

# Federal Superfund Task Force: Report/Recommendations to Streamline/Improve the Program Issued



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The United States Environmental Protection Agency's ("EPA") Superfund Task Force ("task force") submitted a report to Administrator Scott Pruitt on July 25th.

The report is described as providing "42 specific and detailed recommendations to streamline and improve the Superfund program."

The task force was chaired by a senior advisor to the Administrator (Albert Kelly) and commissioned on May 22nd to "revitalize the Superfund program." The task force is stated to have included leaders from:

- EPA's Office of Land and Management
- EPA's Office of Enforcement and Compliance Assurance
- EPA's Office of General Counsel
- EPA Region 3 (Lead Region for the Superfund program)
- Other EPA offices

The 26-page report (i.e., Superfund Task Force Recommendations) is organized into five goals which include:

- Expediting Cleanup and Remediation
- Re-invigorating Responsible Party Cleanup and Reuse
- Encouraging Private Investment
- Promoting Redevelopment and Community Revitalization
- Engaging Partners and Stakeholders

Each of the five goals includes a set of strategies. The strategies in turn include specific actions which are stated to be commenced within 12 months.

Administrator Pruitt in a July 25th memorandum addressing the task force report directs the relevant EPA personnel to take specific actions expeditiously which include:

- Prioritize and take action to expeditiously effectuate control over any site where the risk of human exposure is not fully controlled. Within 60 days, regions should prepare a report to the chair of the task force that identifies these sites and describes when such risks are expected to be controlled.
- Utilize early or interim response actions, including removal authority or interim remedies, more frequently as appropriate to address immediate risks, prevent source migration and return portions

of sites to reuse while more-detailed evaluations of other portions of sites are ongoing. We should not allow for years of study to delay addressing immediate risks.

- Prioritize development of Remedial Investigations and Feasibility Studies for those sites and projects that require more immediate action to focus the use of available funds and resources.
- Identify potential pilot contaminated sediment or complex ground water sites where Adaptive Management strategies can be implemented.
- Regions should begin compiling existing information on the cleanup status and reuse potential (as applicable) of each National Priorities List site in their region for submission to the task force.
- Track remedy implementation and completion progress in real time with the Superfund Enterprise Management System or with another mechanism , if more efficient.
- Focus training, tools and resources on current National Priorities List sites with the most reuse potential.
- Work with Potentially Responsible Parties, state, tribal and local governments and real estate professionals to identify opportunities for PRP-lead cleanups to consider future reuse in cleanups.
- Each region shall submit to the task force chair within 60 days the total of their indirect costs charged to the PRPs for FY16 and FY17 to date, as well as the formula by which that is derived.
- Encourage PRPs to work with end-users to voluntarily perform assessment and additional cleanup or enhancement work to achieve reuse objectives and to fund or perform enhanced cleanup or “betterment” by voluntarily entering into agreements with end-users.
- Use purchase agreements for potential Bona Fide Prospective Purchasers outlining their actions necessary to preserve their BFPP status.
- Use enforcement authorities, including unilateral orders to recalcitrant PRPs, more actively in order to discourage protracted negotiations over response actions.
- Maximize deletions and partial deletions of sites that meet CERCLA and National Contingency Plan requirements. Within 60 days, regions should formulate a list of NPL sites expected to be proposed for deletion or deleted within 12 months of today’s date and submit the list to the chair of the task force.

[A copy of the task force report and Administrator Pruitt’s memorandum can be found here.](#)