

NCP Issues for Comments

- 51407 o Definition of "on-site" for permitting purposes.
- 51409-10 o Removal limitation implementation.
- 51413 o Deferral policy/remedial site evaluation policy (PA/SI).
- 51415 o Merits of creating a construction completion category for sites on the NPL. *
- 51415 o Whether deferral should be extended to state authorities. * (*implicitly*)
- 51415 o Whether deferral should be extended to sites where PRPs enter into Federal enforcement agreements for site remediation.
- 51416 o Deferral policy - extension to other federal authorities. * (*June draft*)
- 51418 o The appropriateness of deferring generally to Federal authorities and whether these authorities should be required to meet some or all CERCLA standards.
- 51418 o Comments on two state deferral options
 - deferral based on State petition requesting deferral.
 - deferral based on states certification of its commitment and ability to address the site according to CERCLA standards.
 - TAG grants
 - public notice (public meeting)
 - ATSDR
 - Non NPL listing for deferral sites
- 51419 o Deferral policy - sites regulated by multiple authorities. *
- 51419 o Deferral of sites with agreements under CERCLA enforcement authorities - 2 options *
- 51420 - deferral prior to NPL proposal based on agreement to carry out EPA - RD/RA pursuant to consent decree.

 - deferral at time of proposal based on agreement to conduct a RI/FS for that site, with the proposed sited dropped if PRP
- 300.400
General
300.415
Removals
300.420
Rem. Site Eval.
300.425
Establishing Remedial Priorities [Obvious]

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subsequently agrees to perform RD/RA pursuant to consent decree. (*preferred option*)

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- 51420 o Appropriate method for identifying problem sites, if those sites are not proposed for the NPL because of deferral to CERCLA enforcement agreement.

- 51421 o Deferring placement of sites on NPL when other authorities are available to address contamination at the site and deferring sites when PRPs have signed enforceable CERCLA consent orders.

- 51421-2 o Deleting final sites based upon deferral to other authorities/criteria

- 51426 o Risk ranges - two in particular
- current 10^{-4} to 10^{-10}
 - alternative 10^{-4} to 10^{-6}
 - issues related to these or alternative risk ranges
- Nobody*

- 51431 o Potential advantages and disadvantages of alternative site-specific balancing approaches related to
- type of criteria considered
 - steps for making statutory findings
 - degree of proposed structure *

- [Duke]
- o Two alternative approaches are
- site specific balancing with a cost-effectiveness screen
 - sequential decision making approach *

- 51432 o Appropriateness and desirability of pursuing one of the following alternative strategies
- point of departure *
 - site stabilization *

- o Potential advantages and disadvantages of the following analytical techniques
- screening against threshold criteria
 - pairwise comparison
 - ranking alternatives or criteria
 - scoring (measuring alternatives against a consistent scale)
 - weighting alternatives or criteria
 - construction of a multi-attribute model

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RI/FS & Remedial Selection

[Kissel]

↑ generally

III 51433-5 o Groundwater remediation approach

51436 o Criteria for ARARs

IV 51439-40 [Herr] o Waiver of ARARs
- interim remedy
- equivalent performance
- fund balancing - specific amount

51440 o Where ARARs must and TBCs should be attained *

51450-2 [Quarles] o Community relations/public comment

V 51452-3 o Community relations during RD/RA phases

51454 o Interpretation of "restore ground and surface water quality" and on the merits of alternatives EPA has not adopted.

Nobody 51454 o Whether ten year O&M rule should extend to situations where primary purpose of ground water treatment is to provide drinking water supplies from water contaminated at the site without restoring it.

51454 - 51455 o Appropriateness of requiring regions to enter into SMOAs if states request them and have demonstrated capability to take the lead for response action.

51456 o Comment on criteria for state lead designation
- overall expertise
- legal authorities
- administrative and contracting capability
- financial management systems
- availability of general resources
- complexity of site
- availability of site-specific resources
- workload and expertise
- past Federal and State actions at the site
- past State cleanup activity
(should other criteria be added?)

VII 51461 [Quarles] o Subpart H comments
- consistency with NCP for private party cleanups

V 51468 o Should a notice of availability of administrative record or of commencement of public comment period be published in the Federal Register? (administrative record for remedial action) *

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RD/RA
O&M

State Role
F

Participation
By Others
H

Admin Record
I
[Quarles]

- V
- 51469 o Should public comment be solicited on activities that have already been completed at the time the record is made available? (administrative record for removal action) *
- 51469-70 o Comment on approaches to developing administrative record for removal actions. *
- 51470 o Comment on adding documents to record after selection of response action. *
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