

EXHIBIT 2. WASTE TREATMENT, CONTAINMENT, AND DISPOSAL

When describing waste treatment, containment, and/or disposal, include the following information in the waste disposal matrix:

- Wastestream:* Indicate either the specific type of waste, the particular contaminant(s) of concern, or the general contaminant category: solvents, acids, base neutral solids, cyanide, PCBs, heavy metals (specify), dioxins or furans, halogenated organic compounds, other RCRA-listed wastes (specify), non-hazardous or de-listed wastes.
- Medium:* Choose from wastewater, liquid wastes, organic sludge, solid or solidified waste, contaminated soil or debris, or other medium.
- Quantity:* Select volume, area, or weight. Use exact, standard measurements whenever possible.
- Containment:* Indicate how a wastestream has been contained or how the migration of contaminants was controlled. This may include mitigating exposure to hazardous materials through site security, alternative water supply, relocation of residents, or temporary removal of materials.
- Treatment:* Note the treatment that was used (e.g., precipitation, neutralization, solidification, fixation, stabilization, etc.), or "none," if applicable.
- Disposal:* Note the type of disposal of the wastestream, if applicable. Note if disposal was on site or off site; include specific details such as a company address, city and state.



U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION REPORT
Model Progress/Special POLREP

Maintain consistent information by revising and summarizing previously completed initial or progress POLREPs. See Exhibit 1 on page 10 for a POLREP outline.

I. HEADING

Example:

Date: *January 22, 1992*
Subject: *Whimperton Wire Company Site, Bobsled, New Jersey*
From: *Joan Smith, OSC, U.S. EPA, Region 2, Response and Prevention Branch*
To: *Robert Watson, Director, ERD*
Janet Cohen, Response Operations Branch Chief, Region 2
James Stacks, NJDEP
POLREP No.: *POLREP 19 [Indicate here if this is a special POLREP.]*

II. BACKGROUND

Example:

Site No.: *Q9*
Delivery Order No.: *7334-02-063*
Response Authority: *CERCLA, § 104(a)*
ERNS No.: *30691*
CERCLIS No.: *NJD987654321*
NPL Status: *Final NPL*
State Notification: *NJDEP notified*
Action Memorandum Status: *Approved, October 31, 1991*
Start Date: *November 2, 1991*
Demobilization Date: *N/A*
Completion Date: *N/A*

III. SITE INFORMATION

Summarize this information from either the initial or most recent POLREP. If POLREPs are written often for the site (e.g., weekly), this summary may be as short as one line. If POLREPs are not written at frequent intervals, the summary may be up to six lines in length, or more.

Example: The site is an abandoned steel wire and cable manufacturing facility, and was previously a polymer reclamation facility, located in the residential township of Bobsled, NJ. EPA discovered drums of unknown liquids and solids, chemical treatment baths, compressed gas cylinders, chemical labs, and storage tanks with unknown contents. (Refer to POLREP #1 for more detailed site information.)

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IV. RESPONSE INFORMATION

○ A. Situation

1. Current situation

- Summarize the current situation at the site and the status of the ongoing removal activity, including information pertaining to site conditions, weather (if pertinent), media activity, and other relevant factors. In addition, describe any changes in the situation since the last POLREP.

Example: Work operations have been slowed down this week because of inclement weather and icy conditions.

- If this is a special POLREP, describe the incident or change in circumstances which necessitated a special POLREP. Describe any fires, accidents, or other situations of note, since the last POLREP.

Example: Today the ERRS contractor discovered that Building #22 had been vandalized and that there was extensive damage. All of the contractor's heavy equipment which was stored in the building had been damaged. In addition, hoses to the emergency shower were cut, and a generator, a power washer, and a compressor were damaged. Thirty drums containing flammable liquids were also vandalized. Approximately 1,200 drums containing liquid wastes, including cyanide, are stored in the building near the equipment. The technical assistance contractor took photographs of the damage. The OSC ordered all personnel off the site for demobilization. The township police and county sheriff were notified of the damage, and of the risk in entering the building. As of this date, site activities have ceased until the police arrest the miscreants and assure the OSC of safety for all site personnel.

2. Removal activities to date

- Describe removal activities undertaken since the last POLREP, including mobilization, sampling and analysis, waste containment (at a minimum include the information required in section VI of the POLREP), and community relations activities. Describe any fires, accidents, or other situations of note since the last POLREP.

Example: A 60-foot manlift was rented to investigate on-site buildings with catwalks. The ERRS contractor discovered nearly 200 5-gallon containers on the catwalks of buildings in quadrant I.

The ERRS contractor continued to collect drums and cylinders from the interior of buildings in quadrant I. In addition, the ERRS contractor completed color-coding the drums. Seven different wastestreams have been designated. Base neutral

MODEL PROGRESS/SPECIAL POLREP

solids were bulked into 15 rolloff containers of 30 cubic yards each. Five thousand gallons of acids have been bulked into 55-gallon drums.

- Discuss State and local agency involvement, including any request for EPA assistance; any State or local agency cooperation in assessing the incident and threats; any "first responder" or other actions taken by State or other agencies to protect public health and the environment; and whether State or other agency personnel remain at the site. If there has been no change since the last POLREP, skip this section.

For a special POLREP:

Example: The township police and county sheriff have provided assistance in preparing reports on the vandalism and documenting the results of the vandalism.

3. Enforcement

- Indicate whether EPA or State enforcement activities have been initiated.

Example: Nineteen PRPs have been identified, and notification letters under Section 107(a) of CERCLA have been sent by the Removal Enforcement Section.

B. Planned Removal Activities

- Discuss the planned removal activities as outlined in the Action Memorandum. Summarize the information from the initial POLREP, unless a subsequent Action Memorandum was written. If there has been no change since the last POLREP, refer the reader to the initial POLREP and skip this section.

Example: Phase 1 (site stabilization measures) of the removal activity continues in all four quadrants of the site. Drums and aboveground tanks are being sampled and analyzed on site. Loose asbestos from the buildings will then be removed and containerized on site, pending disposal. Phase 2 will consist of the off-site transport and disposal of materials stored during Phase 1.

- If this is a special POLREP, include any additional planned removal activities as a result of the special situation.

Example: As a result of the vandalism, the OSC is currently preparing a Request for Ceiling Increase and exemption from the \$2 million funding limitation. This will increase the cost ceiling and will expand the scope of the removal activity originally outlined in the Action Memorandum.

C. Next Steps

- Describe plans for ongoing removal activity, including waste analysis, containment, and cleanup; enforcement; planned meetings with local

MODEL PROGRESS/SPECIAL POLREP

or Regional environmental or enforcement agencies; and community relations activities.

Example: As sampling and analysis of the drums proceeds, drums will be segregated and color-coded according to wastestream.

Arrangements will be made for a lab pack company to remove lab packs with known contents for recycling or disposal.

Twenty-four hour site security will continue to be provided by Personal Investments, Inc., the lien holder.

For a special POLREP:

Example: The OSC will await advice and counsel from EPA management regarding mobilization of ERRS and continuation of site activities.

D. Key Issues

- Identify any problem areas.

Example: All site personnel were temporarily demobilized due to the vandalism in Building #22. This necessitated a change in the scope of work. The delay in completion of the removal, combined with the cost for additional site security, has raised the costs well beyond the project ceiling approved in the Action Memo.

- For a special POLREP, identify any problem areas. Indicate if a change in the scope of the response is required because of the special situation.

Example: As a result of the vandalism, the OSC is preparing a Request for Ceiling Increase requesting an emergency exemption from the \$2 million funding limit and a change in the scope of work.

- Discuss measures which could have been taken or are being taken to avoid future releases or incidents of a similar nature.

Example: With the assistance of the N.J. State Police and the U.S. Marshal, a revised site safety plan is being prepared. The OSC will meet with FBI agents to request a Federal investigation of violence and vandalism at this site in order to better address future site security measures.

V. COST INFORMATION

- Provide detailed current cost information for the site using the RCMS daily cost summary. The table below lists examples of cost information that OSCs should provide. To the extent practicable, all expenditures relevant to the site should be noted in the POLREP. OSCs should also indicate any anticipated future funding needs.

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<i>Example:</i>		<i>Cost To Date</i>
ERRS Contractor	\$	850,195
LAGs		30,000
Letter Contracts		N/A
Extramural Cleanup Contractor Costs		880,195
TAT/START Contractor Costs		98,164
CLP Analytical Services		N/A
REAC		N/A
Intramural Direct Costs (HQ, Regions, ERT)		107,000
Intramural Indirect Costs		184,136
Total Intramural Costs		291,136
TOTAL	\$	<u>1,269,495</u>
⊙ Project Ceiling	\$	1,800,000
⊙ Percent of Project Funds Remaining		29.5%

Individual Regions should note ceilings for ERRS, TAT/START, or other line items if such ceilings are maintained. In addition, Regional offices may track other costs not mentioned here according to Regional practices, provided that the required cost information is included in the Cost Information section.

For a special POLREP:

<i>Example:</i>		<i>Cost To Date</i>
ERRS Contractor	\$	865,847
LAGs		35,000
Letter Contracts		N/A
Extramural Cleanup Contractor Costs		900,847
TAT/START Contractor Costs		117,000
CLP Analytical Services		N/A
REAC		N/A
Intramural Direct Costs (HQ, Regions, ERT)		146,000
Intramural Indirect Costs		201,000
Total Intramural Costs		347,000
TOTAL	\$	<u>1,364,847</u>
⊙ Project Ceiling	\$	1,800,000
⊙ Percent of Project Funds Remaining		24.2%

NOTE: Because building #22 was vandalized, the OSC is preparing a Request for Ceiling Increase to obtain an emergency exemption from the \$2 million funding limit.

- Include the following statement in all POLREPs:

The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

MODEL PROGRESS/SPECIAL POLREP

VI. DISPOSITION OF WASTES

- Using the waste disposal matrix below, list the wastestreams identified, and note the medium and quantity affected. For each wastestream, indicate the planned or actual disposition (e.g., containment, treatment, or disposal). See Exhibit 2 on page 17 for more information on recording site wastes.
- Abbreviations may be used in the matrix and clarified in the text of the POLREP. Keep each individual wastestream separate. The matrix should be cumulative: add incremental figures to the data noted in any previous POLREP. If a wastestream was removed off site after being contained, delete the information entered for that wastestream from the containment category and add it to the disposal category. **Containment and disposal should not both be denoted for the same wastestream.** See Exhibit 2 on page 17 for more information.

Example:

<i>Wastestream</i>	<i>Medium</i>	<i>Quantity</i>	<i>Containment - Migration Control</i>	<i>Treatment</i>	<i>Disposal</i>
<i>Base neutral solids</i>	<i>Solid wastes</i>	<i>450 cu yd</i>	<i>Bulked & overpacked</i>	<i>None</i>	
<i>Acids</i>	<i>Liquid wastes</i>	<i>5,000 gal</i>		<i>Recycled</i>	<i>Everclear Products Camden, NJ</i>

U.S. ENVIRONMENTAL PROTECTION AGENCY
 POLLUTION REPORT
 Model Final POLREP

Maintain consistent information by revising and summarizing previously completed initial or progress POLREPs. See Exhibit 1 on page 10 for a POLREP outline.

I. HEADING

Example:

Date: September 1, 1993
 Subject: Whimperton Wire Company Site, Bobsled, New Jersey
 From: Joan Smith, OSC, U.S. EPA, Region 2, Response and Prevention Branch
 To: Robert Watson, Director, ERD
 Janet Cohen, Response and Operations Branch Chief, Region 2
 James Stacks, NJDEP
 POLREP No.: POLREP 42 and Final⁸

II. BACKGROUND

Example:

Site No.: Q9
 Delivery Order No.: 7334-02-063
 Response Authority: CERCLA, § 104(a)
 ERNS No.: 30691
 CERCLIS No.: NJD987654321
 NPL Status: Final NPL
 State Notification: NJDEP notified
 Action Memorandum Status: Approved, October 31, 1991
 \$2 million exemption - May 14, 1992
 12-month exemption - October 3, 1992
 Start Date: November 2, 1991
 Demobilization Date: August 31, 1993
 Completion Date: September 1, 1993

⁸ See footnote 3 in the initial POLREP section of this volume. If there is only one POLREP for the removal, refer to the model of the initial and final POLREP in Appendix A to ensure that the information requirements of both the initial and the final POLREP are met.

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Note: The response is considered complete when all actions at the site are complete and any wastes sent off site for treatment and/or disposal have been received at the off-site facility. Indicate the actual date that the objective of the response (including any off-site treatment or disposal) was achieved. Write the final POLREP immediately after the removal activity is complete. The date of the final POLREP is the removal completion date for the Statute of Limitations.

III. SITE INFORMATION

Summarize this information from either the initial or the most recent POLREP.

Example: The site is an abandoned steel wire and cable manufacturing facility, and was previously a polymer reclamation facility, located in Bobsled, NJ. EPA conducted a preliminary assessment at the request of the local authorities and discovered drums containing unknown liquids and solids, chemical treatment baths, chemical labs, and storage tanks with unknown contents. (Refer to POLREP #1 for more detailed site information.)

IV. RESPONSE INFORMATION

A. Situation

1. Current situation

- Describe any changes in the situation since the last POLREP.

2. Removal activities to date

- Describe removal activities undertaken since the last POLREP, including waste containment/disposal (at a minimum include the information required in section VI of the POLREP), and community relations activities. Describe any situation of note since the last POLREP.

Example: On August 31, 1993, the OSC demobilized site security. He later attended the kick-off public meeting called by remedial personnel.

- Describe any State or local agency cooperation in assessing the incident and threats; any action taken by State or other agencies to protect public health and the environment; and whether any State or other agency personnel remain at the site.

3. Enforcement

- Indicate the status of EPA or State enforcement activities.

Example: Nineteen PRPs were identified and notification letters under Section 107(a) of CERCLA were sent by the Removal Enforcement Section. There was no response.

B. Planned Removal Activities

- Discuss the removal activity as outlined in the Action Memorandum.

C. Next Steps

- Describe plans for any further site activity, including any post-removal site control; waste analysis, containment, and cleanup; enforcement; planned meetings with local or Regional environmental or enforcement agencies; and community relations activities.

- Discuss the status of the OSC Report and the expected completion date. If applicable, indicate any future site activities (e.g., PRP, remedial, or State).

Example: Preparation of the OSC Report will begin next week and will be submitted by December 1, 1993.

D. Key Issues

- Identify any problem areas.
- State how the objectives set forth in the Action Memorandum were achieved through the removal activity. Specifically address any wastes remaining on site, including those which are contained. Document how threats to human health and the environment have been reduced or eliminated.

Example: Access to the site has been restricted by fencing and 24-hour guard service. Long-term security will now be addressed by the remedial personnel as they address continued cleanup of this NPL site. All surface hazardous materials have been shipped off site and no further surface contamination remains. The remedial staff will also be addressing groundwater contamination issues.

V. COST INFORMATION

- Provide detailed final cost information for the site using the RCMS daily cost summary. The table below lists examples of cost information that OSCs should provide. Individual Regions should also note ceilings for ERRS, TAT/START, or other line items if such ceilings are maintained. To the extent practicable, all expenditures relevant to the site should be noted in the POLREP. Final cost information should be as detailed as possible.

MODEL FINAL POLREP

<i>Example:</i>		<i>Cost To Date</i>
<i>ERRS Contractor</i>	\$	2,788,444
<i>LAGs</i>		47,000
<i>Letter Contracts</i>		N/A
<i>Extramural Cleanup Contractor Costs</i>		2,835,444
<i>TAT/START Contractor Costs</i>		168,353
<i>CLP Analytical Services</i>		N/A
<i>REAC</i>		N/A
<i>Intramural Direct Costs (HQ, Regions, ERT)</i>	200,000	
<i>Intramural Indirect Costs</i>	299,569	
<i>Total Intramural Costs</i>		499,569
<i>TOTAL</i>	\$	<u>3,503,366</u>
⊙ <i>Project Ceiling</i>	\$	3,600,000
⊙ <i>Percent of Project Funds Remaining</i>		2.7%

- Include the following statement in all final POLREPs:

The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data, which the OSC must rely upon, may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

VI. DISPOSITION OF WASTES

- Using the waste disposal matrix below, list the wastestreams identified, and note the medium and quantity affected. For each wastestream, indicate the planned or actual disposition (e.g., containment, treatment, or disposal). See Exhibit 2 on page 17 for more information on recording site wastes.
- Abbreviations may be used in the matrix and clarified in the text of the POLREP. Keep each individual wastestream separate. The matrix should be cumulative: add incremental figures to data noted in any previous POLREP. If a wastestream was removed off site after being contained, delete the information entered for that wastestream from the containment category and add it to the disposal category. Containment and disposal should not both be denoted for the same wastestream. See Exhibit 2 on page 17 for more information.

Example:

<i>Wastestream</i>	<i>Medium</i>	<i>Quantity</i>	<i>Containment - Migration Control</i>	<i>Treatment</i>	<i>Disposal</i>
<i>Base neutral solids</i>	<i>Solid wastes</i>	<i>450 cu yd</i>		<i>Landfilled</i>	<i>Chemical Management Fort Wayne, IN</i>
<i>Acids</i>	<i>Liquid wastes</i>	<i>5,000 gal</i>		<i>Recycled</i>	<i>Everclear Products Camden, NJ</i>

See Exhibit 3, the POLREP Review Checklist, on the next page.

POLREP REVIEW CHECKLIST

EXHIBIT 3. POLREP REVIEW CHECKLIST

The following checklist has been developed to help OSCs ensure that all POLREPs are completed correctly. Though the four types of POLREPs (initial, progress, special, and final) are similar in format, each requires information specific to it. **POLREPs should not include subjective judgments, draw conclusions which are not fact-based, express unsubstantiated opinions, or discuss the legality of actions or events.** The items marked with an asterisk (*) are common to all POLREPs.

The completed POLREP has:

— Provided the necessary administrative information:

- Dates*
 - today's date*
 - start date*
 - demobilization date
 - completion date
- Name of the person sending the POLREP*
- Names of the persons to whom the report is sent*
- Site name*
- POLREP number*
- Site identification number*
- Delivery Order (D.O.) number*
- ERNS/CERCLIS numbers*
- NPL status*
- Response authority*
- State notification*

— Described the incident thoroughly by including:

- Incident category
- Site description
 - coordinates
 - location
 - acreage
 - ownership
 - past and present site activities
- Details of the incident or release
 - date
 - reasons, causes, PRPs

EXHIBIT 3. POLREP REVIEW CHECKLIST (Continued)

The completed POLREP has (continued):

- Detailed the results of the preliminary assessment/site inspection:
 - Contaminants, if known
 - Quantity (e.g., number of drums, gallons)
 - Nature of the threat

- Indicated the status of the Action Memorandum:*
 - Approval date, if applicable
 - Approval date of ceiling increase and/or exemption, if applicable

- Described the planned and/or completed response activities (as detailed in the Action Memorandum):*
 - Enforcement activities
 - State and/or other agency involvement
 - Information on the amount and types of wastes which were contained, treated, and/or removed from the site
 - Results achieved

- Discussed community relations actions, including planned activities.

- Identified problem areas.*

- Provided detailed, current cost information for the site:*
 - Project ceiling
 - Total cost to date
 - Percent remaining

- Provided accurate, consistent data on site wastes:*
 - Type/medium
 - Quantity
 - Containment/migration control
 - Treatment
 - Disposal



SECTION II

OSC REPORT GUIDANCE

OSC Reports are concise and comprehensive documents that best summarize the removal activities at a site, the effectiveness of those activities, and the resources committed. OSC Reports present discussions of removal site problems, views on improvements, or cautions which need to be shared with the National Response Team (NRT), Regional Response Team (RRT), and other OSCs. OSC Reports are used by Headquarters and Regional management to observe the implementation of Superfund regulations and policies in the field. OSC Reports are available to the public and other agencies for information purposes.



OSC REPORTS

Purpose

An OSC Report provides a written summary of a removal activity, recording the situation as it developed, the actions taken, their effectiveness, the resources committed, and the problems encountered. OSC recommendations are summarized. The OSC Report is the most concise and comprehensive document pertaining to a particular site. When completed and distributed according to requirements of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), the OSC Report can serve as the primary vehicle for conveying important information on technologies used and lessons learned at a site to other OSCs and to Superfund managers.

Section 300.165 of the NCP requires that within one year of completion of removal activities at a site, the OSC submit a complete report of the removal activity. EPA expects, however, that OSC Reports will be written as soon as practicable. Each OSC Report must follow the standard model discussed in this guidance to ensure compliance with NCP requirements and consistent reporting procedures.

While the NCP does not specifically require an OSC Report for a PRP-lead site, preparation of one is common in many Regions. The title of the report may differ across the Regions, but its general format and content are similar to those of an OSC Report. The Administrative Order often stipulates that the PRP prepare a Final Report upon completion of a response. Even if the Order does not specifically require it, OSCs should encourage the PRP to prepare a Final Report, using the same format as that required for a Fund-lead removal (excluding inappropriate sections). It is recommended that OSCs overseeing/monitoring the PRP response review and approve the Final Report before it is distributed. Final Reports at PRP-lead sites are important sources of information for historical and research purposes.

The emphasis of the Superfund program is on cross-program coordination, communication, and integration of expertise and resources to achieve risk reduction and site cleanup quickly and efficiently. Preparation and distribution of OSC Reports or Final Reports for both Fund-lead and PRP-lead removal activities will aid in sharing valuable information across the Regions.

Users and Uses of OSC Reports

OSC Reports serve an important function in the Superfund program. The National Response Team (NRT) and Regional Response Teams (RRTs) use OSC Reports for transferring information on technologies used and lessons learned at sites throughout the national response system, and for developing training programs for OSCs. Regional Counsel, Department of Justice attorneys, and Regional cost recovery staff use OSC Reports as a convenient summary of the history of a removal activity when

OSC REPORTS

EXHIBIT 4. OSC REPORT USAGE

Users of OSC Reports	Uses of OSC Reports	Information Important to Users
On-Scene Coordinators and Regional Program Management	As a reference tool for questions on similar site conditions and activities, and as a historical record of the removal. To fill out CERCLIS Removal Information Forms (CRIFs).	Incident description and details of removal activities. Chronology of events. Contaminants and threats. Treatment or disposal approaches used or pursued.
Regional Cost Recovery and Regional Counsel Staff Department of Justice	As a historical record of the removal activity and the results achieved to support cost recovery.	Incident description and details of removal activities. Chronology of events. Treatment or disposal approaches used or pursued. Results achieved. Rationale for changes to scope of work.
Headquarters (EPA) Program Management	As a tool to evaluate program policies, guidance, regulations, and operations. As a reference tool for responding to inquiries from the public, Congress, EPA's Inspector General, and the General Accounting Office (GAO).	Difficulties encountered. Recommendations.
Regional Response Teams	As an advisory or informational tool. For cross-transfer of technology between EPA and USCG.	Treatment or disposal approaches used or pursued. Impact of incident on natural resources at the site.
National Response Team	For conveying lessons learned and developing training efforts for OSCs.	Effectiveness of the removal and coordination efforts. Difficulties encountered. Recommendations.
Local Communities/ Media	As a historical record, for research and public interest.	Incident description and details of removal activities, including treatment or disposal approaches used or pursued. Results achieved. Rationale for changes to scope of work.
Potentially Responsible Parties	As a historical record to prepare legal defense and as a source for evidence in legal proceedings.	Incident descriptions and details of removal activities. Attachments to the report (maps, correspondence, pictorial evidence). Treatment or disposal approaches used or pursued. Results achieved and costs incurred.

prosecuting a cost recovery case. Superfund program managers, focusing primarily on difficulties encountered at sites and on the recommendations of OSCs, use OSC Reports to evaluate program policies and regulations and to make appropriate adjustments. **Exhibit 4 summarizes the primary uses of OSC Reports, and the information within OSC Reports that is important to the users.**

The value and usefulness of OSC Reports is directly related to their completeness, quality, and timely distribution. OSCs should be aware of the important role they serve as preparers of OSC Reports, and ensure that OSC Reports conform to the guidelines. OSC Reports that do not adequately address all of the information requirements may result in delayed recognition of technological innovations; more complex, costly, and time-consuming cost recovery efforts; and extra work searching for missing data. Ensuring that the information needs of OSC Report users are met will maximize the value and usefulness of these documents to the Superfund program.

Timeliness of Preparation

Section 300.165 of the NCP requires OSCs to prepare and submit OSC Reports to the RRTs within one year from the completion of the removal activity [1]. However, OSC Reports should be completed and submitted as soon as is practicable. For removals of short duration (i.e., lasting less than 30 days), preparation of OSC Reports should begin as soon as possible and availability should be within six months of the date of completion of the removal action.⁹ By preparing and submitting the reports in a timely manner, OSCs can facilitate the transfer of current information to benefit other OSCs and the Superfund program.

Preparation of OSC Reports should be initiated at the onset of the removal action. This strategy will make it easier to meet the required submission deadline, and contribute to orderly and early report preparation.

Format and Information Requirements

In compliance with section 300.165 of the NCP, OSC Reports are to strictly follow the format outlined below, and should briefly cover all of the topics listed. The use

⁹ The Preamble to the NCP, Section 300.165 states: "For removals of short duration (e.g., lasting less than 30 days), OSC reports should be available within six months of completion of the removal action because there is less to report."

OSC REPORTS

of a uniform and familiar format by all ten Regions will make accessing information from any OSC Report easier for all users. Because detailed information regarding day-to-day events at a site may be found in the site file, do not attempt to include or duplicate all of this information in the OSC Report, but rather summarize and refer to it. The OSC Report should contain only information listed in the format provided. References should be made to supplemental documents which may, if necessary, be placed in an addendum to the Report.

OSC Reports are to contain **only factual information concerning the site**. Specifically, in describing the effectiveness of removal activities and in listing the difficulties encountered, **do not make subjective judgments, draw conclusions which are not fact-based, or discuss the legality of actions or events**. Rather, allow readers to decide for themselves. For example, rather than saying that the cleanup contractor did a great job, say that the contractor arrived on site with all the proper equipment and with personnel ready to work; or, rather than saying that the contractor's performance was unsatisfactory, say that the contractor took three weeks to obtain the necessary equipment. Presenting the information as objective statements of fact will minimize any possible adverse effects on cost recovery efforts, and will indicate to Superfund managers issues that require investigation, evaluation, or communication to others.

There is no minimum or maximum length requirement for OSC Reports, but they should be as concise as possible. OSC Reports for relatively routine and low cost removal activities, such as the removal of a few drums or the building of a fence, should be especially brief, unless particular attention needs to be brought to any site-specific issue. For more complex and costly removal activities, especially those involving communication and coordination among numerous agencies or the use of an innovative or alternative technology, or where significant natural resource damage has occurred, OSC Reports should include the level of detail needed to ensure that other OSCs and the removal personnel will profit from the lessons learned.

In meeting all reporting requirements for OSC Reports, pay particular attention to the Difficulties Encountered and Recommendations sections, which are valuable to the national response system. Because they are the focus of OSC Report reviews by program managers, OSCs' constructive recommendations are most likely to benefit the Superfund program.

Remember to address all of the outlined information requirements. If an item or issue is not relevant to the removal conducted, indicate this fact so that the reader does not make assumptions about why the information is missing.

Exhibit 5 presents the standard outline for OSC Reports.

EXHIBIT 5. OUTLINE OF AN OSC REPORT

Title Page*

Executive Summary*

- I. Summary of Events**
 - A. Site Conditions and Background
 - 1. Initial situation
 - 2. Location of hazardous substance(s)
 - 3. Cause of release or discharge
 - 4. Efforts to obtain response by responsible parties
 - B. Organization of the Response
 - C. Injury/Possible Injury to Natural Resources
 - 1. Content and time of notice to natural resource trustees
 - 2. Trustee damage assessment and restoration activities
 - D. Chronological Narrative of Response Actions
 - 1. Threat abatement actions taken
 - 2. Treatment/disposal/alternative technology approaches pursued
 - 3. Public information and community relations activities
 - E. Resources Committed
- II. Effectiveness of Removal Actions**
 - A. Actions Taken by PRPs
 - B. Actions Taken by State and Local Forces
 - C. Actions Taken by Federal Agencies and Special Teams
 - D. Actions Taken by Contractors, Private Groups, and Volunteers
- III. Difficulties Encountered**
 - A. Items that Affected the Response
 - B. Issues of Intergovernmental Coordination
 - C. Difficulties Interpreting, Complying with, or Implementing Policies and Regulations
- IV. Recommendations**
 - A. Means to Prevent a Recurrence of the Discharge or Release
 - B. Means to Improve Response Actions
 - C. Proposals for Changes in Regulations and Response Plans

* Suggested for inclusion.

OSC REPORTS

OSC Report Attachments

The OSC Report should be short and concise. While POLREPs, correspondence, and Action Memoranda are valuable sources of information, the unnecessary inclusion of these documents increases the bulk of the OSC Report. To the extent permissible by Regional practices and procedures, avoid attaching supplemental documents to the OSC Report. Instead, include a list of these additional documents and where they can be found (e.g., site file). Where it is necessary to include other documents, they should be placed in an addendum to the Report.

OSC Report Distribution

As of the date of this document, section 300.165 of the NCP requires OSCs to submit OSC Reports to the RRTs within one year of the completion of the removal activity[1]. At the same time, copies of OSC Reports are to be sent to the Secretary of the NRT and to the Director of ERD.

OSC Reports must be submitted to RRTs, the Secretary of the NRT, and the Director of ERD.

This minimum distribution increases the awareness of program managers and members of the national response system to issues of concern to OSCs, and prepares ERD to respond to inquiries from the public, Congress, the Office of the Inspector General, and the General Accounting Office about actions taken at sites. The reports should be organized, indexed, and stored in the Region for easy access.

When information about a removal action is of special significance to other OSCs and to the removal program, use the Cleanup Information (CLU-IN) Bulletin Board System at (301) 589-8366 (formerly OSWER BBS) for wide and expeditious distribution of this special information, even before the OSC Report becomes available.

OSC REPORT REVIEW PROCEDURES

Thorough review procedures will eliminate typographical errors and organizational problems, avoid unnecessary delays in report distribution, and ensure that the OSC Report addresses the reporting criteria outlined in the NCP and this document.

Each Region should allot time for adequate review of the OSC Report and adhere to a consistent review process. In addition to a thorough proofreading for typographical errors and other minor problems, OSCs should refer to the checklist provided in Exhibit 10 on page 61 to ensure that the OSC Report meets NCP requirements. When possible, the OSC Report should be reviewed by people not involved in the preparation of the document, to provide a fresh perspective and to help the OSC evaluate its usefulness to other OSCs and Superfund program managers.

The OSC should give the Office of Regional Counsel an opportunity to review the OSC Report before it is finalized and distributed. This is especially crucial if the details of the Report relate to:

- Pending or anticipated civil or criminal litigation
- Possible responsibility of the United States or an agency of the United States for a release or discharge

A model OSC Report that addresses the regulatory requirements for OSC Reports is presented on pages 43 to 60. Examples are provided.



Title Page

[Regional Letterhead]

FEDERAL ON-SCENE COORDINATOR'S REPORT

[Site, NPL Status]
[Location]

[Project Dates]

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY