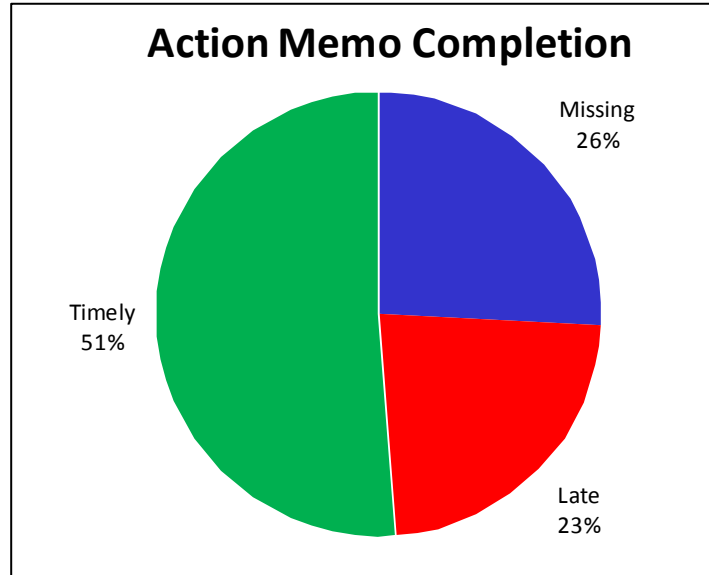
Entry of Required CERCLIS Data Not Monitored

We reviewed CERCLIS data for 1,079 fund-lead removals in all regions completed from 2007 through 2011. We identified the following problems with required data:

- **Removal completion** – We found completed removal actions in CERCLIS that appeared to be incomplete simply because staff had not entered the completion date into CERCLIS.

- **Action memo completion** – Approximately 26 percent of the removals we reviewed had no action memo associated with the removal in CERCLIS (figure 4). An additional 23 percent had late action memos.³

Figure 4: Completion of action memos in CERCLIS



Source: OIG analysis of CERCLIS data.

- **Exemption approval for fund-lead removals longer than 12 months or more than \$2 million** – CERCLIS contains specific flags to identify approval of each exemption, but the flags are not routinely used. CERCLIS could readily be used to monitor the completion of the exemption approvals using the existing flags, and generate reports to inform EPA management and staff of the need for the exemption approvals. Without such monitoring there is no assurance that the exemption approvals are being completed as required by statute. Completion of the exemption approvals is important for EPA compliance with Superfund law, and also ensures EPA management is aware of large expenditures that account for well over half of the removal costs.
- **Exemption approval for fund-lead removals more than \$6 million** – CERCLIS does not utilize any reporting mechanisms to monitor the completion of the exemption approvals. Regions we interviewed confirmed that these exemption approvals were obtained as appropriate.
- **Start of time-critical removals within 6 months** – We found 33 removals identified as time-critical that had not begun within 6 months. A time-critical removal is defined as a removal that needs to be started within 6 months, as measured from the date of the initial action memo. We also observed some CERCLIS entries for time-critical removals that had

³ “Late” action memos were identified as more than 7 calendar days from the removal start, to account for the requirement for completion of the initial action memo as soon as practicable or within 5 business days.

not yet started with planned start dates either more than 6 months in the future or more than 6 months in the past. These observations raise the question of why these are classified as time-critical removals instead of non-time-critical.

- **Missing data** – We found three removals that did not have an entry to indicate if the removal was emergency, time-critical, or non-time-critical. We also found one instance of a removal that was completed, based on the presence of a completion date, but was missing a removal start date. While these represent a small portion of the removals, they demonstrate the absence of system controls to require the entry of mandatory data.

Based on the above issues, we believe CERCLIS is not being adequately utilized by EPA to monitor removals. These data entry issues identify problems with monitoring the completion of required entries for removals, and indicate missing controls that could readily identify possible issues as they occur. Following interviews with the regions, we requested additional information on the completion of 17 specific 12-month or \$2-million exemptions. The responses indicated that 4 of the 17 exemptions had not been completed. This emphasizes the need to use CERCLIS as a management control to ensure that time-sensitive actions are completed as required. Reports from CERCLIS could identify time-sensitive actions that are overdue, such as the start of time-critical removals. Reports could also identify time-sensitive actions that are pending in the near future to provide assistance to program managers.

Regional staff we interviewed generally expressed frustration about the difficulties with using CERCLIS, which could explain some of the missing or incorrect data we observed. This may be addressed by the pending redesign of CERCLIS. According to the 2012 SPIM, CERCLIS will be integrated into the Superfund Enterprise Management System by September 2013.

Data Entered in POLREPs May Not Be Consistent with CERCLIS

The National Contingency Plan requires the OSC to submit pollution reports to the Regional Response Team and other appropriate agencies as significant developments occur during response operations. OSCs prepare POLREPs at the initiation and completion of a removal action and at regular intervals in between. The POLREP serves as the OSC's record of response actions, notifications, and decisions made to support the response action. POLREPs address:

- The source and circumstances of the release.
- The identity of PRPs.
- The removal activities performed.
- The costs incurred for the removal activities.
- The impact and potential impact of the release on public health and welfare, and on the environment.

The final POLREP documents that all proposed tasks have been completed as outlined in the action memo, thereby establishing the completion date for the removal. The final POLREP also summarizes the results achieved by the removal or response action, including a summary of the wastes disposed of throughout the course of the response or cleanup, as well as providing the basis for information needed by EPA to measure the progress of the removal program.

Regional OSCs use POLREPs as the primary tool to document removal response actions occurring at a site. Information regarding sites is also entered into the CERCLIS database. Both POLREPs and CERCLIS can be accessed by OEM to track removal response actions at sites; therefore, information from the two data sources should be accurate, updated, and consistent.

During our review of regional removal sites we identified information, such as removal completion dates, that was present in POLREPs but not CERCLIS. As a result, the data entered may be inaccurate or missing in CERCLIS but accurate and included in the site POLREP. The inconsistencies in data entry and transmission between POLREPs and the CERCLIS database present a problem by allowing differing data to reside in two locations. This could lead to incorrect conclusions about the status of removals. During our discussions with OEM and OSWER–CERCLIS staff, we were informed that CERCLIS staff, with OEM and regional staff participation, are creating a mechanism to synchronize the information documented in POLREPs with CERCLIS.

Conclusions

A review of removals data in CERCLIS showed that system controls were missing. As a result, information requirements – such as removal completion dates, action memos, timely start of time-critical removals, and exemptions for removal duration and cost – were not met for some removals. We also found that information entered by OSCs in POLREPs may differ or be absent from CERCLIS. Accurate information is necessary to assure removals are justified and are monitored for timely completion. Timely completion of removal actions is critical to provide assurance that the public and environment are protected from exposure to harmful substances.

Recommendation

We recommend the Assistant Administrator for Solid Waste and Emergency Response:

2. Implement system controls to:
 - a. Ensure required CERCLIS data are entered and completed.
 - b. Synchronize data between POLREPs and CERCLIS.

Agency Response and OIG Evaluation

OSWER agreed with the recommendation and provided a corrective action plan with goals and milestone dates. OSWER is working to develop a report to inform managers as to which removals need additional data in CERCLIS. OSWER is also working to connect the final POLREP with CERCLIS in the implementation of the Superfund Enterprise Management System, which is expected to replace CERCLIS in fiscal year 2014. Based on the Agency's response, this recommendation is open with corrective actions underway. Appendix A contains OSWER's response to our draft report and planned actions to address our recommendation. We reviewed OSWER's technical comments and made revisions to the report as appropriate.

Status of Recommendations and Potential Monetary Benefits

RECOMMENDATIONS						POTENTIAL MONETARY BENEFITS (in \$000s)	
Rec. No.	Page No.	Subject	Status ¹	Action Official	Planned Completion Date	Claimed Amount	Agreed-To Amount
1	8	Define environmental results and benefits of the removal program, and communicate these results and outcomes with the existing removal goal outcomes.	O	Assistant Administrator for Solid Waste and Emergency Response	9/30/2014		
2	13	Implement system controls to: <ul style="list-style-type: none"> a. Ensure required CERCLIS data are entered and completed. b. Synchronize data between POLREPs and CERCLIS. 	O	Assistant Administrator for Solid Waste and Emergency Response	9/30/2013		

¹ O = recommendation is open with agreed-to corrective actions pending
 C = recommendation is closed with all agreed-to actions completed
 U = recommendation is unresolved with resolution efforts in progress

Agency Response to Draft Report and OIG Comment

MEMORANDUM

SUBJECT: Response to OIG's draft report entitled: "Results and Benefits Information Is Needed to Support Impacts of EPA's Superfund Removals Program." Project No. OPE-FY12-0012, dated November 28, 2012

FROM: Mathy Stanislaus
Assistant Administrator

TO: Carolyn Copper
Assistant Inspector General for Program Evaluation

Thank you for the opportunity to respond to the issues and recommendations in the subject audit report. Following is a summary of the agency's overall views, along with its views on each of the report recommendations. The agency generally agrees with the report recommendations which parallel efforts we have been addressing. Accordingly, we have provided high-level intended corrective actions and estimated completion dates. For your consideration, we have included a Technical Comments Attachment to supplement this response.

AGENCY'S OVERALL VIEWS

In response to the OIG's Draft Report, "Results and Benefits Information Is Needed to Support Impacts of EPA's Superfund Removals Program," EPA generally agrees with the recommendations in this report and describes our efforts as discussed with your staff. With respect to Chapter 3, System Controls Do Not Monitor Required Removals Information, we are primarily concerned that the draft report does not truly take into account discussions about moving away from CERCLIS towards the Superfund Enterprise Management System (SEMS). For example, we will not be adding a data element to track the \$6 million exemption or any other enhancements; those will not be implemented in CERCLIS, but could be added to SEMS requirements, if the program determines those elements are needed in the database.

In addition, there are areas of the report that need clarification. Those areas are specifically described in the Technical Comments Attachment.

Agreements

No.	Recommendation	High-Level Intended Corrective Action(s)	Estimated Completion by Quarter and FY
1	Define environmental results and benefits of the removals program, and communicate these results and outcomes with the existing removals goal outcomes.	<ul style="list-style-type: none"> a. OEM will continue to report the top ten contaminants of concern each fiscal year, and will begin reporting on total volume for removals beginning FY13. b. OEM will continue to highlight program accomplishments in OSWER publications, including the annual OSWER Accomplishments Report. c. OEM will continue to work with the Regions and Special Teams to build a repository of removal success stories, which we will use to communicate program benefits on the EPA web site and other channels. d. OEM will continue looking into delineating different types of removal completions to communicate impacts 	<ul style="list-style-type: none"> a. FY13 and ongoing b. Ongoing c. Beginning FY 13 and once per quarter throughout the fiscal year d. Complete by 4th quarter FY2014
2	Implement system controls to: <ul style="list-style-type: none"> a. Ensure required CERCLIS data are entered and completed. b. Synchronize data between POLREPs and CERCLIS. 	<ul style="list-style-type: none"> a. OEM will notify the Region(s) of any discrepancies in CERCLIS. b. Synchronize data fields in the final POLREP to fields in the Superfund Enterprise Management System 	<ul style="list-style-type: none"> a. Ongoing b. 4th Quarter FY2013

		(SEMS). SEMS will replace CERCLIS in FY 2014.	
--	--	---	--

Disagreements

While OSWER generally agrees with the recommendations, there are some nuances (for example, the program needs to determine whether all data elements need to be synched between POLREPS and SEMS, the replacement for CERCLIS) and ongoing efforts as well as technical corrections that are provided in the attached technical comments.

OIG Response: The OIG acknowledges the ongoing efforts of OSWER to address the synchronization of the appropriate data elements between POLREPS and SEMS. The OIG reviewed the technical comments and made revisions to the report as appropriate.

Should you have any questions regarding this memorandum, please contact Dana Tulis, Deputy Director, Office of Emergency Management at 202-564-8600.

Distribution

Office of the Administrator
Assistant Administrator for Solid Waste and Emergency Response
Deputy Assistant Administrator for Solid Waste and Emergency Response
Agency Follow-Up Official (the CFO)
Agency Follow-Up Coordinator
General Counsel
Associate Administrator for Congressional and Intergovernmental Relations
Associate Administrator for External Affairs and Environmental Education
Director, Office of Emergency Management, Office of Solid Waste and
Emergency Response
Audit Follow-Up Coordinator, Office of Solid Waste and Emergency Response