“On Time and Under Budget”

Superfund

Site Assessment Program

Process Analysis:

States’ Perspectives

August 2017
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List of Acronyms

ASTSWMO – Association of State and Territorial Solid Waste Management Officials
CA – Cooperative Agreement
CERCLA – Comprehensive Environmental Response, Compensation, and Liability Act
CLP – Contract Laboratory Program
COC – Contaminant of Concern
EPA – U. S. Environmental Protection Agency
ESI – Expanded Site Inspection
GC/MS – Gas Chromatography/Mass Spectrometry
GIS – Geographic Information System
HASP – Health and Safety Plan
HRS – Hazard Ranking System
HW – Hazardous Waste
MTCA – Model Toxics Control Act
NPL – National Priorities List
NFRAP - No Further Remedial Action Planned
OCA – Other Cleanup Activity
PA – Preliminary Assessment
PCS – Pre-CERCLA Screening
PRP – Potentially Responsible Party
QAPP – Quality Assurance Project Plan
SAP – Sampling and Analysis Plan
SI – Site Inspection
SOP – Standard Operating Procedure
SPLP – Synthetic Precipitate Leachate Procedure
TCE - Trichloroethylene
UST – Underground Storage Tanks
VI – Vapor Intrusion
VOCs - Volatile Organic Compounds

XRF - X-Ray Fluorescence
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Executive Summary

The Superfund Site Assessment Program, under the Comprehensive Environmental, Response, Compensation and Liability Act (CERCLA), is a partnership between EPA and States. The primary purpose of the Superfund Site Assessment Program (referenced hereafter as “Site Assessment Program”) is to identify releases or threats of releases of hazardous substances, pollutants, or contaminants that may endanger human health or the environment, and to determine whether those sites qualify for inclusion on the National Priorities List (NPL). To accomplish this, EPA has developed several variations of the traditional Site Assessment process to allow flexibility for efficiency and reduction of duplicate tasks, i.e., Pre-CERCLA Screening (PCS) with sampling, Preliminary Assessment (PA) with sampling, Combined PA/Site Inspection (SI), and Abbreviated PA, etc. This report focuses on States’ use of the Site Assessment Program processes identified above. The goals of this report are to:

- Obtain information about States’ use of the Site Assessment Program, including whether a State identified that it had a Cooperative Agreement (CA) with EPA to conduct these activities;
- Report on States’ use of various traditional as well as flexible approaches identified;
- Identify which areas of the Site Assessment Process are in greatest need of process improvement or efficiencies; and
- Provide key findings and recommendations regarding the Site Assessment Program for conducting Site Assessment activities.

ASTSWMO’s Site Assessment Focus Group is comprised of State members from all ten EPA regions. The broad geographical distribution of the Focus Group members facilitated the collection of nationally representative data about States’ use of, and recommendations for, the Site Assessment Program tools. Based on information obtained from States regarding the Site Assessment process, the Focus Group presents the following key findings about the Site Assessment Program:

Of the 43 States who responded, 29 States (67%) indicated that they have flexibility to streamline the documentation process when providing EPA with deliverables;

- Of the 29 States indicating flexibility in streamlining the document process, 25 States (86%) have a CA with EPA;
- The States’ use of current tools to streamline the document process, particularly the Use of Standardized Quality Assurance Project Plans (QAPPs) with a site-specific Sampling and Analysis Plan (SAP) (86%), Site Reassessments (86%), Field Screening Techniques (75%), and the Use of EPA Laboratories to analyze samples (67%), indicate that these tools are being utilized frequently by States; and
- A majority of the States (67%) favor streamlining documentation to improve reports, and the presence of a CA does not appear to have a significant effect on this trend. In
general, State responses indicated that the biggest area with “room for improvement” is related to communication between EPA and the States. States indicated that they wanted better and more timely interaction with EPA as many felt uninformed on updates and process improvements. Following communication, States indicated that they thought having more flexibility with EPA’s processes and corresponding reports would allow States to treat each site differently on a site-specific basis and not treat them as a “one size fits all” requirement.

The Focus Group offers the following recommendations:

• Additional Site Assessment Program federal funding for States would assist States in being able to conduct the necessary evaluation of sites for consideration for additional work and possibly ultimately proposal for listing on the NPL;

• The Site Assessment Program would benefit on a national level from an increased level of awareness by EPA and the States regarding the current status and future developments of the Site Assessment Program areas, policies, or processes. That awareness could be achieved by additional and timely communication, coordination and collaboration (e.g., webinar presentations or trainings to provide a consistent and uniform message to EPA Regions and the States, and updates and notifications via the EPA Site Assessment Program website);

• Sharing of approaches utilized by different EPA Regions and States for the Site Assessment Process including example documents and/or templates, etc.);

• Training and possibly policy clarification efforts to ensure that EPA Regions and States are aware of the options and flexibility available to them under the Site Assessment Program;

• EPA and the States should have an open and more frequent dialogue regarding available flexibility during the Site Assessment Program process to allow States to treat each site differently on a site-specific basis and not treat them as a “one size fits all” requirement; and

• EPA and ASTSWMO should work together to inform EPA Regions and States of updated EPA guidance and policies offering flexibility during the Site Assessment Program process.
Section 1: Introduction

The Superfund Site Assessment Program (referenced hereafter as “Site Assessment Program”) is a partnership between EPA and States. Since its inception in the early 1980s, the Site Assessment Program has been the foundation of the national Superfund Program, and assessed more than 53,000 potentially contaminated hazardous substance sites.

The primary purpose of the Site Assessment Program is to identify releases or threats of releases of hazardous substances, pollutants, or contaminants that may endanger human health or the environment and to determine whether those sites qualify for inclusion on the National Priorities List (NPL). During the Site Assessment process, EPA and States collect data to identify, evaluate, and rank hazardous waste sites based on Hazard Ranking System (HRS) criteria. The Site Assessment Program addresses the initial steps for the assessment of sites that enter into the Superfund process. EPA manages its own Site Assessment Program where it evaluates sites directly and also provides funding to States through Cooperative Agreements (CAs) for the State to evaluate sites using the EPA process and tools and then report the findings to EPA. Some States have chosen not to receive funding from EPA for site assessment activities and evaluate sites using their own processes and funding.

Sites that are evaluated vary from those which present no or minimal risk to human health and the environment where no further action will be taken, to those which present an imminent and substantial risk which can be addressed by several programs including the national Superfund Program (proposed for the NPL), State and Federal removal programs, State Voluntary Cleanup programs, State Superfund programs, and other State-specific cleanup programs (e.g., State Dry Cleaner programs). EPA has developed several variations of the traditional Site Assessment Program process to allow flexibility and streamlining which are designed to allow the collection of information and reporting that is appropriate for the level of risk posed by a site. States may or may not be utilizing these tools.

In this report, titled: “On Time and Under Budget – Superfund Site Assessment Program Process Analysis: States’ Perspectives”, the Focus Group has analyzed feedback received from States on the Site Assessment Program, and identified specific desired process improvement areas that would bring efficiency. Additional goals included identifying trends regarding flexibility and streamlining approaches allowed under the States’ CAs and gathering information on various tools and strategies developed by individual States which can be shared with other States.

This report outlines the Focus Group’s research methods and presents how States have used the approaches developed in the Site Assessment Program and developed their own tools and strategies to increase efficiencies and cost effectiveness of the Site Assessment Program. This report also describes which strategies States have tried which have been unsuccessful in obtaining program efficiencies, as well as States’ recommendations of areas to improve within the Site Assessment Program.
In conjunction with the research into the Site Assessment Program, in order to maximize data collection efforts, the Focus Group also researched States’ opinions and history regarding State Designation for NPL Inclusion. Those findings and feedback from the States are presented in a separate report titled “Mechanisms for Placing Sites on the National Priorities List (NPL) - One State-Designated Top-Priority Site - Research on the Current Status of States That Have Designated Their One Top-Priority Site - Analysis of States’ Views on Additional Top-Priority Site Designations” (NPL Report).

Section 1.1: Research Methods

The Focus Group began by developing a Problem Statement which read, “Using their Site Assessment Programs, States evaluate a variety of sites, from those which present very little risk to those which may be proposed for the NPL. EPA has developed several variations of the traditional Site Assessment process to allow flexibility for efficiency and reduction of duplicate tasks, i.e. Pre-CERCLA Screening (PCS) with sampling, Preliminary Assessment (PA) with sampling, Combined PA/Site Inspection (SI), and Abbreviated PA (APA), etc. However, due to differences in EPA regional policies and their preferred approach to the Site Assessment process, States might not be aware of, or may not be using, the most appropriate tool for a particular type of site assessment or investigation.” The Focus Group then utilized this Statement to develop broad topic categories and then specific questions about those topics to solicit feedback from the States.

The Focus Group conducted its research in Spring 2016, and 43 States participated. The research tool was developed as a set of questions and was categorized into five topics of interest regarding the Site Assessment Program. The five topics were:

- State Developed Streamlining Approaches;
- EPA Developed Streamlining Tools;
- Effectiveness of Approaches/Tools;
- Overall Flexibility; and
- Recommendations for Site Assessment Program Improvement.

The Focus Group set a high response rate goal and employed strategies to boost the response rate through:

- Personalizing the contact with States by having each Focus Group member send an email invitation with a direct hyperlink to the research tool to States in their region;
- Limiting the length of the research tool;
- Designing a user-friendly electronic research tool with clear instructions;
- Allowing adequate time to complete the research tool;
• Explaining why the research is important and how the results will be used; and
• Sending e-mail reminders encouraging States to participate.

The Focus Group also allowed States to keep their names confidential to provide States with the opportunity to provide responses without revealing their names. Six States chose for their names to remain confidential.

**Table 1: Responding States by EPA Region**

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| Total States by Region | 3 | 2 | 4 | 7 | 5 | 5 | 2 | 4 | 2 | 3 | 6 | 43 |

States were also encouraged to offer their own unique responses to many questions and add comments or suggestions to provide a broader framework for their responses.

To further supplement the data to be evaluated, EPA also provided information regarding the number of States with CAs. EPA provides funding through CAs to many States to conduct site assessment activities using the Site Assessment Program. According to EPA Headquarters, as of September 2016, the following EPA regions have CAs with these States for site assessment work:

Region 1: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
Region 2: New Jersey
Region 3: Delaware, District of Columbia, Maryland, Virginia
Region 4: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee
Region 5: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin
Region 6: Arkansas, New Mexico, Oklahoma, Texas
Region 7: Iowa, Kansas, Missouri, Nebraska
Region 8: Colorado, Utah
Region 9: Arizona, California, Hawaii, Nevada
Region 10: Alaska, Idaho, Oregon

If there was a discrepancy between EPA and State provided data regarding the CA, the Focus Group confirmed the accuracy of the EPA data and used the EPA provided data set for data analysis purposes to support the findings of this report.

The research tool and the associated response comments are located in the following appendices:

Appendix A: ASTSWMO Research Tool
Appendix B: Research Tool Responses – Long Form (Open-ended questions and associated responses)
Appendix C: Research Tool Responses – Short Form (Short responses: Yes/No/Not Applicable)

The responses are included exactly as received with the exception of a few responses from States that requested confidentiality where a State’s name or agency was removed in order to protect confidentiality. The responses provided in the appendices are in .pdf format, however ASTSWMO can provide the responses in Excel format upon request.

Section 1.2: Data Interpretation

The main objective of this report is to analyze the entire Site Assessment Program for efficiencies or inefficiencies, and identify specific desired process improvements that may offer further efficiencies. EPA has developed its Site Assessment Program, and associated guidance and tools, which can result in the identification of sites to be evaluated for placement on the NPL. EPA provides funding to a total of 42 States through CAs to conduct investigations for them utilizing this process. Some States have chosen to not enter into a CA with EPA and conduct their site assessment activities utilizing their own processes.

The Focus Group requested information from all States – both those States with CAs who use the EPA’s Site Assessment Program and those without CAs who use their own processes. Of the 43 States which responded to the research tool, seven States do not have a CA, specifically: Louisiana, Montana, New York, Pennsylvania, Washington, Wyoming, and a confidential State. While reviewing the data received based on the research tool, the Focus Group evaluated whether the responses from the States with CAs and States without CAs showed significantly
different trends. Some of the questions asked were specifically targeted to addressing the EPA’s Site Assessment Program processes and tools. Responses to those questions showed a marked difference or were identified as “Not applicable” or “Unknown” by the States without CAs. Other questions were asked about general site assessment activities and efficiencies and there were no noticeable differences between responses from States with CAs to those without. In this report, the responses may be evaluated either separately or together depending on whether or not the question was specifically targeted to the EPA’s Site Assessment Program.

**Section 2: State Developed Streamlining Approaches and Tools**

Many States have developed strategies to make work conducted under their Site Assessment Programs more efficient. The Focus Group asked the States to describe any strategies they use to improve efficiency. The research tool included questions about streamlining documents, specific practices States use that make site assessment work more efficient, and coordinating document streamlining and site assessment efficiency practices with other States and/or the EPA. Figure 1 shows the three different streamlining efforts (i.e., Documents, Practices and Coordination) that States have tried to use to increase the effectiveness and efficiency of the Site Assessment Program.

**Figure 1: State Developed Streamlining Approaches and Tools**

![Diagram showing state developed streamlining approaches and tools with percentages of routinely used and not used practices.](image-url)
Section 2.1: Documents

Responses to the question “Have you developed any unique, model documents, templates or otherwise reduced steps to streamline or improve reports? If so, please describe these and tell us how they’ve made your State’s program more efficient.” are summarized below with examples of streamlining practices used by respondents.

Sixty-seven percent of responding States (29 of 43) indicated that they have the flexibility to streamline the documentation process when providing the EPA with deliverables. Within that group, 86% (25 of 29) have CAs with EPA. Of the remaining 33% of responding States, 78% (11 of 14) have CAs with EPA. The majority of States favor streamlining documentation to improve reports which is an encouraging trend, and the presence of a CA does not have a significant impact on this trend. Many States are finding ways to streamline site assessment documents for both State and federal programs.

Examples of Streamlining Efforts for Documentation Purposes:

Templates
- Templates for PCS, PA, Abbreviated PA, and SI documents (reports and Quality Assurance Project Plans (QAPPs)).
- Site visit summaries and Health & Safety Plan (HASP) templates.
- Templates for carbon copy receipts provided to property owners after sample collection.
- Template documents with example paragraphs and reference hyperlinks so the report writer knows where to go to obtain the needed information.
- Template forms for site priority ranking at the screening stage and for documentation of recommendations at the end of the screening stage.

Standardization
- Boiler plate language for documents.
- Standardized table of contents for work plans and reports.
- Desktop review form for PCS.
- State-wide QAPP for mine sites with site-specific sampling plans.
- Requested copies of other States’ reports due to concerns that the EPA project manager was requiring too much reporting for this State.
- Program level QAPPs with site-specific QAPPs/Sampling and Analysis Plans (SAPs).
- Topical outline for SI and Expanded Site Inspection (ESI) reports.
• Boiler plate language requesting information from site owners prior to a screening and to communicate the results of a screening to site owners, as well as potential options for next steps.

• Spreadsheets for landfill sites with data attachments to show the sites can be given a No Further Remedial Action Planned (NFRAP) designation.

• A two-step screening process prior to the PA, which includes an initial screening stage and an extended screening stage (as warranted).

Automatization

• Geographic Information System (GIS) mapping/databases and automated reports.

• Requesting a site assessment specific set of maps from the State’s GIS program.

Section 2.2: Practices

Responses to the question “Have you developed practices such as checklists, field-work, or formal coordination approaches that make your site assessment work more efficient? If so, please describe these and tell us how they’ve made your State’s program more efficient.” are summarized below with examples of streamlining practices used by respondents.

Seventy-four percent of responding States (32 of 43) indicated they have developed practices to make their site assessment work more efficient. Within that group, approximately 88% (28 of 32) have CAs with the EPA. Of the remaining 26% of responding States (11 of 43) who did not indicate that they have developed these practices, approximately 73% (8 of 11) have CAs with EPA. The majority of States nationwide have developed practices to make site assessment more efficient, and the presence of a CA does not have a significant impact on this trend.

Practices

• Checklists/Guidance Documents.

• PA/SI checklists and/or flow charts.

• Field work, equipment, site visit, scribe software, contract laboratory program (CLP), and sample packing checklists.

• Guidance documents for sampling, which includes the steps to take for sampling activities.

Technology

• Use GIS tools to expedite site work, manage data, and visualize data.

• Use electronic field notebook software programs developed by EPA contractor.

• Use sampling techniques such as x-ray fluorescence (XRF) screening for metals, incremental soil sampling, and field portable gas chromatograph for field analysis of volatile organic compounds (VOCs).
Coordination Approaches

• Centralized team at the State level who conduct all federal site assessment work, including two staff that coordinate with the CLP, and purchase equipment for site assessment work through grant funding.

• Meet routinely (3-4 times/year) with EPA counterparts to discuss site assessment work – meetings include regional staff.

• Jointly scope all work with the EPA prior to beginning work on sites.

• Share work with State counterparts in different programs (i.e., Underground Storage Tank (UST) program) – as another program may already have useful geotechnical reports. • Work with region on low priority archive reviews (i.e. other cleanup activity (OCA) sites).

• Internal meetings before each sampling event.

• Work with EPA project manager to develop the details of each report on an individual basis.

• Hold coordination meetings and conference calls to discuss work status, resolve problems, and plan for the next grant cycle.

• Use EPA to collect samples when the State is short on-site assessment funding

Additional Practices

• Use State rather than EPA labs.

• Use a watershed approach for abandoned mine sites.

• Conduct sampling (usually screening activities) at the PCS stage to focus future SI sampling activities.

• Use “significant threat determination process” – This State has an internal tracking system for sites, which generates a classification package and checklist.

• Use work assignments and call out templates for contractors.

• Field data log sheet templates.
Section 2.3: Coordination

Responses to the question “Do you ever discuss approaches to streamline documents or use innovative practices with other States or EPA? Would you find this to be helpful, and, if so, what suggestions do you have for making this coordination occur more efficiently?” are summarized below as well as suggestions offered by the respondents for improved coordination.

Forty-two percent of responding States (18 of 43) indicated they discuss approaches to streamline documents or use innovative practices with other States or the EPA. Within that group, 100% (18 of 18) have CAs with EPA. The majority of respondents (58%) do not coordinate their site assessment approaches with their regional EPA office, or with other States as part of their available collaboration efforts. Additionally, several of the States within EPA Regions 4, 5, and 6 responded that they have not discussed approaches to streamlining documents or using innovative practices with the EPA.

Among the seven States without CAs, 100% (7 of 7) indicated they have not been able to coordinate with other States to improve their site assessment programs. The responses from these States indicated this was the case due mostly to budget and travel restrictions, and also due to the limitations of State-specific site assessment programs. An internet-based site assessment toolbox would be helpful for the collaboration between States with site-specific programs which may have difficulty collaborating with colleagues in other regulatory agencies in other ways.

Suggestions for Improved Coordination:

- ASTSWMO could assist with coordination among the States and between the States and the EPA.
- Regional yearly face-to-face meetings to discuss coordination efforts and program priorities.
- States indicated a need for more consistency within regions and had concerns about variability between regional EPA reviewers. Quarterly or monthly all State (Regional) site assessment calls to discuss technical issues (i.e. separate from administrative calls).
- One State worked with the EPA to develop a process to perform a quick evaluation of backlogged CERCLA sites to identify those sites in need of further evaluation through the site assessment program or further evaluation by the State, and sites that warranted no further action.
- Create a regional site assessment group and share ideas and issues on a quarterly basis
• Have an on-line website or forum (ex. SharePoint) to provide a means of exchanging ideas and information.
• Encourage States to develop similar guidance regarding expectations for report submittals and criteria for assessment reports.

**Section 3: EPA Developed Streamlining Tools**

In order to evaluate the efficacy and usefulness of current streamlining tools generally available to States, the Focus Group developed a table as part of the research tool which asked three questions about 18 different tools or strategies which could be used. The three questions were, “1) Does your State use the tool?, 2) Does your Region allow the use of this tool?, and 3) How do you rate the effectiveness of the tool?”

All 43 States responded to these questions. For almost every tool identified, a greater proportion of States with CAs responded “yes” to the use of a tool than States without CAs. Only three States without CAs responded “yes” to using any tool, and four States responded “no” to every tool. This may indicate that the streamlining tools outlined in the research tool are more oriented towards the EPA’s Site Assessment Program process. However, it is also possible that the four States which responded “no” to each tool may use some of these tools for their State’s Site Assessment Program and thought the question was more oriented towards only those States with CAs. Since this section specifically addresses tools developed or provided by EPA for the Site Assessment Program and their allowed use by the EPA Region, the analysis below includes only the responses from those 36 States with CAs.

**Section 3.1: State Use of Tools**

Provided in the following table are the individual results of whether or not a State uses a particular tool. States responded that a total of seven of the 18 tools were used by more than half of the States, and the most widely-used practices were Site Reassessments and Standardized QAPP with a Site-Specific SAP, where 86% of States (31 of 36) answered “yes” to using both tools. Other tools used by more than half of States were:

• Field Screening Techniques (75%, 27 of 36),
• Using EPA Labs to Analyze Samples (67%, 24 of 36),
• Abbreviated PAs (56%, 20 of 36),
• Flexible Work Plans (Triad Approach) (53%, 19 of 36), and
  Grouping Field Work on several sites by Location (53%, 19 of 36).

Four of the 18 tools were used by less than half of States, but more than a third.

• CERCLA Pre-Screen with Sampling (47%, 17 of 36),
• Integrated Cross Program Assessment (47%, 17 of 36)
• PA with Sampling (42%, 15 of 36, and
• Using EPA Contractors for Fieldwork (39%, 14 of 36).

Eleven out of the 18 tools were used by less than half of States, and the least widely-used tool was Practices that Streamline HRS Scoring Practices/Document Records), where only 3% of States (1 of 36) answered “yes” to the question. Other tools used by less than a third of States were:

• Abbreviated PA for obvious NFRAP sites (33%, 12 of 36)
• Practices that Streamline ESIs (25%, 9 of 36),
• Combined Full PA and SI (25%, 9 of 36)
• Using EPA Equipment to Perform Fieldwork (22%, 8 of 36),
• Completing an HRS Scoring Package without first performing an ESI (19%, 7 of 36), and
• Combined Abbreviated PA and SI (19%, 7 of 36).
Figure 2: EPA Tools Used by States
The Focus Group reviewed the responses to determine if there were any trends within States within the EPA regions. The two States within EPA Region 7 had consistent responses on 13 of the 18 tools; both States either used or avoided the tool. The two States in EPA Region 10 had consistent responses on 12 of 18 tools. The four States within EPA Region 6 had only 8 consistent responses. Standardized QAPP and Field Screening Techniques were the two tools used by 100% of States in six EPA Regions.

Section 3.2: Tools Allowed by EPA Region
The second question asked if the State’s EPA Region allowed the use of each tool under its CA. The intent of the question was to determine if States were not utilizing various tools and practices because they were unaware of the tool or its possible use under the CA. The response options to this question were: “yes”, “no”, or “unknown”. It is assumed that if the State responded “unknown” that either the State was not familiar with the tool or the State was simply not sure if that tool was allowed. The responses to this question were analyzed for those seven tools and practices which States indicated were not used by at least one-third of States.

Abbreviated PA for obvious NFRAP sites (33%, 12 of 36): Twelve States use this tool. Of the 24 States who do not use this tool, three States indicated that the tool is allowed under their CA, however it is not used. Three States indicated that this tool was not allowed to be used, and 18 States indicated “unknown”.

Practices that streamline ESI (26%, 8 of 35): Eight States use this tool and one State did not provide an answer. Of the 27 States who do not use this tool, none of the States indicated that the tool is allowed under their CA. Five States indicated that this tool was not allowed to be used, and 22 States indicated “unknown”.

Combined Full PA and SI (25%, 9 of 36): Nine States use this tool. Of the 27 States who do not use this tool, three States indicated that the tool is allowed under their CA, however it is not used. Ten States indicated that this tool was not allowed to be used, and 14 States indicated “unknown”.

Using EPA Equipment to Perform Fieldwork (22%, 8 of 36): Eight States use this tool. Of the 28 States who do not use this tool, three States indicated that the tool is allowed under their CA, however it is not used. Five States indicated that this tool was not allowed to be used, and 20 States indicated “unknown”.

Completing a HRS Scoring Package without first performing an ESI (19%, 7 of 36): Seven States use this tool. Of the 29 States who do not use this tool, two of them indicated that the tool is allowed under their CA, however it is not used. Eight States indicated that this tool was not allowed to be used, and 19 States indicated “unknown”.

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Combined Abbreviated PA and SI (19%, 7 of 36): Seven States use this tool. Of the 29 States who do not use this tool, none of them indicated that the tool is allowed under their CA. Eleven States indicated that this tool was not allowed to be used, and 18 States indicated “unknown”.

Practices that streamline HRS Scoring Packages/Document Records (3%, 1 of 36): Only one State, Colorado, uses this tool. Of the 35 other States, only one other State said that this was allowed under its CA, however the tool is not used. Seven States indicated that it was not allowed to be used, and 27 other States indicated “unknown”.
Figure 3: Tools Allowed by EPA Region
There are five tools and practices where the response “unknown” was selected by over half of States, including:

- Practices that streamline HRS Scoring Packages/Document Records (75%, 27 of 36),
- Practices that streamline ESIs (64%, 23 of 36),
- Completing an HRS Scoring Package without first performing an ESI (53%, 19 of 36),
- Using EPA Equipment to Perform Fieldwork (56%, 20 of 36), and
- Combined Abbreviated PA and SI (50%, 18 of 36).

The high level of unknown responses to these five tools indicates that a discussion between the States and EPA might facilitate the use of these tools by the State if allowed by the EPA region. Several tools and practices contained a low percentage of “unknown” responses with Standardized QAPP and Site-Specific SAP and Site Reassessments having the lowest percentage of responses of unknown with 6%. Field Screening Techniques and Using EPA Labs to Analyze Samples were the next lowest, with only 14% of States responding “unknown”. For these tools, the relatively low percentage of unknown responses is due to the fact that most States answered “yes” because their EPA region allows the use of this tool.

**Section 3.3: Tool Effectiveness**

The third question asked the States to rate the importance of each tool and practices, regardless of whether the tool is used by that State. The intent of this question was to determine if there are tools and practices that States would like to use or believe they might be beneficial, but are not currently allowed to use the tool in their EPA region or the State is unaware of the availability of using that tool (i.e., the State responded “unknown”). In this question, each tool had a scaled answer of one to ten, with one being the least important and ten being the most important. The Focus Group designated values seven through ten as indicating that the tool was important to the State, values four through six indicated a neutral response, and values one through three indicated that the tool was not important.
As shown in Figure 4, the majority of States indicated that having the flexibility to conduct PCS at potential sites with non-intrusive screening (such as the use of portable XRF analyzers for metal contaminants) was the most important streamlining tool they thought was beneficial. By conducting a PCS at any given site, it not only saved a significant amount of time and money by not having to go through the discovery process and conduct a formal PA, but it was also easier to obtain property access from the owner because it was a non-intrusive investigation that did not disrupt the day to day business operations. States with CAs continue to strive for flexibility in
streamlining approaches to the traditional work plan and investigative approaches used in the past for conducting work at CERCLA sites.

The following streamlining tools rated significantly more important on average for States with CAs:

• Flexible Work Plans (Triad Approach).
• Using EPA Contractors to Perform Fieldwork.
• Abbreviated PA.

The following tools rated significantly more important on average for States without CAs:

• Practices that streamline HRS Scoring Packages/Document Records.
• Completing an HRS Scoring Package without first performing an ESI.
• Combined Full PA and SI.
• Practices that streamline ESIs.

The Focus Group also evaluated the States’ responses to identify tools which are currently not used by the individual State, but were deemed important to use. This evaluation entailed identification of all “no” responses to the question asking if a tool is used by the State with an accompanying importance value of seven or greater. The top nine tools that States do not use but believe are important are shown in Figure 5.
The Focus Group also wanted to determine if States used other tools which might be beneficial or if there were technical or administrative impediments to using any tools which prevented their use. The following question was posed, “If your State: a) uses any other tools, b) would like to use other tools that are unavailable to you, or c) would like to use tools that are not listed on the table, please describe below”.

All 43 States responded to this question. Seventeen States answered in the negative indicating in some way that they did not have a comment. However, nine States made comments that generally related to the status, history, and philosophy of their specific State program or indicated they would like to know more about specific tools that they were unfamiliar with.

Ten States indicated that they use another tool that was not included in the streamlining tools illustrated in Figure 4 above. Of those ten States, five (50%) do not have CAs. Several States listed using State or private (Non-CLP) laboratories in their
assessment work. Several indicated they utilize evaluation criteria specific to their State program or State law. Specific additional tools used by individual States which created program efficiencies include the following:

- An Expanded Site Reassessment Trip Report reporting format (Rhode Island);
- Use of a field Gas Chromatography/Mass Spectrometry (GC/MS) and in-house lab for screening level sampling (Delaware);
- Collection of samples for additional analyses outside of the traditional Site Assessment Program such as synthetic precipitate leachate procedure (SPLP) and physical parameters (Montana); and
- Use of GIS to identify sites to evaluate (California).

Seven States would like to use other tools that are unavailable to them. Two States responded that they would like greater flexibility in using other tools as well as a streamlining of the EPA review in order to move sites more quickly through the process. Other responses by individual States included a suggestion for greater flexibility for activities not specifically geared towards inclusion on the NPL and use of EPA equipment, contractors, and laboratories. A comment of interest from one State identified that their EPA region’s policy of providing funding through the CA on a “fixed price per report model” has made some tools which had been found effective, such as a Combined PA/SI, into less attractive options. The summary of streamlining tools or approaches that are illustrated by Figures 4 and 5 are a reflection of the tools that States consider most and least valuable.

No State provided a suggestion for a tool that it would like to use which was not listed.

**Section 4: Effectiveness of Approaches and Tools**

Some States have tried innovative approaches within their Site Assessment Program, such as those described in Section 2, and found that some streamlining approaches were more effective than others. The States were asked “Has one or more of the approaches described above worked especially well to streamline your States’ Site Assessment Program? Please describe your experience.”

**Section 4.1: Approaches/Tools that had Positive Impact**

Seventy-four percent of responding States (32 of 43) have tried some of the above-referenced approaches and found them to have a positive impact on their State’s Site Assessment Program. Of the 43 responses, integrated assessments, reassessments and the ability to collect samples were identified as having the most positive impact on streamlining efforts. These were followed in terms of positive impact by having the
ability to use: standardized documents or templates for work plans and/or reporting; the ability to use field screening instruments (e.g. XRF); and, the ability to conduct Abbreviated PAs. Sixteen percent responding States (7 of 43) listed other approaches that they believe helped streamline their Site Assessment Programs. Some of these approaches included direct communication with the EPA Site Assessment Manager, Pre-CERCLA Screening, and keeping the program “as-is” since it had already been streamlined in the past to maximize efficiencies. Four respondents indicated that they had not tried any of the approaches, while four States indicated that it was “not applicable”.

Out of the seven respondents without CAs, three States responded “yes” to this question and provided examples of approaches that worked especially well, two States responded “no”, and two States responded “not applicable”. For States with or without CAs, a little less than half of respondents identified approaches that worked especially well. Examples of approaches that worked well for States without a CA included: flexible work plans; field screening technologies (XRF analysis was identified by two States); and, EPA integrated assessments, which included combined PA and SIs for high priority sites, as well as combined removal/site assessments.

**Section 4.2: Approaches/Tools that had Minimal Impact**

Out of 43 respondents who answered the question “Has your State tried any of these approaches and found them not to work well? Please tell us why?” a total of 15 States (35%) have tried some of the approaches listed above and had some issues where they believe there was room for improvement. In reviewing the responses, it appears that communication and relationships between EPA and the States was the biggest issue that impacted the effectiveness of the various approaches that States used in attempting to streamline certain aspects of the Site Assessment Program. The next biggest issue was the amount of time and level of effort that goes into certain work products such as Site Reassessments and evaluating a site for inclusion within the HRS. These responses indicated that the States believe that reporting requirements could be streamlined for Site Reassessments, PAs, and Abbreviated PAs. One State indicated the EPA CLP process is cumbersome and somewhat inefficient.

For States without CAs, two responded “yes” to this question and provided examples of approaches that did not work well, three States responded “no”, and two States provided “not applicable” responses. Of particular note among States without CAs were the two affirmative responding States which both identified State-based internal ranking systems as an approach that did not work well for them.
Section 5: Flexibility

In order to evaluate how much flexibility States have in working with different EPA regions, the Focus Group asked the States:

- “Is your State’s Site Assessment Program allowed the flexibility to choose different approaches to obtaining field and other information based on the site-specific circumstances”?
- “Is your State’s Site Assessment Program allowed to choose technical report formats that suit site-specific circumstances”?
Forty-three States responded to these questions, however, it is important to note that four States (Louisiana, Nevada, Pennsylvania, Washington) of the 43 do not have CAs, which essentially allows them independent flexibility and discretion. Although this question does not technically apply to these four States, they are included in the discussion below with special notes.

**Figure 7: Flexibility in State Site Assessment Programs**

The following 14 States (33%) responded that yes, they have independent flexibility and discretion: Alaska, Arkansas, California, Colorado, Missouri, Nebraska, Nevada, New York, Oregon, Pennsylvania, South Carolina, Texas, Virginia, Wyoming and four confidential States. Note that Pennsylvania and Nevada do not have CAs which means they conduct site assessment work without EPA funding or oversight and automatically have independent flexibility and discretion.

The following 18 States (42%) have flexibility, but only after review and concurrence: Alabama, Delaware, Florida, Georgia, Illinois, Indiana, Maryland, Maine, Michigan, Minnesota, Mississippi, North Carolina, New Jersey, Ohio, Oklahoma, Rhode Island,
Tennessee, Utah and one confidential State. Maryland indicated they discuss their approaches with EPA in advance. Ohio indicated that they work with EPA to find the best approach for an investigation keeping in mind the need for gathering HRS data, but their report format never varies. Florida indicated they use a prescribed approach all the time, but still have flexibility on a case by case basis.

In evaluating the two primary categories of responses above, there were only two readily apparent EPA regional trends. Much of States in EPA Regions 5 and Region 10 have independent flexibility and discretion, while the majority of States in EPA Region 4 have flexibility only after review and concurrence.

New Mexico and one confidential State have a prescribed approach that is used all the time.

The two States included in the “Other” category were Connecticut and Washington. Connecticut indicated they do not conduct PAs or SIs; they primarily review backlog for archive and identify OCA State-lead sites. Washington does not have an EPA CA. They indicated that their State is unique in that their State law, the Model Toxics Control Act (MTCA), is roughly equivalent to CERCLA. The MTCA, passed through the State initiative process, includes a provision to “establish a hazard ranking system for hazardous waste sites.” This process is to provide sufficient sampling data and other information for the department to: a) confirm or rule out a release or threatened release of a hazardous substance, b) identity the substance, c) identify site characteristics that could result in the hazardous substance entering and moving through the environment, d) evaluate the potential for the threat to human health and the environment, and e) determine the hazard rank (1: highest through 5: lowest) relative to all other sites in the State.

Louisiana and Montana are two States that responded they do not conduct site assessment work under a CA. Louisiana reported that they use a standardized Preliminary Evaluation Assessment process to assess potential State sites which ensures uniformity via Standard Operating Procedures (SOPs), guidance documents, and form letters. While Montana does actually have a CA, they related that their agency uses its limited CA funding only to provide management assistance such as identifying State contacts for information and review of PAs and SIs.

Section 6: Recommendations for Site Assessment Improvements

The research tool asked States to provide input on where they saw the need for process improvements within the Site Assessment Program, or processes that could be changed that would result in greater efficiencies. Specifically, the States were
asked “In your experience, which area(s) of the Site Assessment process are in greatest need of process improvements or efficiencies? Please describe what and why”.

Based upon the 43 responses, States identified numerous areas for improvement of the Site Assessment Program in several different categories. States were very specific in many cases about their suggestions and the list below is detailed with the specific suggestions made by more than one State shown in bold.

Communication/Coordination

• **Timeliness of EPA report review process.**
• Improvement of overall EPA and State coordination/communication for input on Site Assessment activities
• More coordination with EPA removal program, especially on non-NPL sites.
• EPA analytical laboratory should communicate when changing procedures, update website and provide training on sampling.
• Implement integrated cross-program assessments to support removal actions.
• Consistency and sharing of improved processes within and between regions.
• Improve knowledge base of EPA contractors on State information resources.

Assessment Process

• Site Assessment Program process for placing site on the NPL is too lengthy.
• Need for a pre-screening process to determine vapor intrusion potential at a site.
• Traditional PA/SI investigations too lengthy and data requirements too rigid.
• Need to reduce time necessary for preliminary sampling at newly discovered sites.
• Site Assessment Program process needs revision to address vapor intrusion and environmental justice issues.
• Need standardized criteria for delineating groundwater plumes to support more efficient remediation.
• Computer based automation for calculating site risk using location and contaminants.
• HRS scoring hotline with expertise available for questions and guidance.
• Duplication of effort on Site Reassessments.

Assessment Documents

• SAPs, QAPPs, SA Reports could be streamlined.
• Document sharing between EPA and the States needs to be in compatible data management system format. • Abbreviated PA form needs revision.
• Standard report format and content doesn’t always meet all needs; outline minimum requirements necessary for report while also allowing flexibility.
• PCS Form with updated Checklist/Decision form would be useful.

Sampling Issues
• **EPA CLP requirements are onerous, guidance needs updating.**
• Flexibility in funding not specific to HRS scoring.
• Flexibility in objectives for State cleanup programs versus HRS sampling goals.
• Applying Triad approach in dynamic way using direct reading/real time measurements.
• HRS process does not support newer field screening and sampling techniques.

CA Application Process
  - Face to face meetings and pre-planning necessary.
  - Flexible work plan approach necessary.
  - Work plan and budget requirements should be program-wide as opposed to line-by-line itemization.

In general, it was apparent that the biggest area with “room for improvement” is related to communication between EPA and the States. States indicated that they wanted better and more timely interaction with EPA as many felt uninformed on updates and process improvements. Following communication, States indicated that they thought having more flexibility with EPA’s processes and corresponding reports would allow States to treat each site differently on a sitespecific basis and not treat them as a “one size fits all” requirement.

For States without CAs, five States provided responses to this question with areas of the Site Assessment process that are in the greatest need for improvement, while two States provided “no” or “non-applicable” responses. Four out of five of the responses provided identified various forms of communication which need improvement, including two States which specifically referenced communication between EPA and the State. This may be due to States without CAs having less regular contact with EPA. Additional areas provided were the identification of orphan sites that pose a significant threat to human health or the environment, improving the knowledge base of EPA contractors, and, better computer automation for tracking site information over time. Web based technologies for site assessment could be a key to improving communication in the Site Assessment Program process between States, EPA, contractors, the public and other stakeholders.
Section 7: Additional State Comments

The final question of the research project was an open opportunity for each respondent to share any additional comments they might have regarding the Site Assessment process. A total of eight States provided comments, which are briefly summarized into categories bulleted below. Full commentary from each State follows the summary.

- **Communication:** New Mexico and Utah both emphasized the importance of continued exchange of information between all participants in the Site Assessment Program process.

- **Sampling:** Alabama highlighted a difference between State and Regional policies regarding sampling protocol which affects the Site Assessment Program process.

- **Different Goals:** Illinois relayed concerns that the multiple positive outcomes of the Site Assessment Program are not recognized by their region; rather the sole focus is limited to NPL outcomes.

- **Funding:** Arkansas and Ohio conveyed concerns for future funding of the Site Assessment Program.

  **Status:** Montana and Rhode Island shared the status of their current Site Assessment Programs.

Alabama – EPA Region 4 - On Sampling: State policy is that samples will be analyzed by State lab. EPA Region 4 CERCLA requires samples to be analyzed by EPA lab. Therefore, no samples are collected.

Arkansas – EPA Region 6 - In my opinion, ADEQ's current Site Assessment process is efficient and produces good results. The primary concern for the site assessment program is funding. Funding for CERCLA site assessment and remediation needs to be increased to address the present and future contaminated sites in Arkansas.

Illinois – EPA Region 5 - Several years ago, the ASTSWMO Site Evaluation Focus Group conducted a research document about the outcomes of the site assessment process. The research showed that there is a lot of positives that come from the program other than NPL listings - however - we keep hearing from our Region that the NPL is the singular goal for the program. This message appears not to have filtered to them.

Montana – EPA Region 8 - Our State superfund program started out relying heavily on EPA to help us investigate sites, now we look for other ways to accomplish this work.
New Mexico – EPA Region 6 - I think this dialogue will be productive in gaining a better understanding on what works well for other States and the reporting requirements that other EPA regions are using.

Ohio – EPA Region 5 - In Ohio, with regard to the SA, Remedial Response (CERCLA) and enforcement programs, we are seeing a decrease in traditional sites (i.e., large, older HW landfill and facilities) entering the system. However, we are seeing a significant increase in dry cleaner and small-PRP (financially challenged) release sites, and potentially in general municipal well field sites. The influx of these sites is challenging (both in number and budget-wise), and we are working on some restructuring to address them (and more expeditiously due to VI issues) in the State system or via EPA's removal program. Recent EPA changes to COC (e.g., TCE, etc.) VI screening levels/models are also a challenge. We are in the process of screening all historical site files in the remedial program for TCE sites, in particular those with sensitive receptors in close proximity, which may result in an increasing number of issues at existing sites, and at future dry cleaner and small-PRP sites. These types of sites present a budget challenge in Ohio as neither a dry cleaner program nor a cleanup fund has been established. The increase in dry cleaner and small-PRP sites may impact/increase our desired use of EPA's SA program, removal program, and sites being advocated for the NPL. Whether EPA will be able to increase future SA program funding to Ohio EPA, and address an increased number of removal program referrals and sites recommended for NPL listing is a big question.

Rhode Island – EPA Region 1 - has a very small Pre-Remedial program with very few sites that are not currently coded OCA-State Lead. Due to our successful VPL and Brownfields program, we have not added any new sites under CERCLA in over 10 years and have not listed any new NPL sites in over 15 years. All site assessment field work done under our Pre-Remedial Cooperative Agreement is conducted utilizing State contractors or EPA contractors.

Utah – EPA Region 8 - Frequent and open communication that facilitates transparency between tribal, State and federal partners would help build and reinforce effective partnerships.
The identification and discussions regarding flexibility and efficiencies or inefficiencies of the Site Assessment Program process contained in this report are intended to result in an increased level of awareness and discussion between EPA and the States regarding areas or processes that would benefit from additional collaboration, training, and possibly policy clarification efforts. These efforts could result in a more streamlined and flexible Site Assessment Program which would reduce the resources required, thereby reducing costs and maximizing the value of work conducted to address a site with the appropriate program in a timely manner to protect human health and the environment. This would result in a win-win situation for both EPA and the States in these times of decreasing funding were limited resources need to be leveraged as much as possible. It’s important to note that many States have employed innovative ways to maximize resource leveraging, however, an increased level of awareness of various resource leveraging techniques employed to date by States would result in an increase of resource leveraging.

With respect to responses provided by States with a CA versus those without a CA is that some of the questions asked were specifically targeted to addressing the EPA’s Site Assessment Program and tools. Responses to those questions showed a marked difference or were identified as “not applicable” or “unknown” by the States without CAs. Other questions were asked about general site assessment activities and efficiencies and there were no noticeable differences between responses from States with CAs to those without. Furthermore, responses to questions by States with a CA varied greatly in many cases indicating a possible lack of awareness regarding a State’s ability to utilize a tool or flexibility under their CA which support the recommendation above for additional efforts to collaborate, train, and clarify EPA’s policies on the process to ensure greater consistency for all States.

Key Findings and Recommendations

The Focus Group developed its key findings and recommendations based on State responses to the Site Assessment Program research tool. The Focus Group offers the following key findings:

- Sixty-seven percent of responding States (29 of 43) indicated that they have flexibility to streamline the documentation process when providing EPA with deliverables;
- Eighty-six percent of the 29 States indicating flexibility in streamlining the document process (25 of 29) have a CA with EPA;
- The States’ use of current tools to streamline the document process, particularly the use of standardized QAPPs with a site-specific SAP (86%), site reassessments (86%),
field screening techniques (75%), and using EPA labs to analyze samples (67%) indicate that these tools are being utilized frequently by States;

- A majority of the States (67%) favor streamlining documentation to improve reports, and the presence of a CA does not appear to have a significant effect on this trend;
- States indicated that they wanted better and more timely interaction with EPA as many felt uninformed on updates and process improvements; and
- States indicated that they thought having more flexibility with EPA’s processes and corresponding reports would allow States to treat each site differently on a sitespecific basis and not treat them as a “one size fits all” requirement.

The Focus Group offers the following recommendations:

- Additional Site Assessment Program federal funding for States would assist States in being able to conduct the necessary evaluation of sites for consideration for additional work and possibly ultimately proposal for listing on the NPL;
- The Site Assessment Program would benefit on a national level from an increased level of awareness by EPA and the States regarding the current status and future developments of the Site Assessment Program areas, policies, or processes. That awareness could be achieved by additional and timely communication, coordination and collaboration (e.g., webinar presentations or training to provide a consistent and uniform message to EPA Regions and the States, and updates and notifications via the EPA Site Assessment Program website);
- Sharing of approaches utilized by different EPA Regions and States for the Site Assessment Process including example documents and/or templates, etc.);
- Training and possibly policy clarification efforts to ensure that EPA Regions and States are aware of the options and flexibility available to them under the Site Assessment Program;
- EPA and the States should have an open and more frequent dialogue regarding available flexibility during the Site Assessment Program process to allow States to treat each site differently on a site-specific basis and not treat them as a “one size fits all” requirement; and
- EPA and ASTSWMO should work together to inform EPA Regions and States of updated EPA guidance and policies offering flexibility during the Site Assessment Program process.

Along with the key findings and recommendations presented above with the goal of working towards a more uniform streamlined and flexible Site Assessment Program for all States, it is also
important to identify the proactive efforts of several States to date to streamline the process and exercise flexibility when possible to gain efficiencies in the process. These successful efforts can be evaluated as a separate effort in conjunction with the recommendations provided above.

In conclusion, the Focus Group believes that the results obtained from use of the research tool and the discussion and analysis of the responses as well as recommendations provided in this report will ultimately support a more uniform, improved, and streamlined process for the States when conducting activities under the Site Assessment Program.
Appendices

Appendix A: ASTSWMO Research Tool

Appendix B: Research Tool Responses - Long Form
(Open-ended questions and associated responses)

Appendix C: Research Tool Responses - Short Form
(Short responses: Yes/No/Not Applicable)