

Data Quality Record for Strategic Measures

Strategic Measure Text: By September 30, 2022, make 255 additional Superfund sites ready for anticipated use (RAU) site-wide.

Goal Number/Objective: Goal 1: Core Mission/Objective 1.3: Revitalize Land and Prevent Contamination

NPM Lead: Office of Land and Emergency Management (OLEM)

1a. Purpose of Strategic Measure:

The intent of reporting the Superfund site wide ready for anticipated use, or SWRAU, measure is to track EPA's progress in cleaning up and preparing Superfund sites for reuse, while ensuring human health and environmental protection. A positive trend for the SWRAU measure conveys that the Agency is demonstrating progress making sites ready for their anticipated use and ensuring institutional controls are in place.

The SWRAU measure reflects the importance of considering future land use as part of the cleanup process by tracking the number of sites meeting the following criteria:

- All aspects of the cleanup are in place and have been achieved for any media that may affect current and reasonably anticipated future land uses, so that there are no unacceptable risks.
- All land use restrictions or other controls required as part of the cleanup are in place.

Sites are final or deleted National Priorities List (NPL) sites, or [Superfund Alternative Approach \(SAA\)](#) sites.

1b. Performance Measure Term Definitions:

Site: The term "Sites" refers to Superfund NPL and SAA sites. The term "site" itself is not explicitly defined under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) or by the Superfund program; instead "site" is defined indirectly in CERCLA's definition of "facility," as follows: "The term 'facility' means (A) any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft, or (B) any site or area where a hazardous substance has been deposited, stored, disposed of, or placed, or otherwise come to be located; but does not include any consumer product in consumer use or any vessel." ¹¹ (CERCLA, Title I, Section 101).

NPL: Sites are listed on the NPL upon completion of Hazard Ranking System (HRS) screening, public solicitation of comments about the proposed site, and final placement of the site on the NPL after all comments have been addressed. The NPL primarily serves as an information and management tool. It is a part of the Superfund cleanup process and is updated periodically. Section 105(a)(8)(B) of CERCLA as amended, requires that the statutory criteria provided by the HRS be used to prepare a list of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States. This list, which is Appendix B of the National Contingency Plan, is the NPL. Visit the HRS Toolbox (<https://www.epa.gov/superfund/hrs-toolbox>) page for guidance documents that are used to determine if a site is a candidate for inclusion on the NPL.

SAA: When a liable potentially responsible party (PRP) demonstrates it is viable and cooperative, EPA regional offices, at their discretion, may enter into a SAA agreement with the PRP to facilitate the cleanup of a site. The SAA uses the same investigation and cleanup process and standards that are used for sites listed on the NPL. The SAA is generally the Agency's preferred enforcement approach for CERCLA non-NPL sites that are NPL-caliber, where feasible and appropriate.

SWRAU: For the entire construction complete NPL or SAA site: All cleanup goals in the Record(s) of Decision or other remedy decision document(s) have been achieved for media that may affect current and reasonably anticipated future land uses of the site, so that there are no unacceptable risks; and all institutional or other controls required in the Record(s) of Decision or other remedy decision document(s) have been put in place.

The Human Exposure determination for sites that qualify for the SWRAU measure should either be: "Current Human Exposure Controlled and Protective Remedy in Place"; or "Long-Term Human Health Protection Achieved."

In addition, all acreage at the site must be Ready for Anticipated Use (RAU) (i.e., the Superfund Remedial/Federal Facilities Response Universe Acres minus the total RAU Acres must be zero). Acreage information for SWRAU sites is tracked and reported at the end of each fiscal year. There are no acreage targets at this time. Acreage on the Superfund checklist for reporting the SWRAU GPRA measure should match SWRAU data in the Superfund Enterprise Management System (SEMS).

See the most recent Superfund Program Implementation Manual (SPIM), which is updated each fiscal year, for additional definitions and documentation/coding guidance for Superfund measures. The most current SPIM can be found here: <https://semspub.epa.gov/work/HQ/191074.pdf>

1c. Unit of Measure: The unit of measure is number of sites. The calculation includes NPL and SAA sites. Acreage associated with sites is collected but not part of target setting.

2a. Data Source:

The SWRAU determination is made directly in SEMS once it is determined that the site meets all required criteria and has been approved as such by appropriate regional personnel. EPA regional staff review and determine SWRAU status at the site and adjust SEMS records as needed. Determinations are made on a regular basis with no set schedule, as the data are entered real-time. Consequently, determinations vary by site.

The SEMS data system meets all relevant EPA quality assurance standards. OLEM's Office of Superfund Remediation and Technology Innovation (OSRTI) data sponsor at EPA headquarters reviews and approves /disapproves regional determinations of SWRAU using data from SEMS. In addition to entering SWRAU determinations directly into SEMS, EPA regional offices submit hard copies of the Superfund checklists for reporting the SWRAU GPRA measure to headquarters. The data sponsor works with regional staff to ensure that determinations follow Superfund program guidance. The data sponsor is responsible for:

- Ensuring that the correct data enters the system on a real-time basis, as the program/site plans and accomplishments change;
- Assuring procedures for determining that a site's SWRAU eligibility has been accomplished; and,
- Flipping the special initiative flag in SEMS once a site is determined to be SWRAU, and running audit and confirmatory reports from SEMS to ensure the information is accurate and up to date.

The project manager for SEMS oversees and is the approving authority for quality-related SEMS processes, and is closely supported by a contract task manager. The lead point of contact for information about the data from SEMS is the Chief, Information Management Branch, in OLEM's OSRTI.

2b. Data Needed for Interpretation of (Calculated) Performance Results:

The SWRAU baseline was established in 2006. There are 194 sites included in the baseline. Performance results are reported annually. The universe includes Superfund sites on the NPL and official SAA sites.

3. Methodology:

The unit of measure is number of sites. The calculation includes NPL and SAA sites. The number of sites is aggregated on an annual basis and is presented as a "net" number due to retractions. If an EPA regional office retracts a site from the SWRAU measure because it no longer meets SWRAU criteria, the region must still achieve its net SWRAU goal. For example, if a region has a goal of achieving a SWRAU designation for 10 sites, but retracts two that year, the region must identify 12 sites to meet the SWRAU target that year (12 - 2 = 10).

4. Data Limitations/Qualifications:

There are variables that can affect the status of sites designated as SWRAU. Sites that meet the SWRAU performance measure must also meet one of the following Human Exposure Under Control performance measure statuses: "Current Human Exposure Controlled and Protective Remedy in Place" or "Long-Term Human Health Protection Achieved."

If the human exposure status changes to something other than those two determinations listed above, and will not be restored by the end of the fiscal year, regions must retract a site from the SWRAU national total, and that retraction counts against the national target. Retractions are made when regions determine that an entire site no longer meets the SWRAU criteria. Because SWRAU is counted as a "net" number on a yearly basis, a retraction is subtracted from that year's total number of SWRAU sites. If a region retracts a site, the region must still achieve its net SWRAU goal.

Based on experience dealing with sites to date, there may be sites that cannot meet the SWRAU measure. Even sites that on the surface appear to not meet the criteria for being designated SWRAU may have circumstances that require additional consideration:

- Groundwater-only sites: Groundwater-only sites may not be able to achieve a SWRAU designation. However, if EPA has assessed the soil and surface contamination in a remedial investigation/feasibility study and the surface area above the contaminated groundwater is ready for its anticipated use, or if EPA performed removal actions that addressed all soil and other surface contamination, then the site may be eligible to be SWRAU. For groundwater sites that also have a vapor intrusion pathway, Regions should consider whether this pathway impacts current or future reasonably anticipated land uses.
- NPL sites addressed by state programs: NPL sites that have been delegated to the states to be addressed by state cleanup programs may not be able to achieve a SWRAU designation. However, if EPA issues a CERCLA decision document upon completion of the state response actions, documenting that the state has taken all appropriate actions and established operation and maintenance procedures, implemented all necessary institutional controls and conducted five-year reviews, as appropriate, to ensure protectiveness, then the site may be eligible to be SWRAU.

5. Technical Contact:

Melissa Friedland/703-603-8864

6. Certification Statement/Signature:

I certify the information in this DQR is complete and accurate.

DAA Signature

