

Superfund Guidance on the Sitewide Ready for Anticipated Use (SWRAU) Performance Measure

**Office of Superfund Remediation and Technology Innovation
U.S. Environmental Protection Agency
Washington, D.C.**

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I. Purpose of this Guidance

This guidance assists EPA personnel in fulfilling the Agency's responsibilities for documenting and reporting Superfund sites' achievement or retraction of the Sitewide Ready for Anticipated Use (SWRAU) performance measure. This guidance supersedes the *2007 Guidance for Documenting and Reporting the Superfund Sitewide Ready-for-Reuse Performance Measure* (2007 SWRAU Guidance).

EPA places a high priority on site reuse and redevelopment as an integral part of its Superfund program mission. In conjunction with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), the Agency's policies continue to address the protectiveness for current and future users. Building on EPA's experience of supporting reuse at Superfund sites, EPA established the Superfund Redevelopment Program (SRP) in 1999 to help communities and other stakeholders in their efforts to return Superfund sites to productive use.¹

Disclaimer

This guidance is not a regulation itself, nor does it change or substitute for any regulations. Thus, it does not impose legally binding requirements on EPA, state agencies, or the regulated community. This guidance does not confer legal rights or impose legal obligations upon any member of the public. The determination that a site is SWRAU does not provide any legal rights or legally enforceable commitments regarding EPA's enforcement intentions or any party's potential liability at the site and does not preclude EPA from taking any necessary enforcement action at the site. Although this guidance does not confer legal rights or impose legal obligations upon any member of the public, interested parties are free to raise questions and objections about the substance of this guidance and the appropriateness of the application of this guidance to specific situations.

II. Overview of the Measure

EPA's Office of Superfund Remediation and Technology Innovation (OSRTI), in coordination with EPA's Federal Facilities Restoration and Reuse Office (FFRRO), developed the SWRAU performance measure in 2006 to comply with the Agency's responsibility to report long-term outcome-based accomplishments under the Government Performance and Results Act (GPRA). Regions began documenting this information and reporting on the SWRAU performance measure for NPL sites in fiscal year 2007, as sites were identified in accordance with the 2007 SWRAU Guidance. Superfund Alternative Approach (SAA) sites were added as eligible sites for this measure in 2013.

The SWRAU performance measure is one of the Superfund program's key performance measures, and complements many important program initiatives, including institutional control (IC) implementation, the Human Exposure Under Control (HEUC) performance measure, evaluation of emerging contaminants and exposure pathways, and long-term remedy protectiveness. All sites designated as SWRAU are tracked in the Superfund Enterprise

¹ www.epa.gov/superfund-redevelopment.

Management System (SEMS). Total SWRAU accomplishments and retractions are reported in the Budget Formulation System (BFS).

SWRAU is not a reporting of site-specific risk. It is based on information at the time the determination is made. It may change if the site's conditions change or if new information is discovered. While the SWRAU measure supports EPA's longstanding commitment to making land ready for reuse by communities, it is not a measure of actual reuse nor is it a requirement for use, reuse, or redevelopment. A Superfund site designated as SWRAU may or may not be in reuse and may not be available for reuse for a variety of reasons.

In fact, many sites support certain types of reuse without meeting the SWRAU performance measure. For example, a Superfund site with a landfill cap may be reused as a recreational space, while a groundwater pump-and-treat system is being installed to treat contaminated groundwater under the landfill that does not pose an exposure risk to recreational receptors.

Further, in most cases, EPA does not own Superfund sites or control land use or land use designation(s) on Superfund sites, so the SWRAU performance measure indicates a site is ready for reuse as it relates to protectiveness only. Property owners may or may not be interested in nor pursue the reuse of the property at a Superfund site. Appropriate inquiries and due diligence should always be conducted when parties are considering the purchase and/or reuse of a Superfund site. The SWRAU designation does not provide any legal rights or legally enforceable commitments regarding EPA's enforcement intentions or any party's potential liability at the site and does not preclude EPA from taking any necessary enforcement or response actions at the site.

III. Sites in the SWRAU Eligible Universe

Sites that are Final or Deleted on the NPL or have an SAA agreement in place that are CC are eligible for the SWRAU designation. While these sites are considered part of the *eligible universe* of sites that may achieve SWRAU status, they are not counted toward the measure until they have achieved several key requirements detailed under "Detailed Requirements for Achievement of SWRAU Criteria".

When a NPL site has been deferred from CERCLA authority and is no longer reviewed regularly by EPA, it is assumed that EPA will no longer have regular access to the data required to make annual determinations of protectiveness and other SWRAU requirements. If EPA has deferred CERCLA authority to a state or other regulatory program, but still actively monitors the site under all SWRAU criteria, including HE status, the site may maintain eligibility for SWRAU and should engage Headquarters on documentation.

The Regions should make Headquarters aware of any sites found to be ineligible for the SWRAU measure and document ineligibility in SEMS by flagging the site under the "SWRAU Eligible" Field on the SEMS Site Summary page. Regions should periodically review listings of ineligible sites to determine if changes to site circumstances could result in sites being eligible for the SWRAU measure. The Regions may consult with Headquarters regarding any sites being reconsidered as eligible for the SWRAU measure.

IV. Detailed Requirements for Achievement of SWRAU Criteria

This section provides additional details regarding criteria for meeting the SWRAU performance measure.

The SWRAU performance measure counts CC Final and Deleted NPL or SAA sites for which, for the entire site, it is currently and accurately documented that:

1. The site has an HE status of current human exposures under control and all protective remedy(ies) in place (HEPR) or long-term human health protection achieved (HHPA).
2. For media that impact current and future land uses, all cleanup goals in the RODs or other remedy decision document(s) must be met so that there are no unacceptable risks.
3. All controls required for achieving protectiveness (engineered as well as institutional) are identified as part of the selected remedy in the ROD(s) or other remedy decision document(s), such as an ESD or ROD Amendment, and are in place.²

Appendix A provides a decision-tree tool designed to guide decision-making on SWRAU eligibility, achievement, and retractions.

<p><u>Requirements for SWRAU Criteria 1:</u> HE statuses that are acceptable for SWRAU are HEPR or HHPA.</p>
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HE Evaluations: The Superfund program also reports on HE, another sitewide measure. The HE evaluation is determined on a sitewide basis, meaning that one unacceptable human exposure pathway at a single operable unit can determine the status of the entire site. HE is intended to document current conditions and, in the case of HHPA, also considers future conditions. Inclusion of HE status in SWRAU criteria addresses whether the controls are effective. Sites may achieve SWRAU status almost immediately after controls are installed and may have not had an opportunity to be evaluated for effectiveness. The criteria of HE status ensure that SWRAU sites will be evaluated regularly for the effectiveness of both engineered and non-engineered (e.g., ICs) controls that relate to human exposure. If other controls that are not related to HE are determined to be ineffective, SWRAU status should be discussed with Headquarters.

The categories of HEPR and HHPA apply to sites where current sitewide human exposures are under control and signal progress in achieving more permanent long-term control and protectiveness at these sites. The HE evaluation for sites that qualify for the SWRAU performance measure must either be:

²The term ICs “in place” generally means implemented with plans for maintenance and monitoring for compliance to ensure long-term effectiveness. When ICs needed for protectiveness are not identified in a ROD or other CERCLA decision document, Regions should develop a CERCLA decision document requiring it as part of the site-selected remedy. If ICs are not part of a selected remedy in a CERCLA decision document, EPA cannot ensure they are in place for the long term, enforce them, or require the necessary maintenance and monitoring.

- *HEPR: current human exposures under control and all protective remedy(ies) in place* – The site is under control. In addition, the site has achieved CC status, remedies to prevent human exposures are operating as intended, and engineering and/or institutional controls are in place and effective. However, one or more of the human exposure-related cleanup goals for the site have yet to be met. This category includes sites where all physical construction is complete and remedies, ICs, and engineering controls for human-exposure pathways are all in place and effective, including those sites where long-term remedial actions (LTRAs) or operation and maintenance (O&M) activities are underway to achieve cleanup levels.
- *HHPA: long-term human health protection achieved* – The site is under control. In addition, the site has achieved CC status, remedies to human exposures are operating as intended, and engineering or institutional controls are in place and effective. Finally, all human exposure-related cleanup goals for the site have been achieved. Whereas other categories depict current conditions, this category also reflects reasonably anticipated future conditions. This category typically includes CC sites that do not involve long-term soil, groundwater, or surface water remedies and all institutional controls are in place and effective. Often, this status is used for sites with Site Completion status or are Deleted NPL sites.

HE site evaluations that do not fit in one of the two categories above are most likely to be inconsistent with the requirements that must be met for the SWRAU performance measure. A flowchart for determining HE status is available at the end of this guidance (Appendix B). Appendix C provides a description of each progress category and the types of sites to which each category may apply.

Requirements for SWRAU Criteria 2: For media that impact current and future land uses, all cleanup goals (e.g., cleanup levels, remedial action objectives) in the ROD(s) or other remedy decision document(s) must be met so that there are no unacceptable risks.

Determining Which Media Affect Current and Reasonably Anticipated Future Land Uses: Any media that may affect current and reasonably anticipated future land uses should be considered when making the SWRAU designation. The NCP (40 CFR 300.5) defines “on-site” to mean “the areal extent of contamination and all suitable areas in very close proximity to the contamination necessary for the implementation of a response action.” If contamination of media such as indoor air, wetlands, surface water bodies, sediments, and groundwater may pose an unacceptable risk to areas of current and reasonably anticipated future land use, cleanup goals for these media must be set and met for a site to achieve SWRAU status.

Ecological Cleanup Goals: If cleanup goals were established in the ROD or other remedy decision document(s) for ecological exposures, they must also be met for the site to be designated SWRAU. If ecological exposures are addressed in the decision documents, a SWRAU evaluation must include any ecological exposures noted. For example, if sediment cleanup goals to protect benthic invertebrates or fish-tissue cleanup goals to protect food chain impacts such as birds are in decision documents, those goals must be met before a site achieves SWRAU status.

Achieving SWRAU with Groundwater Sites: SWRAU is a measure used by EPA to document achievements toward required cleanup goals for media that impact current and future land uses. Groundwater sites are eligible for a SWRAU designation if EPA has assessed the soil and surface contamination in a remedial investigation/feasibility study (RI/FS) and the surface area above the contaminated groundwater requires no action or no further action and is ready for its anticipated use, *or* if EPA performed removal actions that addressed all soil and other surface contamination, the site may be eligible for SWRAU. Decision documents should note this investigation of soil and surface contamination. If no investigation of soil or surface media was conducted, the site is not eligible for SWRAU because EPA cannot determine the protection level of these media. For groundwater sites with a vapor intrusion pathway, Regions should consider whether this pathway impacts current or future reasonably anticipated land uses.

Requirements for SWRAU Criteria 3: All controls required for achieving protectiveness (engineered as well as institutional) are identified as part of the selected remedy in the ROD(s) or other remedy decision document(s), such as an ESD or ROD Amendment, and are in place.

Controls for Land and Other Media which may affect Current and Reasonably Anticipated Future Land Uses Identified in a Decision Document and in Place: For a site to qualify for this measure, all land use controls required for achieving protectiveness (engineered as well as institutional) used as part of the justification for considering that a site is SWRAU must be identified as part of the remedy in a ROD or other remedy decision document(s) and be in place. If the ROD or other decision document(s) in place for a Superfund site does not clearly indicate that ICs that are needed to ensure protectiveness at the Site are part of the selected remedy, then an ESD should be issued incorporating the ICs as part of the modified remedy before a SWRAU designation would be considered. Support for planning and implementation of ICs is available through Headquarters. Region should contact the SWRAU data sponsor for more information.

An ESD may be developed to document the need for additional ICs. Sites with incomplete decision documentation would not yet achieve SWRAU because compliance and achievement cannot be evaluated. For example, if ICs are not part of a selected remedy in a CERCLA decision document, EPA cannot ensure they are in place for the long term or enforce them, where possible, or require the necessary maintenance and monitoring. Conversely, sites with ICs selected in the ROD(s) or other decision documents that are no longer necessary for protectiveness and prevent any reuse of the site should not be designated as SWRAU until the Agency has modified the remedy to remove these ICs, as appropriate.

The term ICs “in place” generally means implemented with plans for maintaining and monitoring ICs for compliance to ensure long-term effectiveness. For example, where an environmental covenant is identified as one of the ICs, “in place” would mean that the covenant was drafted, signed, and recorded in accordance with state law so that the use/activity restrictions would be enforceable by identified parties against current and future landowners.

Examples of IC implementation: ICs can include a broad range of instruments in practice, to be implemented in coordination with or by other parties, such as responsible parties, property owners/operators, other federal agencies, or state and local government entities in many cases. EPA divides ICs into four categories: proprietary controls, governmental controls, enforcement

and permit tools with IC components, and informational devices. The following are some examples of IC instruments within each category that may be employed:

- Proprietary Controls
 - Recording of legal instruments in the chain of title for a property (e.g., an environmental restrictive covenant, a negative easement, a deed restriction).
- Governmental Controls
 - The enactment of ordinances (e.g., groundwater use restrictions), codes or other regulations by state or local government.
 - For active military bases, use of a base master plan, instructions, training, orders and facility dig permit systems.
- Enforcement and Permit Tools with IC Components
 - Issuance by a regulatory authority of enforcement tools or permits (e.g., well-drilling permits approvals in designated contaminated groundwater areas).
 - Agreements between the regulatory authority and the property owners or facility operators (e.g., a license agreement to not use the groundwater on the subject property).
- Informational Devices
 - Listing of property on a state registry of contaminated sites.
 - Recording of deed notices (e.g., a notice of contamination) or hazard advisories in local land records.
 - Notice letters regarding restrictions applicable to properties sent yearly or at another appropriate interval.

Use of Institutional Control Implementation and Assurance Plans (ICIAPs), Other IC Plans, or O&M Plans to Plan for Maintenance and Monitoring of Effective ICs: Regions should update a site's ICIAP (or other IC planning document) and ROD or remedy decision documents as needed to reflect necessary IC requirements.

If using informational devices for ICs, Regions should develop an ICIAP or some type of IC Plan or the Site's O&M Plan to document the details of how and by whom such ICs should be implemented, maintained, and monitored, as well as document plans to continue to pursue enforceable ICs, if necessary.³ Site teams should contact their IC Coordinators and/or Headquarters if support is needed for IC implementation or planning.

Putting enforceable ICs in place at sites is a critical element of ensuring long-term protectiveness. Regions should regularly evaluate whether it is feasible to implement enforceable ICs at a site reported under this measure. An ICIAP may assist with this evaluation, for example, by documenting the process, frequency, and entities responsible for conducting these evaluations. There may be limited circumstances where the Region determines that designating a

³ See EPA's Superfund Institutional Controls: Guidance and Policy website: www.epa.gov/superfund/superfund-institutional-controls-guidance-and-policy. In particular, review the December 2012 guidance *Institutional Controls: A Guide to Preparing Institutional Control Implementation and Assurance Plans at Contaminated Sites*: www.epa.gov/sites/default/files/documents/iciap_guidance_final_-_12.04.2012.pdf.

site as SWRAU is appropriate even though enforceable ICs are not in place. In cases where EPA does not have the authority to implement the enforceable ICs or cannot directly influence the party who does, the Region could consider a layered combination of other types of ICs, including informational devices such as deed notices of contamination, advisories, and state registries.

Protectiveness Controls on Groundwater-Only Sites:

While groundwater-only sites may be eligible for SWRAU achievement, despite incomplete achievement of cleanup goals for media that do not affect current use or RAFLU, the implementation of ICs for preventing unacceptable exposure during use of soil and surface media must be in place to achieve SWRAU. This assumes, as discussed above, that soil and surface media have been investigated and addressed and that vapor intrusion pathways have been considered.

V. Documentation and Reporting

EPA reports on the progress of meeting a national target for this measure to the Office of Management and Budget (OMB) and to Congress on an annual basis. Regions will be asked to offer projections of the number of sites anticipated to achieve SWRAU status and/or that may need to be retracted from SWRAU on an annual basis. Headquarters will periodically request updates to these projections and Regions should be prepared to respond and preferably provide advance notice if changes are expected, and Regions should also generally keep the “Planned Finish Date” field in the “Site Schedule” updated in SEMS. The Superfund Program Implementation Manual (SPIM) is updated annually. It provides the most recent procedures and requirements regarding setting and reporting on targets.⁴

Determining and Documenting Achievement of SWRAU: Attached to this guidance is a sample Superfund Checklist for Reporting the SWRAU Measure for documenting and reporting on achievement of this measure (Appendix D). Regions should also enter the information into SEMS following guidelines in the SPIM to ensure accurate reporting. Site teams are encouraged to enter information on ICs in place into both the Records Management and Site Management IC modules of SEMS at the time of SWRAU achievement. Regions may also submit a completed checklist in PDF format to Headquarters for recordkeeping. Regions should note that the date the form is digitally approved by Headquarters in SEMS will be the official date of SWRAU achievement and the SEMS-generated form will serve as the official Headquarters record of SWRAU achievement. Regions are encouraged to follow their own records management practices and policies, provided that they meet the minimum Headquarters standard of SEMS documentation.

Recognizing and Reporting SWRAU Retractions: The determination that a site is SWRAU is based on the information available at the time the determination is made. That determination may revert if site conditions change, or if new or additional information is discovered regarding the contamination at the site.

If, after a site has been designated as SWRAU, EPA becomes aware that any of the requirements are no longer met, then the site will cease to be designated as SWRAU and a SWRAU retraction is required. The Region should perform activities necessary to ensure the site meets the SWRAU

⁴ www.epa.gov/superfund/superfund-program-implementation-manual.

criteria again by the end of the same fiscal year that EPA became aware that any of the requirements for SWRAU were not met. If a Region determines that the site will not meet all criteria by the end of the fiscal year, then the site's SWRAU designation should be retracted as soon as that determination is made, and no later than the end of the current fiscal year.

Once a Region has determined that a SWRAU retraction is required, the Region should notify Headquarters (OSRTI and FFFRO, as needed), complete the retraction checklist in SEMS, and send documentation to Headquarters. The approved Superfund Checklist for Retracting the SWRAU Measure is available at the end of this document (Appendix E). The date that the form is digitally signed by the Region should be recorded in the "Site Schedule" in SEMS as the date of retraction. For more information on documentation of SWRAU in SEMS, please see the SPIM and Appendix F for a related Data Field Dictionary.

A site can be re-designated as SWRAU only when the requirements outlined in this guidance are met. If at the time of determination or at any other time, EPA becomes aware of other environmental conditions that pose unacceptable risk relevant to site use or reuse, including risks addressed under other cleanup or public health authorities, the site should not be reported under the SWRAU performance measure.

VI. Sharing SWRAU Information with the Public

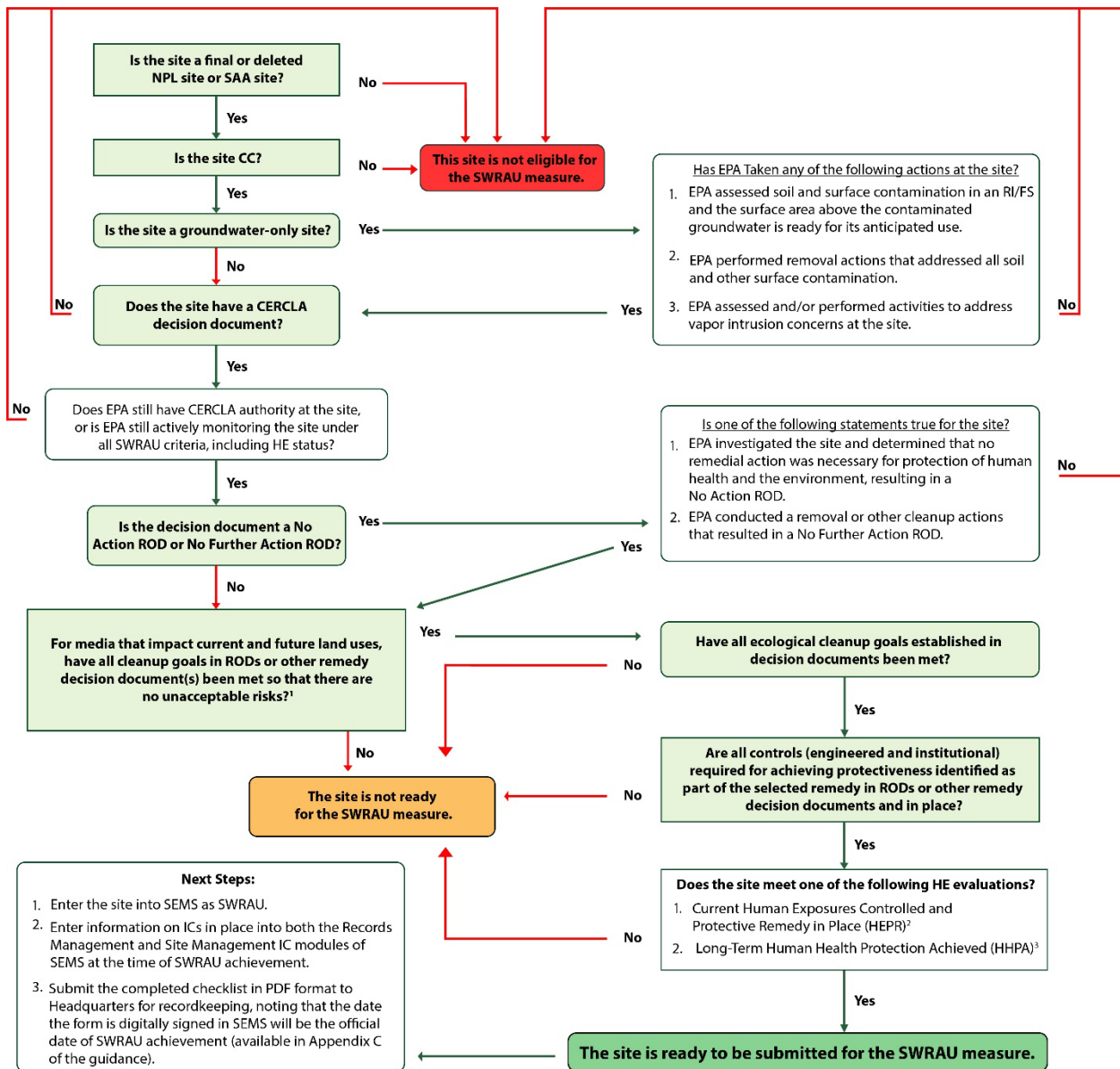
SWRAU is an internal performance measure and is not a reporting of site-specific risk. The determination that a site is SWRAU is based on the information available at the time the determination is made. The determination may revert if site conditions change, or if new or additional information is discovered regarding the contamination at the site. As a result, it should not be used by the public to make decisions. Parties interested in finding out what uses would be protective for a particular property should rely on site-specific cleanup documents and site-specific institutional controls and contact the appropriate regulatory agency for more information.

Given the complexity of the measure, OSRTI has developed a set of common Questions and Answers for use when responding to general inquiries about the SWRAU measure (Appendix G).

SWRAU status information for each eligible SWRAU site can be found on each site profile page in a table listing performance measures. For example, see: cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.Healthenv&id=0100392#Perform.

Information about the SWRAU measure, as well as the guidance, is available for public and EPA staff reference at www.epa.gov/superfund-redevelopment/performance-measures-superfund-sites.

Appendix A: Sitewide Ready for Anticipated Use (SWRAU) Performance Measure Decision Tree



Please contact Headquarters with questions, or if ICs or decision documents create challenges to meeting the measure.

Notes:

¹ Only those cleanup goals that affect current or planned future use must be met to achieve SWRAU. Groundwater cleanup goals DO NOT have to be met, so long as the remedy, including mitigation measures and all appropriate institutional controls, are in place and documented. In cases where groundwater contamination creates a vapor intrusion risk, Regions should consider whether this pathway impacts current or future reasonably anticipated land uses.

² Human Exposures Controlled and Protective Remedy in Place (HEPR): Sites are usually assigned to this category when human exposures are under control for current conditions, all physical construction is complete, systems are operating as intended, and institutional controls are in place and effective, but one or more of the human exposure-related cleanup goals have not yet been met.

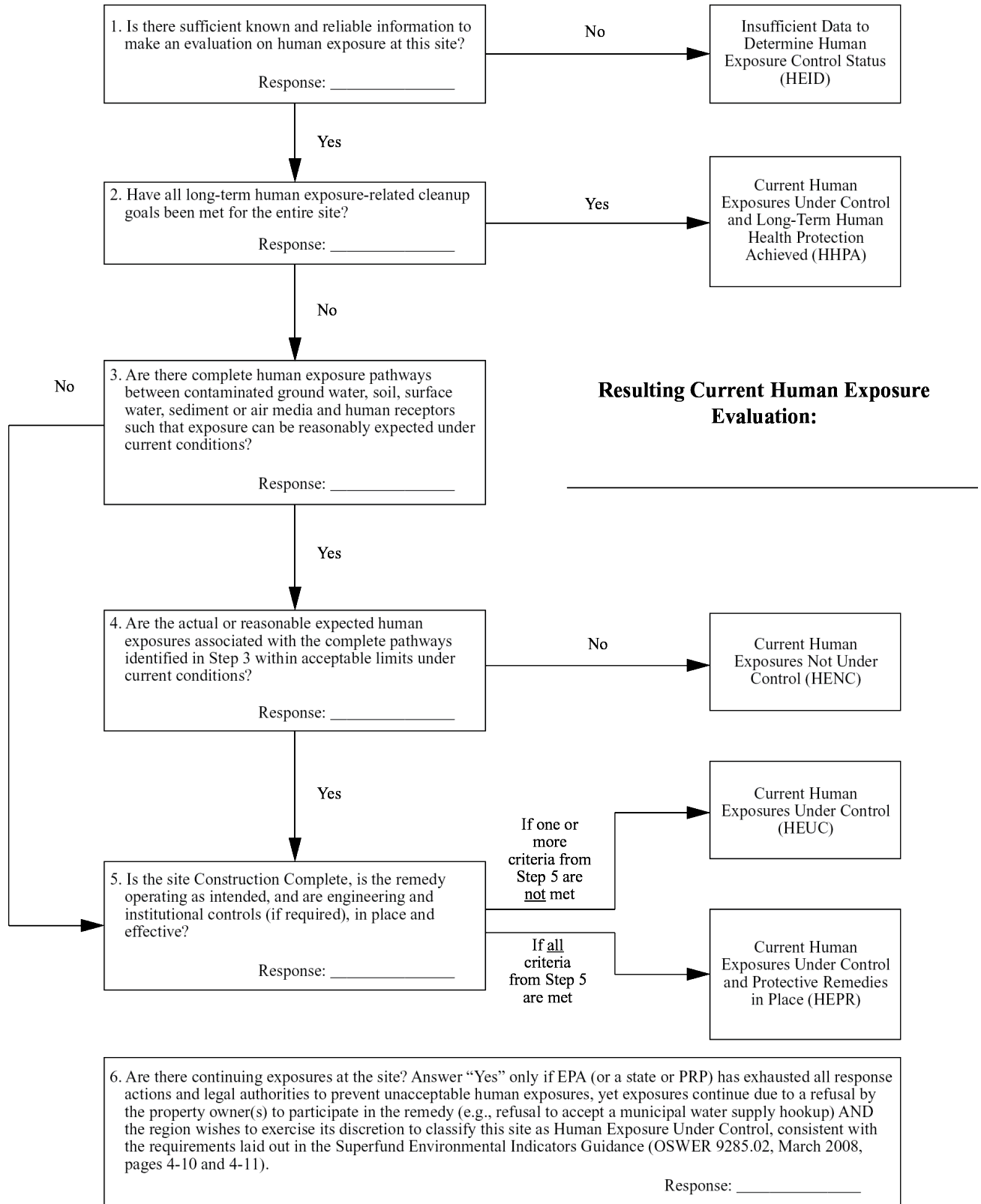
³ Long-Term Human Health Protection Achieved (HHPA): Sites usually are assigned to this category when all human exposure-related cleanup goals defined for a site (including implementation of effective engineering controls and institutional controls) have been met.

Appendix B: Description of Site Statuses for the Sitewide Human Exposure (HE) Superfund Environmental Indicator

Description of Site Statuses for the Sitewide Human Exposure (HE) Superfund Environmental Indicator

Category	Description	General Site Types
HEID: currently insufficient data to determine a human exposure evaluation	Due to uncertainty regarding exposures, one cannot draw conclusions as to whether human exposures are controlled - i.e., there is not sufficient information/data to fully evaluate whether there are any current, complete unacceptable human exposure pathways at the site.	This category would apply primarily to sites that are in the initial phases of remedial investigation newly listed NPL sites or sites at which an investigation is underway to assess a new exposure pathway (e.g., vapor intrusion, emerging contaminants, etc.).
HENC: current human exposure not under control	Sufficient data/information are available to support the evaluation that current, completed, or reasonably anticipated human exposure pathways exist and that they are unacceptable based on site-specific risk criteria.	This will typically include sites where response actions are underway but are not yet complete, and exposure pathways have not been controlled, mitigated, or eliminated for the entire site.
HEUC: current human exposures under control	Sufficient data/information are available to support the evaluation that there are currently no completed or reasonably anticipated human exposure pathways that are unacceptable based on site-specific risk criteria. However, there may be additional physical construction work required and/or institutional controls need to be implemented to address long-term human health exposure, where all human exposure-related cleanup goals have yet to be met.	For these sites, exposure pathways have currently been controlled, mitigated, or eliminated for the entire site. This status can include sites that are in the pre-construction or ongoing construction phases of work or can include Construction Completion (CC) sites where groundwater treatment systems are undergoing shake-down to demonstrate that they are operating as intended, and/or ICs are not in place or operating as intended to prevent reasonably anticipated exposures above acceptable levels.
HEPR: current human exposures under control and all protective remedy(ies) in place	The site is under control. In addition, these sites have achieved the Construction Completion status, remedies to human exposures are operating as intended, and engineering and/or institutional controls are in place and effective. However, one or more of the human exposure-related cleanup goals for the site have yet to be met.	This category includes sites where all physical construction is complete and remedies, ICs and engineering controls to human-exposure pathways are all in place and effective, including those sites where long-term remedial actions (LTRAs), or operations and maintenance (O&M) activities are underway to achieve cleanup levels.
HHPA: long-term human health protection achieved	The site is under control. In addition, the site has achieved the Construction Completion status, remedies to human exposures are operating as intended, and engineering or institutional controls are in place and effective. Finally, all human exposure-related cleanup goals for the site have been achieved.	Whereas other categories depict current conditions, this category also reflects reasonably anticipated future conditions. This category typically includes CC sites that do not involve long-term soil, groundwater or surface water restoration remedies and all institutional controls are in place and effective. Often this status is used for sites with the Site Completion status or are Deleted NPL sites

Appendix C: Superfund Human Exposure (HE) Evaluation Flowchart



Appendix D: Superfund Checklist for Reporting SWRAU

Appendix D includes a sample Superfund Checklist for Reporting the SWRAU Measure for documenting and reporting on achievement of the SWRAU measure. Regions must also enter the information into SEMS following guidelines in the SPIM. Site teams are encouraged to enter information on ICs in place into both the Records Management and Site Management IC modules of SEMS at the time of SWRAU achievement. Regions may also submit a completed checklist in PDF format to Headquarters for recordkeeping, but Regions should note that the date the form is digitally approved by Headquarters in SEMS will be the official date of SWRAU achievement and the SEMS-generated form will serve as the official Headquarters record. Regions are encouraged to follow their own records management practices and policies, provided they meet the minimum Headquarters standard of SEMS documentation. For more information on documentation of SWRAU in SEMS, please see the SPIM and Appendix F for a related Data Field Dictionary.



UNITED STATES
Environmental Protection Agency
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**SUPERFUND CHECKLIST FOR REPORTING THE
SITEWIDE READY FOR ANTICIPATED USE (SWRAU) MEASURE**

Office of Superfund Remediation & Technology Innovation and Federal Facilities Restoration & Reuse Office

PART A – GENERAL SITE INFORMATION

1. Site Name

2. EPA ID

3. RPM

4. Street Address

5. City

6. State

7. Zip Code

8. This is a Superfund Alternative Site

Yes

No

9. Sitewide Ready for Anticipated Use Determination Requirements (all must be met for the entire construction complete site)

For media that impact current and future land uses, all cleanup goals in the RODs or other remedy decision document(s) must be met so that there are no unacceptable risks

All controls required for achieving protectiveness (engineered as well as institutional) are called for in the RODs or other remedy decision document(s) and are in place
(Regions are encouraged to record IC documentation in SEMS)

10. The Human Exposure evaluation status for site is one of the following (check appropriate box):

Human Exposure Controlled and Protective Remedy in Place (HEPR); or

Long-Term Human Health Protection Achieved (HHPA)

PART B – SIGNATURE (Branch Chief or above should sign)

NOTE: The outcome of this Checklist does not have any legally binding effect and does not expressly or implicitly create, expand, or limit any legal rights, obligations, responsibilities, expectations, or benefits of any party. EPA assumes no responsibility for reuse activities and/or any potential harm that might result from reuse activities. EPA retains any and all rights and authorities it has, including but not limited to legal, equitable, or administrative rights. EPA specifically retains any and all rights and authorities it has to conduct, direct, oversee, and/or require environmental response actions in connection with the site, including but not limited to instances when new or additional information has been discovered regarding the contamination or conditions at the site that indicates that the response and/or the conditions at the site are no longer protective of human health or the environment.

11. Name

12. Title/Organization

13. Date of SWRAU

14. Signature

Appendix E: Superfund Checklist for Retracting a Site from SWRAU

Appendix E includes a sample Superfund Checklist for Retracting the SWRAU Measure for documenting and reporting on retraction of the SWRAU measure. The date when the form is digitally signed by the Region should be recorded in the Site Schedule on SEMS as the date of retraction. For more information on documentation of SWRAU in SEMS, please see the SPIM and Appendix F for a related Data Field Dictionary.



UNITED STATES
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 Washington, DC 20460

**SUPERFUND CHECKLIST FOR RETRACTING THE
 SITEWIDE READY FOR ANTICIPATED USE (SWRAU) MEASURE**

Office of Superfund Remediation & Technology Innovation and Federal Facilities Restoration & Reuse Office

PART A – GENERAL SITE INFORMATION

1. Site Name

2. EPA ID

3. RPM

4. Street Address

5. City

State

6. Zip Code

8. Reason(s) for ceasing to meet Sitewide Ready for Anticipated Use Determination:

NOTE: Select one or more reasons from the list below, describe the related issue, and the steps to address the issue.

The entire site **no longer meets** either of the following two Human Exposure evaluation statuses:

Human Exposure Controlled and Protective Remedy in Place (**HEPR**); or
 Long-Term Human Health Protection Achieved (**HHPA**)

Describe the issue:

Describe steps being taken to address the issue:

Current Human Exposure Environmental Indicator Status:

All cleanup goals for any media that may affect current and reasonably anticipated future land uses in the Record(s) of Decision or other remedy decision document(s) **are no longer met.**

Describe the issue:

Describe steps being taken to address the issue:

All institutional or other controls required in the Record(s) of Decision or other remedy decision document(s) **are no longer in place or effective.**

Describe the issue:

Describe steps being taken to address the issue:

SWRAU - CURRENT SUMMARY

NPL Status:

status as of:

Construction Complete Status:

status as of:

Human Exposure Environmental Indicator Status:

status as of:

PART B – SIGNATURE (Branch Chief or above should sign)

NOTE: The outcome of this Checklist does not have any legally binding effect and does not expressly or implicitly create, expand, or limit any legal rights, obligations, responsibilities, expectations, or benefits of any party. EPA assumes no responsibility for reuse activities and/or any potential harm that might result from reuse activities. EPA retains any and all rights and authorities it has, including but not limited to legal, equitable, or administrative rights. EPA specifically retains any and all rights and authorities it has to conduct, direct, oversee, and/or require environmental response actions in connection with the site, including but not limited to instances when new or additional information has been discovered regarding the contamination or conditions at the site that indicates that the response and/or the conditions at the site are no longer protective of human health or the environment.

9. Name

10. Title/Organization

11. Date of SWRAU
Retraction

12. Signature

Appendix F: SEMS Data Field Dictionary

Field	Definition
Actual Finish Date	This field is not editable and will be auto-populated by SEMS with the related Finish Date
Actual Start Date	This field is not editable and will be auto-populated by SEMS with the related Start Date
All controls required for achieving protectiveness (engineered as well as institutional) are called for in a Record(s) of Decision or other remedy decision document(s) and are in place.	Refer to the ROD or other decision document for reference
City	City name of the Superfund site
Date of SWRAU/SWRAU Retraction	Date of actual SWRAU/SWRAU Retraction (as determined by Region, may not be date signed)
EPA ID	Unique identification number assigned to Superfund sites that allows states and EPA to track activities
For media that impact current and future land uses, all cleanup goals in the RODs or other remedy decision document(s) must be met so that there are no unacceptable risks.	Yes/No
Human Exposure Controlled and Protective Remedy in Place	See Human Exposure definitions for reference
Long-Term Human Health Protection Achieved	See Human Exposure definitions for reference
Name	Name of branch chief or other signer
Planned Finish Date	This field is not editable and will be auto-populated by SEMS with the related Finish Date
Planned Start Date	This field is not editable and will be auto-populated by SEMS with the related Start Date
RPM	Name of the Remedial Project Manager assigned to the Superfund site
Signature	Signer's signature
Site Name	Name of the Superfund site in question
Sitewide Ready for Anticipated Use Determination Requirements (all must be met for the entire construction complete site)	See criteria for achieving SWRAU
State	State of the Superfund site
Street Address	Physical street address of the Superfund site
This is a Superfund Alternative Site	Yes/No
Title/Organization	Title/organization of signer
Zip Code	Zip code of the Superfund site

Appendix G: SWRAU Questions and Answers (October 2022)

1. What does SWRAU mean?

SWRAU stands for Sitewide Ready for Anticipated Use. If a site meets the SWRAU performance measure, EPA has deemed the site's remedy protective of human health and the environment based on reasonably anticipated future land uses that were envisioned when the site's cleanup standards were decided.

The SWRAU measure is an internal performance measure. It is not a reporting of site-specific risk. The determination that a site is SWRAU is based on the information available at the time the determination is made. That determination may revert if site conditions change, or if new or additional information is discovered regarding the contamination at the site.

2. What are the requirements for achieving SWRAU?

There are several criteria that a site must meet before it can achieve the SWRAU performance measure:

- The site must be a Final or Deleted Construction Complete (CC) National Priorities List (NPL) site or a CC Superfund Alternative Approach (SAA) agreement site.
- SWRAU requires that a site meet an acceptable Human Exposure (HE) status. In that category, only the elevated statuses of Human Exposures Controlled and Protective Remedy in Place (HEPR) or Long-Term Human Health Protection Achieved (HHPA) are sufficient to achieve and maintain the SWRAU designation. HEPR and HHPA sites are categorized simply as HEUC for public-reporting purposes and are only used internally.
- All controls required for achieving protectiveness (engineered as well as institutional) are identified as part of the selected remedy in the ROD(s) or other remedy decision document(s) and are in place. If it is determined that controls that are not yet required in a decision document are needed for protectiveness, EPA will select those controls as part of the remedy in a decision document and implement those controls prior to a site becoming SWRAU or retract the site's SWRAU status until such conditions are met.

3. What does retraction mean?

EPA may retract a site's SWRAU status even if it safely supports a reuse. A site retracted from the SWRAU performance measure means it no longer meets all criteria needed to achieve the measure. A site's remedial project manager can best explain the reasons why a site was retracted for the performance measure. The response to the "Can sites still be reused safely?" question below provides more information. In previous years, retracting a site's SWRAU status may have also been referred to as "rescinding" a site from SWRAU.

4. How often are sites reviewed for SWRAU criteria?

EPA reviews each site's SWRAU status every year, in conjunction with evaluating the site's human exposure status. In addition, at least every five years, EPA will evaluate whether the institutional controls for a site are in place and effective.

5. What does Human Exposure Under Control (HEUC) mean?

Human Exposure Under Control (HEUC) is an HE status used when assessments for human exposures indicate there are no unacceptable human exposure pathways anywhere on a site, and EPA has determined the site is under control for current conditions sitewide. However, more cleanup work or controls may be needed to address long-term human health exposures.

6. What does Insufficient Data to Determine Human Exposure (HEID) mean?

Insufficient Data to Determine Human Exposure (HEID) describes sites where EPA lacks enough information to determine whether people have the potential to be exposed to contamination. At these sites, EPA needs to investigate what contamination exists, where it is located and how it could adversely affect public health. Typically, sites with insufficient data are those sites where EPA has not yet identified all potential exposure pathways, or those sites that are at the beginning of the assessment and cleanup process after NPL listing. EPA's Superfund Human Exposure Dashboard (www.epa.gov/superfund/superfund-human-exposure-dashboard) provides more information.

7. What does Human Exposure Not Under Control (HENC) mean?

Human Exposure Not Under Control (HENC) describes sites that have not had pathways for human exposure to contamination completely controlled, mitigated or eliminated. This category includes sites where response actions are underway but are not yet complete. Specifically, these are sites where:

- An unsafe level of contamination has been detected somewhere on site; and
- Contamination has not yet been fully treated, stabilized or contained across the entire site to prevent current human exposure; and
- Though there may not be any actual exposures occurring, there is potential for individuals to be exposed to the contamination somewhere within the site's boundaries.

EPA's Superfund Human Exposure Dashboard (www.epa.gov/superfund/superfund-human-exposure-dashboard) provides more information.

8. What is the Human Exposure (HE) status for retracted sites?

Please note that most of the retracted sites still have an HE status of HEUC. Only the elevated statuses of Human Exposures Controlled and Protective Remedy in Place (HEPR) or Long-Term Human Health Protection Achieved (HHPA) are sufficient to maintain the SWRAU designation. HEPR and HHPA sites are categorized simply as HEUC for public-reporting purposes and are only used internally. The HE status for a site retracted from SWRAU is one of three statuses:

- Insufficient data to determine human exposure control status (HEID).
- Current human exposures not under control (HENC).
- Current human exposures under control (HEUC).

In most cases for sites retracted from SWRAU, EPA will either collect more data to ensure there are no current exposures or will determine more controls or restrictions that need to be put in place to ensure long-term protection in the future, even if there are no current exposures.

Example of sites with HENC status include: a site where an unsafe level of contamination has been detected somewhere on site; a site where contamination has not yet been fully treated, stabilized or contained across the entire site to prevent current human exposure; and a site where human exposure may not be occurring, but there is potential for people to be exposed to the contamination somewhere within the site's boundaries.

Even if these conditions exist on a very small part of the site, or advisory signs are posted, EPA will classify the site as HENC until all potential exposures are addressed.

9. Can sites still be reused safely?

In almost all cases, a site can safely remain in use or be reused, irrespective of its SWRAU performance measure status. There are many reasons why this may be possible. Examples include: possible exposures would

occur at a location on site that is not in use; more land use controls or other restrictions are planned or already in place to make sure reuse is safe for future users; or EPA has identified more contamination that warrants attention but does not impact reuse of the land, such as groundwater contamination where current or future users would not come in contact with the groundwater.

10. What happens if a site is in reuse, but its SWRAU status was retracted?

In almost all cases, nothing will need to change if a site's SWRAU status is retracted while it supports reuse. In the very rare instance that a site's SWRAU status is retracted because there are concerns about current exposures associated with the use of the site, the site's remedial project manager will ensure that effective measures are taken quickly to ensure people are not exposed to harmful contaminants. In addition, EPA and other applicable federal agencies may post warning signs, construct fences and conduct outreach with communities to educate affected parties about the potential health risk. EPA works with stakeholders to determine how to protect all parties with as little disruption to current and future uses as possible.