

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Goal 1: Expediting Cleanup and Remedial Action						
Oversee Administrator's Emphasis List of Superfund Sites	1	Q4, FY17	Implementing	<ul style="list-style-type: none"> Published updated site list 4/16/18; two sites removed due to achieving the noted milestones and three new sites added; some milestone language revisions 	<ul style="list-style-type: none"> Track resolution of site-specific issues Replenish list as appropriate 	More Information
Develop list of potential NPL sites to target for completion	1	Q4, FY17	Implementing	<ul style="list-style-type: none"> Applied criteria to database to identify potential NPL sites to target 	<ul style="list-style-type: none"> Provide direction to EPA regional offices 	
Prioritize and take action to expeditiously effectuate control over any site where risk of human exposure is not fully controlled	1	Q4, FY17	Implementing	<ul style="list-style-type: none"> Updated Human Exposure statuses in real time on the Human Exposure dashboard, as site conditions change Surveyed EPA regional offices to identify best practices to effectuate control 	<ul style="list-style-type: none"> Discuss and refine best practices among EPA regional offices Meet with EPA regional offices to discuss plans to address sites where risk of human exposure is not fully controlled 	More Information
Develop recommendations for tracking and reporting site progress in support of efforts to move site toward completion	1, 2	Q4, FY17	Implementing	<ul style="list-style-type: none"> Continued to develop methodology for metrics, and tracking and reporting progression for moving sites toward completion 	<ul style="list-style-type: none"> Finalize methodology for metrics, tracking and reporting 	

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Focus resources on maximizing deletions/partial deletions, including review of policy and tracking eligible sites	2	Q4, FY17	Implementing	<ul style="list-style-type: none"> • Monitored list of sites expected to have deletion/partial deletion in FY2018 • Developed initial recommendations for flexibilities and improvements 	<ul style="list-style-type: none"> • Finalize recommendations for flexibilities and improvements 	More Information
Promote the Application of Adaptive Management at Complex Sites	3	Q3, FY18	Implementing	<ul style="list-style-type: none"> • Drafted project management approach for formalizing the use of adaptive management at Superfund sites 	<ul style="list-style-type: none"> • Finalize project management approach • Identify adaptive management pilots 	
Broaden the Use of Early Actions at Superfund Sites	3, 5, 12.1	Q3, FY18	N/A	<ul style="list-style-type: none"> • Actions related to this item will be addressed under Rec 3 (Promote Adaptive Management); and Rec 5 (Encourage Performing Interim/Early Actions During the Remedial Investigation/ Feasibility Study Process) • This item will be omitted in next quarterly report 		

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
To Better Promote National Consistency and Review, Update Authority of Approval of Remedy Selection While Considering the Retained Authority of the Administrator	4	Q1, FY18	Implementing	<ul style="list-style-type: none"> • Developed review process and flowchart for Administrator’s review and approval of Records of Decision (RODs) equal to or greater than \$50M • Began evaluation of approval authorities • Began evaluation of National Remedy Review Board (NRRB) and Contaminated Sediment Technical Advisory Group (CSTAG) charter and roles 	<ul style="list-style-type: none"> • Implement review process for each applicable ROD • Draft revisions to NRRB and CSTAG charters, including roles and responsibilities 	
Clarify Priorities for Remedial Investigation/ Feasibility Study (RI/FS) Resources and Encourage Performing Interim/Early Actions During the RI/FS Process to Address Immediate Risks	5	Q1, FY18	Implementing	<ul style="list-style-type: none"> • Determination made to develop two policy memos: 1) RI/FS Prioritization Memo; and 2) Early/Interim Action Memo • Began research on previous guidance, programs and directives involving Early/Interim Action 	<ul style="list-style-type: none"> • Create new subgroup of OSRTI/regional experts focused on developing early/interim action memo • Compile case studies on examples of early and interim action 	

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Provide Clarification to the Principles for Superfund Groundwater Restoration: Develop list and summary description of available groundwater policy flexibilities in existing EPA Superfund groundwater policy documents	6.1	Draft: Q2, FY18 Final: Q4, FY18	Implementing	<ul style="list-style-type: none"> Began drafting summary of available groundwater policy flexibilities in existing EPA Superfund groundwater policy documents 	<ul style="list-style-type: none"> Discuss project at Association of State and Territorial Solid Waste Management Officials (ASTSWMO) meeting in April 2018 Finalize draft document on flexibilities 	More Information
Provide Clarification to the Principles for Superfund Groundwater Restoration: Evaluate the groundwater beneficial use policy with a focus on beneficial use determinations	6.2	Draft: Q2, FY18 Final: Q4, FY18	Initiating	<ul style="list-style-type: none"> Established workgroup and began gathering information on the groundwater beneficial use policy with a focus on beneficial use determinations As direct result of SFTF recommendations, EPA Region 1 and Rhode Island completed first Comprehensive State Groundwater Protection Program (CGSWPP) in 20 years; CGSWPP provides flexibilities in groundwater remediation 	<ul style="list-style-type: none"> Review existing CGSWPPs Meet with state and tribal representatives to obtain early input 	

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Promote Use of Third-Party Optimization Throughout the Remediation Process and Focus Optimization on Complex Sites or Sites of Significant Public Interest	7	Q1, FY18	Implementing	<ul style="list-style-type: none"> • 17 active optimization support efforts underway at 16 sites • 12 candidates identified for new starts (additional candidates coming in from EPA regional offices) 	<ul style="list-style-type: none"> • Screen new candidates and initiate work • Identify additional priority projects • Continue to implement identified optimization projects • Conduct four best management practices (BMP) training classes in 3rd Quarter • Develop new BMP documents 	More Information
Reinforce Focused Scoping Which Closely Targets the Specific Areas for Remediation and Identify and Use Best Management Practices (BMP) in the RI/FS Stage	8	Q1, FY18	Implementing	<ul style="list-style-type: none"> • Drafted and the workgroup reviewed and commented on the 3 BMP technical guides • Workgroup reviewed and provided updates on 1989 factsheet 'Getting Ready: Scoping the RI/FS' 	<ul style="list-style-type: none"> • Finalize BMP and Revise 'Getting Ready' for management review and signature • Assess EPA and state case studies for the RI/FS toolbox 	

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Technologies to Expedite Cleanup	9	Q2, FY18	Implementing	<ul style="list-style-type: none"> • Conducted webinar for EPA remedial project managers and other cleanup professionals on pragmatic approaches to remedial investigation and technology selection • Implemented over a 15 site-specific technical support projects related to site characterization and cleanup • Published two technical factsheets related to improved implementation of in situ technologies 	<ul style="list-style-type: none"> • Present two technical webinars on site remediation technologies in May • Identify additional webinar topics • Continue to identify, initiate, and implement EPA regional technical support related to site cleanups • Finalize technical resource webpage 	<p style="text-align: center;">More information here, here and here</p>

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Develop a Technical Support Team and Tools to Inform RPMs Regarding Available Resources so that Technical Support Providers Can Assist with Best Management Practice Applications	10	Q2, FY18	Implementing	<ul style="list-style-type: none"> • Initiated beta test of Tech Hub, a catalogue of EPA Superfund technical support and information resources • Completed updates to ORD Technical Support Center (TSC) and Superfund Technical Liaison (STL) SharePoint site for Superfund technical support requests • Reviewed EPA technical support mechanisms from the various EPA offices to determine different approaches used and how to make technical support more widely available 	<ul style="list-style-type: none"> • Finalize Tech Hub. • Communicate Tech Hub and TSC and STL ORD SharePoint site to EPA Superfund community • Develop recommendations on how to make technical support more widely available • Continue discussions of how to report, document, evaluate and disseminate information on pilot studies to relevant EPA personnel 	

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Review of all Third-Party Contracting Procedures, Large EPA Approved Contractors, and Contracts to Determine Appropriate Use Parameters and Qualification Methods for EPA Contracting	11	Q1, FY18	Implementing	<ul style="list-style-type: none"> Delivered Remedial Acquisition Framework (RAF) training in four EPA regional offices Continued work on award of suites of contracts for Design and Engineering Services (DES), Remediation Environmental Services (RES), and Environmental Services and Operations (ESO) 	<ul style="list-style-type: none"> Monitor implementation of RAF and identify additional actions needed to implement RAF 	
Goal 2: Re-Invigorating Responsible Party Cleanup and Reuse						
Recommend Consideration and Use of Early Response Actions at Superfund Sites, Particularly Sediment Sites, While Comprehensive Negotiations Are Underway for the Entire Cleanup	12	Q2, FY18	Initiating	<ul style="list-style-type: none"> Completed review of existing guidance on accelerating potentially responsible party remedial design starts Based on that review and outreach conducted in Q1, began drafting guidance on using separate tracks for negotiating remedial design and remedial action activities at PRP-lead Superfund Sites to start remedial design work as soon as possible after signature of a Record of Decision 	<ul style="list-style-type: none"> Complete distribution of draft guidance to EPA and DOJ stakeholders for review and comment Incorporate comments from EPA and DOJ stakeholders Finalize guidance 	

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Identify Opportunities to Utilize Various Federal and State Authorities to Conduct Response Actions that achieve CERCLA-protective cleanups at Non-NPL Sites	13	Q1, FY18	Initiating	<ul style="list-style-type: none"> • Evaluated EPA Imminent and Substantial Endangerment (ISE) authorities for application at NPL-caliber sites • Reviewing ISE determination templates to see if additional aspects should be included to address jurisdictional concerns under alternative statutes that could be used to require cleanup • Reviewed EPA delegation authority to allow for the use of alternate authorities by Superfund program staff • Continue to engage stakeholders in implementation of recent MOU designed to help address complicated coordination and jurisdictional matters related to regulatory and cleanup activities at contaminated sediment sites 	<ul style="list-style-type: none"> • Conclude review of templates and guidance previously described • Engage state team members to discuss utilization of state cleanup authorities to complement CERCLA remediation authority • Identify a set of sites where alternate authorities have been used and evaluate outcomes • Consider program measurement criteria to determine if any additional measures needed 	<p>The goal of “Addressing Emerging Contaminants Under Existing Enforcement Authorities: A Strategy Paper is to provide EPA regional staff with enforcement options that may be available under statutes other than CERCLA to assist states and local governments as they cope with emerging contaminants in their communities</p>

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Maximize the Use of Special Accounts to Facilitate Site Cleanup and/or Redevelopment	14	Q4, FY17	Guidance Finalized	<ul style="list-style-type: none"> Finalized guidance 3/27/18 Guidance details how/when EPA may provide special account funds to bona fide prospective purchasers (BFPPs) as incentive to perform work, as well as to potentially responsible parties as settlement incentive 	<ul style="list-style-type: none"> Implementation of guidance 	
Speed Up Settlement Process Where There Are Federal Potentially Responsible Parties at a Superfund Site	15	Q4, FY17	Planning	<ul style="list-style-type: none"> Discussing federal potentially responsible party (PRP) issues with Department of Justice and other federal agencies over past several months to address ways to speed up settlement language disagreements, as well as to focus on issues arising at specific Superfund sites delaying cleanup Made significant progress and agreement on model settlement language Continue meetings to address other common settlement delays 	<ul style="list-style-type: none"> Sponsor meetings with relevant staff officials to resolve disagreements and identify issues for leadership decisions 	EPA's Office of Site Remediation Enforcement (OSRE) develops model settlement documents and publicly publishes those model settlements online to help EPA regional, other federal, and private party attorneys in their settlement discussions

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Provide Reduced-Oversight Incentives to Cooperative, High Performing PRPs	16.1	Q1, FY18	Planning	<ul style="list-style-type: none"> • Continue planning for development of guidance and model language for settlement documents providing financial incentives in form of reduced oversight • As previously reported, recommendations consist of active measures that will reduce amount of oversight as well as recommendation to cap oversight costs; recommendations will result in decreased oversight costs charged to PRPs, which will ultimately decrease indirect costs 	<ul style="list-style-type: none"> • Develop and finalize guidance and model language for settlement documents 	

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Make Full Use of Enforcement Tools as Disincentives for Protracted Negotiations or Slow Performance Under Existing Cleanup Agreements	16.2	Q1, FY18	Planning/ Implementing	<ul style="list-style-type: none"> • Reviewing existing guidance documents, current and prior policy and settlement practices, and existing data regarding duration of negotiations over last several years • Planning compilation of best practices to address delays in negotiations and cleanup process 	<ul style="list-style-type: none"> • Continue to review relevant guidance documents • Finalize and distribute a survey to EPA regional and DOJ staff and management to solicit input on factors that can delay negotiations and PRP cleanups, and strategies to address those factors • Compile and analyze results from the survey • Provide forum for stakeholder input via teleconference and web-based listening session 	OSRE is the lead office for this rec. and has a long history of finding ways to make negotiations and cleanup enforcement more effective

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Adjust Financial Assurance (FA) Required Under Enforcement Documents to Reduce Cooperating PRPs Financial Burden While Ensuring Resources Are Available to Complete Cleanups	17	Q1, FY18	Planning	<ul style="list-style-type: none"> • Continued to consider and refine potential situations where FA may or may not be adjusted based on the risk of default and/or nonperformance, and the risk to EPA and the public 	<ul style="list-style-type: none"> • Continue to refine draft criteria and brief EPA management • Identify how to implement findings (e.g., guidance and/or model documents) • Evaluate whether there are methods to calculate appropriate value of FA other than using cost of the ROD • Revise and strengthen Prior Written Approval/ Consultation guidance on FA to maintain national consistency 	

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Reinforce the Federal Facility Agreement Informal and Formal Dispute Deadlines (Tracking)	18.1	Q1, FY18	Implementing	<ul style="list-style-type: none"> • Distributed tracking sheet and audit tool to EPA program offices and EPA regional offices for review • Distributed tracking sheet and audit tool to ASTSWMO and Environmental Council of States (ECOS) • Received comments from EPA regional offices, other federal agencies (OFAs), and states 	<ul style="list-style-type: none"> • Discuss tools and feedback received with Federal Facility Leadership Council (FFLC) (April 2018), states (through ASTSWMO and ECOS), and OFAs • Address comment suggestions and revise tools • Release revised tools to the EPA regional offices, the states, and OFAs • Work with the EPA regional offices, states, and OFAs to ensure accurate collection of information • Continue to make improvements to both tools based on feedback received 	<p>These tools will be used to facilitate timely decisions to further ensure effective progress at sites</p>

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Reinforce the Federal Facility Agreement Informal and Formal Dispute Deadlines (Policy)	18.2	Q1, FY18	Implementing	<ul style="list-style-type: none"> • Requested feedback on recommendation from other federal agencies (OFAs) with Federal Facility Agreements and from states through ECOS and ASTSWMO • Circulated draft document for comment by EPA regional offices • Shared document with states (through ASTSWMO and ECOS) and OFAs • Received and reviewed comments from EPA regional offices, states, and OFAs 	<ul style="list-style-type: none"> • Discuss and follow up on specific comments, as appropriate, with stakeholders • Incorporate comments into draft • Circulate revised document to EPA regional offices for comments • Obtain signatures or support letters from stakeholders on final document • Release final document 	

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Expand Cleanup Capacity by Designating One Agency Lead for Each Project in Order to Reduce Overlap and Duplication – FEDERAL Agency Efficiencies	19.1	Q1, FY18	Planning	<ul style="list-style-type: none"> Shared draft memo on redelegation of CERCLA authorities with US Departments of Agriculture and Interior in their roles as Federal Land Management Agencies (FLMAs) to determine under what circumstances CERCLA removal, enforcement and settlement authorities may be redelegated under Executive Order (E.O.) 12580 at mixed ownership mining sites - Superfund sites containing both federal and privately owned land 	<ul style="list-style-type: none"> Meet with FLMAs on May 2, 2018 to discuss draft redelegation memorandum 	EPA believes efficiencies in Superfund cleanups might be achieved by using the redelegation of authorities where multiple federal agencies have jurisdiction.

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

<p>Expand Cleanup Capacity by Designating One Agency Lead for Each Project in Order to Reduce Overlap and Duplication</p>	<p>19.2</p>	<p>Q1, FY18</p>	<p>Implementing</p>	<ul style="list-style-type: none"> • Identified parameters and scope of model transfer MOU to transfer site to the state and to defer final listing of NPL-eligible sites, where EPA has already undertaken enforcement action against the PRP(s), while the state oversees cleanup • Developed initial internal working draft of model transfer MOU • Engaged EPA regional offices on improved coordination with states during the Superfund response process. The workgroup also has identified specific tasks that could be beneficial in achieving such improved coordination 	<ul style="list-style-type: none"> • Continue outreach with external stakeholders and partners on transfer to states where requested of certain NPL-eligible sites, where EPA has already undertaken enforcement action against PRP(s) • Finish reaching out to EPA regional offices for information on their coordination activities with their state partners and best practices to improve coordination • Dialogue with states on coordination activities with EPA regional offices during Superfund response process, and identify best practices to improve coordination and collaboration 	<p>Given that roles and responsibilities under both the CWA and CERCLA often are shared by EPA, states, and tribes, as well as other federal agencies in certain circumstances close collaboration with these governmental entities is crucial when addressing contaminated sediments and their associated waters.</p>
--	-------------	-----------------	---------------------	--	--	--

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Identify Opportunities to Engage Independent Third Parties to Oversee Certain Aspects of PRP Lead Cleanups	20	Q1, FY18	Implementing	<ul style="list-style-type: none"> • Researched state Licensed Site Professional programs that provide oversight of PRP-lead work • Determined availability for independent third-party oversight of PRP cleanup activities 	<ul style="list-style-type: none"> • Finalize, release, and promote memorandum on use of advanced monitoring technologies and approaches for long-term stewardship activities including consideration of third-party oversight 	
Facilitate Site Redevelopment During Cleanup by Encouraging PRPs to fully Integrate and Implement Reuse Opportunities into Investigations and Cleanups of NPL Sites	21	Q1, FY18	Implementing	<ul style="list-style-type: none"> • Developed list of case study examples of situations in which PRPs have incorporated reuse considerations throughout cleanup process. • Followed up on EPA regional seed projects and EPA regionally-funded projects to identify examples of effective PRP-driven reuse efforts • Identified successful site reuse incentives for PRPs and developed a preliminary contact list of PRPs involved in site reuse 	<ul style="list-style-type: none"> • Identify and interview PRPs, local governments, public interest groups, and developers to identify opportunities for PRP-lead cleanups and reuse • Identify follow-up actions based on interviews and case studies 	

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Goal 3: Encouraging Private Investment						
Explore Environmental Liability Transfer (ELT) Approaches and Other Risk Management Tools at PRP Cleanups	22	Q4, FY18	Planning/ Implementing	<ul style="list-style-type: none"> • Conducted additional outreach to companies that are: engaged in buyouts of contaminated properties, offer fixed-price cleanup contracts, and provide other ELT structures and products to understand the barriers to reuse/redevelopment of contaminated sites they face • Began preparing for a future public webcast on ELTs that will seek further stakeholder input on this recommendation 	<ul style="list-style-type: none"> • Finalize content for and conduct public webcast on ELTs • Continue researching sites that could be both attractive for and benefit from an ELT or other cleanup approach as described in Rec. 22, including sites with highest redevelopment potential identified under Rec. 33 	
Ensure Timely Use of Site-Specific Tools When Needed and Appropriate to Address Liability Concerns at Contaminated Sites	23	Q4, FY17	Planning/ Implementing	<ul style="list-style-type: none"> • Drafted checklist to identify and address liability concerns with appropriate tool • Drafted best practices for redevelopment inquiry plan • Distributed draft checklist for comment 	<ul style="list-style-type: none"> • Finalize checklist • Distribute draft best practices for redevelopment inquiry plan for comment • Draft model concurrence letter 	

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Create and Maintain an OECA Information Repository to Provide Access to Enforcement Information and Tools to Support Third Party Cleanup	24	Q4, FY17	Implementing	<ul style="list-style-type: none"> • Drafted Information Repository web content to effectively provide and ensure access to information and tools to support third party cleanup of sites • Established special collection for comfort letters and other enforcement tools within the Superfund Enterprise Management System (SEMS), as a repository to provide greater access for EPA staff to site-specific enforcement information and tools 	<ul style="list-style-type: none"> • Finalize and post EPA web content • Draft memo instructing EPA regional offices to upload comfort letters and other enforcement tools to SEMS • Create internal EPA site that provides model comfort letters and settlement agreements and helps guide EPA staff when searching for such enforcement tools 	

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Update EPA’s position on the Use of Site-Specific Agreements with Third Parties at National Priorities List (NPL) Sites	25	Q4, FY17	Implementing	<ul style="list-style-type: none"> • Collaborated with the Department of Justice (DOJ) to develop draft policy memorandum that encourages more frequent consideration of prospective purchaser agreements (PPAs) and bona fide prospective purchaser (BFPP) agreements to facilitate cleanup and reuse at appropriate sites on the Superfund National Priorities List 	<ul style="list-style-type: none"> • Finalize new policy memorandum • Update EPA’s web content to reflect new policy statement 	
Revise EPA’s Model Agreements to Create More Opportunities for Settlement with Third Parties Interested in Cleaning Up and Reusing NPL Sites.	26	Q4, FY17	Implementing	<ul style="list-style-type: none"> • Reviewed current models for Bona Fide Prospective Purchaser (BFPP) and Prospective Purchaser Agreements (PPA), and current agreement practices • Identified potential revisions to current models and practices 	<ul style="list-style-type: none"> • Develop recommendations for revisions to models • Develop outline of potential guidance regarding use of these agreements 	

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Identify Tools for Third Parties Interested in Investment or Other Opportunities Supporting the Cleanup or Reuse of National Priorities List (NPL) Sites	27	Q2, FY18	Initiating	<ul style="list-style-type: none"> • Conducted outreach to stakeholders through meetings with investors involved in cleanup and redevelopment of contaminated properties to discuss ongoing liability concerns and potential new approaches to facilitate cleanup and reuse at NPL sites • Began to examine opportunities for site-specific pilot projects to address concerns at current, ongoing cases 	<ul style="list-style-type: none"> • Brainstorm potential tools and discuss pilot projects • Conduct additional outreach to investors, lenders and third parties • Develop draft options for potential tools 	
Optimize tools and realign incentives to encourage third-party investment: Provide Greater Comfort in Comfort/Status Letters	28	Q1, FY18	Implementing	<ul style="list-style-type: none"> • Developed draft comfort letter language concerning windfall liens and rendering care 	<ul style="list-style-type: none"> • Finalize comfort letter template • Begin revising comfort letter policy 	

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
<p>Revise or Develop New Enforcement Guidance to Support the Cleanup and Reuse of Contaminated Sites: Propose potential revisions to the 2003 "Common Elements Guidance" based on case law developments and lessons learned by EPA and private sector</p>	29.1	Q2, FY18	Planning/ Initiating	<ul style="list-style-type: none"> • Developed scoping paper summarizing key issues to address in revising Common Elements Guidance • Began revising guidance 	<ul style="list-style-type: none"> • Continue external stakeholder engagement • Draft revisions to guidance 	<p>The 2002 <i>Interim Guidance Regarding Criteria Landowners Must Meet in Order to Qualify for Bona Fide Prospective Purchaser, Contiguous Property Owner, or Innocent Landowner Limitations on CERCLA Liability</i> (Common Elements) is the core enforcement document that deals with the self-implementing landowner liability protections of the 2002 Brownfields Amendments</p>

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Revise or Develop New Enforcement Guidance to Support the Cleanup and Reuse of Contaminated Sites: Identify potential opportunities to expand Good Samaritans or other non-liable party approaches under section 107(d) for addressing liability issues and promoting redevelopment	29.2	Q1, FY18	Implementing	<ul style="list-style-type: none"> • Developed working draft of broader model 107(d) settlement agreement that would be applied at cleanups other than at orphan hard rock mine sites • Developed working draft of broader model 107(d) comfort/status letter • Identified key issues and questions to be resolved to finalize models 	<ul style="list-style-type: none"> • Distribute draft model 107(d) comfort letter for internal review and comment • Update draft model 107(d) letter as appropriate • Identify and resolve issues that are applicable to BFPP agreements and 107(d) work agreements 	
Revise Federal Facility Enforcement Guidance: Develop Model Federal Facilities Language for placing Federal Facilities Agreement Provisions on hold where a third party wants to perform the cleanup work	30.1	Q4, FY17	Implementing	<ul style="list-style-type: none"> • Engaged with internal and external stakeholders, including EPA regional offices, states (via ASTSWMO and ECOS), and other federal agencies • Received feedback from stakeholders and partners in preparation for drafting the model FFA hold language 	<ul style="list-style-type: none"> • Draft model FFA hold language considering stakeholder feedback • Circulate draft to stakeholders for review and comment • Finalize model language incorporating stakeholder feedback 	

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Revise Federal Facility Enforcement Guidance: Update 1997 Policy Towards Landowners and Transferees of Federal Facilities	30.2	Q4, FY17	Implementing	<ul style="list-style-type: none"> Engaged with internal and external stakeholders, including EPA regional offices, states (via ASTSWMO and ECOS), and other federal agencies Received feedback from stakeholders and partners in preparation for drafting the revised 1997 Policy 	<ul style="list-style-type: none"> Draft revisions to 1997 Policy considering stakeholder feedback Circulate draft to stakeholders for review and comment Finalize revised policy, incorporating stakeholder feedback 	
Develop New Local Government Enforcement Guidance and Model Comfort/Status Letter and other Tools to Address the Liability Concerns and Other Barriers Unique to Local Governments	31, 32	Q4, FY18	Implementing	<ul style="list-style-type: none"> Conducted review and comment process on the existing EPA fact sheet addressing CERCLA liability for local government activities; once complete, the revised fact sheet will serve as primary resource for local governments evaluating CERCLA liability concerns Began addressing comments on the local government fact sheet Following the passage of the BUILD Act, began developing a new white paper to explain legislative changes 	<ul style="list-style-type: none"> Finalize local government fact sheet Develop local government fact sheet cover memo and Q&As for review by local government stakeholders 	The BUILD Act amended § 101(20)(D) to state <i>“ownership or control through seizure or otherwise in connection with law enforcement activity, or through bankruptcy, tax delinquency,</i>

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
						<p><i>abandonment or other circumstances in which the government acquires title by virtue."</i> Amended language deleted "involuntary" from Section 101(20)(D). The new legislation delayed the workgroups progress and has created additional tasks to complete.</p>

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Goal 4: Promoting Redevelopment and Community Revitalization						
Focus resources on NPL sites with most redevelopment potential	33	Q4, FY17	Implementing	<ul style="list-style-type: none"> • Continued to conduct outreach on initial Superfund Redevelopment Focus List of 31 NPL sites with greatest expected redevelopment and commercial potential • Responded to several media and congressional inquiries to provide additional information regarding List and Superfund Task Force • EPA regional staff fielded over 50 redevelopment-related, prospective purchaser inquiries, including requests related to sites on List 	<ul style="list-style-type: none"> • Continue outreach related to List • Update List as needed 	More information here and here

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Publicize Site-Specific Information to Promote Community Revitalization	34	Q3, FY17	Implementing	<ul style="list-style-type: none"> Published reuse fact sheets for 6 sites in Region 4 and the 31 sites on the Redevelopment Focus List. Fact sheets provide site owners, future site users, prospective purchasers, lenders and developers with site-specific information. Published information regarding sites that achieved Sitewide Ready for Anticipated Use (SWRAU) performance measure in the first quarter of FY 2018, as well as the SWRAU acreage associated with each site that has met the SWRAU measure. 	<ul style="list-style-type: none"> Publish reuse fact sheets for additional sites in other EPA regional offices. Continue to update the information on a quarterly basis regarding sites that have achieved SWRAU and associated SWRAU acreage. 	More information here , here , and here
Build Capacity of EPA and Its Stakeholders on the Broad Community and Economic Development Context for Site Remediation and Redevelopment	35	Q3, FY17	Implementing	<ul style="list-style-type: none"> Conducted the first webinar in the FY 2018 Superfund Redevelopment Initiative webinar series; webinar open to EPA staff and public on EPA's role in facilitating cleanup and redevelopment of contaminated sites by bringing together key parties. 	<ul style="list-style-type: none"> Conduct additional training classes and webinars. Attend identified conferences and meetings to share site redevelopment information. 	More information here

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Engage communities in Cleanup and Redevelopment through providing training, fact sheets and online information	36	Q2, Q3, FY17	Planning/Implementing	<ul style="list-style-type: none"> • Published several case studies highlighting tools/approaches and strategies used to support redevelopment and community revitalization, and economic benefits realized • Initiated a planning process with each EPA regional office's communities lead to plan upcoming FY 18 training workshops on community scale financing and economic development policies to incentivize infill development 	<ul style="list-style-type: none"> • Complete additional case studies on successful site redevelopment • Provide additional training opportunities • Develop a schedule for completing training in 5 of the 10 EPA regional offices in FY 18 and the remaining 5 in FY 19 • Scope, format and invitees for each training session will be developed in conjunction with staff in each EPA regional office 	More information here , here and here (third link is online tool developed with external partner)
Recognize and Replicate Local Site Redevelopment Successes	37	Q4, FY17	Implementing	<ul style="list-style-type: none"> • Presented one EPA regional office site reuse award 	<ul style="list-style-type: none"> • Present additional EPA regional office site reuse awards • Finalize the best practices guide for EPA staff to use when planning for awards 	More information here

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Support Community Visioning, Revitalization and Redevelopment of Superfund Sites	38	Q4, FY17	Implementing	<ul style="list-style-type: none"> • Completed support to two Superfund Redevelopment Initiative EPA regional office seed projects • Provided support to 13 new and ongoing Superfund Redevelopment Initiative EPA regional office seed projects • Provided support for one job training initiative project • Identified potential experts to participate on an EPA national redevelopment team to assist EPA regional office staff with redevelopment issues • Completed technical assistance for site redevelopment planning to seven brownfields communities 	<ul style="list-style-type: none"> • Continue support for new and ongoing Superfund Redevelopment Initiative EPA regional office seed projects • Continue support for job training initiative projects • Initiative three technical assistance projects • Initiate a new technical assistance project in three brownfields communities 	More information here , here , and here

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Engage and Facilitate Public/Private Partnerships to Share Information, Resources and Work Toward Advancing and Promoting the Revitalization of the Site	39	Q3, FY17	Initiating	<ul style="list-style-type: none"> • Began to identify reuse case studies highlighting successful public/private interactions • Scoped fact sheet on best practices for engaging local stakeholders, potentially responsible parties (PRP) and communities about reuse • Began update of Community Involvement Tool for Reuse 	<ul style="list-style-type: none"> • Complete first reuse case studies • Complete best practices fact sheet • Complete update of Community Involvement Tool for Reuse 	More information here
Goal 5: Engaging Partners and Stakeholders						
Develop a Robust Communications Strategy to Identify and Target Key Stakeholders	40	Q4, FY17	Initiating	<ul style="list-style-type: none"> • Maintained and enhanced the SFTF public website • Developed and promoted SFTF communications for accomplishments and public participation events • Coordinated SFTF Goal Teams and work groups to develop implementation plans and engage stakeholders and partners 	<ul style="list-style-type: none"> • Planning national stakeholder engagement events • Develop 1st Annual Report and associated events (July) 	
For Federal Facility Sites, Collaborate with Other Federal Agencies (OFAs) to Solicit Their Views on How EPA Can Better Engage Federal Agencies	41	Q4, FY17	Implementing	<ul style="list-style-type: none"> • Discussed engagement best practices with OFAs and States throughout FY 2018 Q2 using regularly scheduled engagement venues (e.g., meetings with states national organizations like ECOS and ASTSWMO, quarterly 	<ul style="list-style-type: none"> • Continue ongoing engagement opportunities with these groups as part of the already standing meetings to address their comments and 	Engagement venues with OFAs are also generating feedback on other SFTF recommendations, which

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
				<p>headquarters-to-headquarters meetings with OFAs)</p> <ul style="list-style-type: none"> • The states and OFAs provided additional input on: (1) options (2), possibilities and preferences for engagement, (3) the role they play in the process, and (4) areas where they would prefer ownership in the Superfund process • Prepared summary of engagement feedback from OFAs and states. Shared with EPA regional offices for feedback • Initiated Engagement Pilot with Department of Defense (DoD) headquarters, based on mutually agreed upon best practices • Expanded upon improvements to engagement at the headquarters-to-headquarters level by proposing and discussing ways to improve engagement at the regional level with the EPA regional offices, states, and OFAs 	<p>concerns</p> <ul style="list-style-type: none"> • Follow up with Department of Energy, Department of the Interior, DoD and NASA to solicit additional input on engagement best practices and opportunities, particularly at the regional level • Identify additional best practices to increase OFA engagement with EPA at Federal Facility NPL sites 	<p>are being shared with other teams as facilitated in Rec. 40</p>

Implementation Status of Superfund Task Force Recommendations: Fiscal Year 2018, 2nd Quarter

Recommendation Name or Subtask	Rec. Number	Initiation Date	Status	Q2, FY18 Accomplishments	Next Steps	More Information
Use a Federal Advisory Committee to Work with a Broad Array of Stakeholders to Identify Barriers and Opportunities Related to Cleanup and Reuse of Superfund Sites	42	Q2, FY18	Implementing	<ul style="list-style-type: none"> • Convened multiple meetings of EPA core personnel and leadership to discuss and form a draft outline for FACA charge • Began review process by other SFTF groups of elements of draft charge and laid out timeline for Agency leadership review of draft outline • Agreed on path forward for soliciting workgroup membership participation and timeline for finishing charge 	<ul style="list-style-type: none"> • Incorporate feedback from EPA SFTF groups and feedback from EPA leadership (OLEM, OECA, OP and Administrator's Office) • Prepare final draft outline of a charge statement for potential consideration by a federal advisory committee workgroup • Identify membership from NEJAC and other federal advisory committees to join a writing team to work with EPA personnel over summer to finalize charge 	