



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

OFFICE OF  
SOLID WASTE AND EMERGENCY  
RESPONSE

March 5, 2004

OSWER Directive 9285.6-11

**MEMORANDUM**

**SUBJECT:** OSRTI Sediment Team and NRRB Coordination at Large Sediment Sites

**FROM:** Michael B. Cook, Director /s/  
Office of Superfund Remediation and Technology Innovation

**TO:** Superfund National Policy Managers, Regions 1 - 10

**Purpose**

This guidance supplements OSWER Directive 9285.6-08: *Principles for Managing Contaminated Sediment Risks at Hazardous Waste Sites* issued on February 12, 2002. This guidance provides additional information on the Office of Superfund Remediation and Technology Innovation (OSRTI) consultation process for Tier 1 contaminated sediment sites that are also being reviewed by the National Remedy Review Board (NRRB).

**Background**

When OSWER issued Directive 9285.6-08, it established a new consultation process for Tier 1 sediment sites. Tier 1 sediment sites are those sites where the proposed sediment action(s) for the entire site will address more than 10,000 cubic yards or five acres of contaminated sediment. The Directive requested that Superfund RPMs and OSCs consult with their appropriate OSRTI Regional Coordinator at least 30 days before issuing for public comment a Proposed Plan for a remedial action or an Engineering Evaluation/Cost Analysis (EE/CA) for a Non-Time-Critical removal action. The purpose of the consultation was to help ensure that site managers appropriately considered the new principles before making site-specific risk management decisions.

The consultation entails the submission of the draft proposed plan or draft EE/CA, a written discussion of how the 11 principles presented in Directive 9285.6-08 were considered, *i.e.*, a Tier 1 Consideration Memo, and basic site information that will assist OSRTI in tracking these Tier 1 sediment sites.

**New Consultation Process for Tier 1 Sediment Sites Reviewed by the NRRB**

OSRTI has discovered that some changes need to be made to this process when the Tier 1 site is also a site that will undergo NRRB review. For these sites, the Region should include a draft Tier 1 Consideration Memo in the site information package sent to the Board. A copy of

the Consideration Memo should also be sent to the appropriate OSRTI regional coordinator (see list below) and to the OSRTI Sediment Team leader. The OSRTI Sediment Team will review the Consideration Memo and the site package and provide comments to the chair of the NRRB prior to their meeting on the site in question. If the draft Proposed Plan is available, it should also be submitted to the OSRTI regional coordinator and the Sediment Team Leader at that time. If it is not available, it should be submitted as soon as it is drafted. The Sediment Team will not submit separate comments on the Consideration Memo to the Region.

As part of its response to the NRRB recommendations, the Region should include a revised Tier 1 Consideration Memo that addresses the comments made by the NRRB. If the NRRB chair and OSRTI Sediment Team leader believe that their comments were not appropriately addressed, and after consultation with the OSRTI Regional Branch Chief, the RPM may be asked to make additional revisions to the Consideration Memo.

To assist in the review of the Consideration Memos for both Tier 1 sites and the larger Tier 2 sites that are reviewed by the Contaminated Sediments Technical Advisory Group (CSTAG), the OSRTI Sediment Team and the CSTAG have developed a Guideline for the Review of Consideration Memos (attached). RPMs are strongly encouraged to use this Guideline as a tool in preparing the Consideration Memo.

### **Existing Process for CSTAG/NRRB Coordination at Tier 2 CSTAG Sites**

It is anticipated that the proposed remedy for most of the large Tier 2 sites being reviewed by the CSTAG will also meet the requirements for review by the NRRB. When an RPM prepares the site package for the NRRB, the RPM should also prepare and submit to the NRRB and the CSTAG co-chairs a draft Tier 2 Consideration Memo. The memo should document how all 11 principles were considered in selecting the proposed remedy for the site and should normally be less than 20 pages. The CSTAG co-chairs will distribute the memo to the CSTAG members for their review. In order to avoid sending two sets of recommendations to the RPM, any CSTAG comments will be relayed to the Chair of the NRRB. At least two members of the CSTAG will attend the NRRB meeting (this can include NRRB members that are also CSTAG members) to offer assistance on site issues relative to the 11 principles.

### **Implementation**

This new process will be effective May 1 and applies to all future Tier 1 and Tier 2 sediment sites coming before the NRRB. If there any questions, please consult with JoAnn Griffith (703 603-8774), chair of the NRRB, or Steve Ells (703 603-8822), OSRTI Sediment Team leader and co-chair of the CSTAG.

#### List of current OSRTI Regional Coordinators

Region 1 - Mike Hurd/Jim Konz  
Region 2 - Terry Johnson  
Region 3 - Steve Chang  
Region 4 - Silvina Fonseca  
Region 5 - Ernie Watkins  
Region 6 - Matt Charsky  
Region 7 - Mike Bellot  
Region 8 - Dan Thornton  
Region 9 - Jennifer Griesert  
Region 10 - Mike Hurd

Attachment

cc: Betsy Southerland, OSRTI  
Walt Kovalick, OSRTI  
Jeff Lape, OSRTI  
Rafael Gonzalez, OSRTI  
David Lopez, OSRTI  
James Woolford, FFRRO  
Nancy Riveland, Superfund Lead Region Coordinator, USEPA Region 9  
NARPM Co-Chairs  
Joanna Gibson, OSRTI Documents Coordinator