PEP-ENVIRONMENTAL COMPLIANCE MEMORANDUM SERIES NO. 10-2

To: Heads of Bureaus and Offices

From: Michaela E. Noble, Director /s/09/18/2018
Office of Environmental Policy and Compliance


PURPOSE

The Office of Environmental Policy and Compliance (OEPC) is issuing this Environmental Compliance Memorandum (ECM) under the authority provided in Department Manual, Series 17, Part 381, Chapter 4 (381DM4) to convey instructions and guidance through the Environmental Memoranda Series. This ECM updates guidance on the surnaming process for a CERCLA ROD.

BACKGROUND

The guidance has been reviewed by each of the bureau representatives on the CHF’s Technical Review Committee. If you have any questions, please contact Mr. Jamey Watt, CHF Program Coordinator, by email at jamey_watt@ios.doi.gov or by phone at 202-208-6129.

Attachment

cc: REOs
The Office of Environmental Policy and Compliance (OEPC) is issuing this Environmental Compliance Memorandum (ECM) under the authority provided in Department Manual, Series 17, Part 381, Chapter 4 (381DM4) to convey instructions and guidance through the Environmental Memoranda Series. This ECM provides guidance concerning the surnaming process for a Record of Decision (ROD) issued pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The issuance of a CERCLA ROD requires the signature of the Assistant Secretary - Policy, Management and Budget (AS-PMB). The authority of the AS-PMB to issue a CERCLA ROD is provided in Department Manual, Series 3, Part 209, Chapter 4 (209DM4).

At any site where a bureau is undertaking a response action pursuant to CERCLA authority, and is selecting a remedial action for the cleanup of that site, the bureau shall prepare a ROD based upon the Proposed Plan previously issued by the bureau which identifies the bureau's preferred alternative from among those evaluated in the Feasibility Study. The Proposed Plan and ROD shall be prepared consistent with EPA's *A Guide to Preparing Superfund Proposed Plans, Records of Decision, and Other Remedy Selection Decision Documents* (OSWER 9200.1-23P, July 1999).

In order for a ROD to be approved by the AS-PMB, a surname package comprising of a copy of the ROD and a briefing memorandum summarizing site conditions and the primary components of the remedy being selected, must be signed by the bureau Director (or the Director's designee), the bureau’s Deputy Assistant Secretary, and the Solicitor (or the Solicitor's designee). The bureau is responsible for obtaining each of these signatures before the surname package is forwarded on to OEPC. The bureau should coordinate with the Solicitor's Office, Branch of Environmental Compliance and Response, to obtain surnames from the Solicitor's Office.

OEPC will rely on the bureau's representative on the Technical Review Committee of the Central Hazardous Materials Fund as the bureau's point of contact in completing this surname process. Upon completion of the process outlined above, the ROD surname package should be sent to the Director of OEPC, in order to move the ROD package forward for signature by AS-PMB.