



The Superfund Removal Program

Incidents involving hazardous substances that present an imminent threat to human health or the environment may occur or be discovered in any community at any time. These kinds of incidents may include, but are not limited to:

- Illegal disposal of toxic materials or hazardous waste,
- Improper handling or disposal of hazardous substances at landfills, industrial areas, etc.
- Spills of hazardous substances when a truck or train overturns,
- Discharges of hazardous substances into the air or water during a fire.

The U.S. Environmental Protection Agency (EPA) Superfund Emergency Response Program was created to respond to situations such as these.

How Can EPA Respond to Releases or Threatened Releases of Hazardous Substances?

Under Superfund, EPA may respond to releases or threats of releases of hazardous substances by starting a removal action. A removal action is a short-term action intended

Congress enacted the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, in 1980. This law created a tax on the chemical and petroleum industries and provided a broad Federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or welfare or the environment. Over 5 years, \$1.6 billion were collected and the tax went to a Trust Fund for cleaning up abandoned or uncontrolled hazardous waste sites. The U.S. Environmental Protection Agency (EPA) is responsible for running the Superfund program. On October 17,

1986, the Superfund Amendments and Reauthorization Act (SARA) was signed into law. SARA increases the Trust Fund to \$8.5 billion over 5 years and strengthens EPA's authority to conduct cleanup and enforcement activities.

Under the Superfund program, EPA can:

- Pay for the cleanup of hazardous waste sites when those responsible for such sites cannot be found or are unwilling or unable to clean up a site.
- Take legal action to force those responsible for hazardous waste sites that threaten public health or the environment to clean up those sites or pay back the Federal

government for the costs of cleanup.

The law authorizes two kinds of response actions:

- Short-term *removals* where actions may be taken to address releases or threats of releases requiring prompt response.
- Longer-term *remedial responses* that permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous substances that are serious but not immediately life threatening. They can be conducted only at sites on EPA's National Priorities List (NPL).

Remedial and removal responses include, but are not limited to

- Destroying, detoxifying or immobilizing the hazardous substances on the site through incineration or other treatment technologies.
- Containing the substances on-site so that they can safely remain there and present no further threat.
- Removing the materials from the site to an EPA-approved, licensed hazardous waste facility for treatment, containment, or destruction.
- Identifying and restoring contaminated ground water, halting further spread of the contaminants, or in some circumstances providing an alternate source of drinking water.

to stabilize or clean up an incident or site that poses a threat to human health or the environment. These actions may include:

- Removing and disposing of hazardous substances,
- Constructing a fence, posting warning signs, or taking other security measures to control access of humans or animals to a site,
- Providing alternate water supplies to local residents where drinking water has become contaminated,
- Temporarily relocating area residents.

Under Superfund, removal actions can last no longer than 12 months in duration or cost more than \$2 million, although exemptions may be granted in certain circumstances.

Because the purpose of removal actions is to respond to more immediate threats and because they are short-term actions, they generally cannot deal with long-term environmental problems like area-wide contamination of ground water. In that event, the On-Scene Coordinator refers the site to EPA's Remedial Response Program for further investigation and assessment.

Remedial actions are longer-term actions that stop or substantially reduce releases or threatened releases of hazardous substances that are serious but not immediately life-threatening. Remedial actions can be undertaken only at sites on EPA's National Priorities List (NPL), which identifies the most serious uncontrolled or abandoned hazardous waste sites. EPA often conducts both removal and remedial actions at NPL sites. Removal actions may be required if an immediate threat is discovered during remedial work. Removals also must contribute to the efficient performance of any long-term remedial action.

How Does the Removal Program Work?

The National Contingency Plan (NCP), the Federal regulation that guides the Superfund program, outlines the roles and responsibilities of each agency involved in responding to releases or threatened releases of hazardous substances. The U.S. Coast Guard has primary responsibility for response to releases in or upon the coastal and other navigable waters of the United States, and EPA has primary responsibility for inland response.

The first step in EPA's removal program is the discovery of a release or threatened release of hazardous substances that presents a threat to public health or the environment. EPA may be notified through the National Response Center (NRC) at the 24-hour telephone number 1-800-424-8802, which is operated by the U.S. Coast Guard, or be contacted directly by States, communities, industries or individuals.

The NRC notifies the appropriate government agencies and officials when a release is reported. EPA's On-Scene Coordinator evaluates the situation, and based upon this evaluation, may use Superfund money to clean up the incident if those responsible for the incident cannot or will not conduct the cleanup, or if State or local officials are unable to respond. Other government agencies may be called upon for assistance when necessary, depending upon the nature and extent of the release.

Who Pays For Removal Actions?

Some removals are paid for or conducted by those responsible for creating the emergency. In addition to past and present owners or operators, those responsible may include generators, transporters, storers, or disposers of hazardous substances. The rest may be paid for and conducted by State or county response teams with their own funds, or by EPA, using Superfund money. When Superfund money is used, EPA may take action to force those responsible to reimburse the Federal government for the costs of the cleanup.

How Can You Obtain Information On Removal Actions?

Superfund makes every effort to ensure open, two-way communication with the public. In removal program activities, EPA appoints a spokesperson to provide information concerning the release, inform the community of actions taken, and respond to inquiries. In addition, nearby residents and State and local officials will be notified of removal activity as close to the start of the activity as possible. If on-site activities last longer than 45 days, EPA will interview affected parties to determine their concerns and information needs. From these interviews, EPA will prepare a formal plan for conducting community outreach activities.