

Use for '98

UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
WASHINGTON, DC 20240

April 14, 1997

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EMS TRANSMISSION 4/17/97  
Information Bulletin No. 97-115

To: SDs

From: Director

Subject: FY 1999 Central Hazardous Materials Fund (CHF)  
Preliminary Project Nominations and Estimated Needs for  
On-going CHF Funded Projects

DD: 5/19/97

This Information Bulletin transmits the Department's Office of Environmental Policy and Compliance Fiscal Year 1999 nomination call for all projects nominated for CHF support, including those projects which have previously received CHF funding. Please note in the attached memorandum from Dr. Taylor that this year's process requires substantially more information and justification than prior years. An advance advisory detailing the documentation required for each project nominated for CHF funding was transmitted by electronic mail to the State Office Program Leads on April 2, 1997. In order to meet the Department of the Interior's deadline for getting into the President's budget, we must have your nominations and estimates by May 19, 1997.

Questions regarding this information bulletin should be directed to Barbara David in the Protection and Response Group (WO 360). She can be reached at (202) 452-5081.

Signed by:  
Bernie Hyde  
Group Manager

Protection & Response Group

Authenticated by:  
Robert M. Williams  
Directives and Records

Group, WO540

1 Attachment

1-FY 1999 CHF Preliminary Project Nominations and Estimated  
Needs for On-going Projects (5 pp)

Memorandum

To: Heads of Bureaus and Offices

From: Willie R. Taylor, Director /s/Willie R. Taylor 3/13/97 Office of Environmental Policy and Compliance

Subject: Fiscal Year 1999 Central Hazardous Materials Fund (CHF) Preliminary Project Nominations and Estimated Needs for On-going CHF Funded Projects  
(Reply Due: May 30, 1997)

As part of the implementation of the CHF, the Office of Environmental Policy and Compliance is soliciting preliminary project nominations (and associated cost estimates) as well as the estimated needs for on-going CHF funded projects for the Fiscal Year 1999 budget process.

Table 1 Lists those projects which received CBF support in FY 1997.

The information requested in FY 1999 nomination call is to be completed for all projects nominated for CHF support, including those projects which have previously received CHF funding. It is anticipated that in future nomination calls, on-going projects will merely update the information provided in the initial nomination package and not resubmit a new package every year.

Central Hazardous Materials Fund Project Nomination Package

**Eligibility Criteria**

The CHF Appropriation language limits the sites covered by the CHF to those sites involved in remedial activities: *"For expenses necessary for use by the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation and Liability Act... "*. Thus the CHF can only cover those expenses associated with the remediation of contaminated sites at or beyond the Remedial Investigation/Feasibility Studies phase for which the Department of the Interior is potentially responsible. This criterion means that all pre-remedial studies are funded solely by bureau program funds. The CHF does not cover sites for which the Bureau of Reclamation is responsible.

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Normally, removal actions are not funded by the CHF; rather, each project is funded by the managing Bureau. However, the Solicitor's Office has determined that if, in the course of conducting a CHF-funded remediation, conditions are discovered which require that a removal action be executed to continue the remediation in an effective way, CHF funds already

allocated to the remediation project may be used to fund the removal. The responsible bureau must document the need (the Action Memorandum sent to the appropriate regulatory agency may be used), the estimated cost, the proposed action, and the signed approval as part of the administrative record for the project. A copy of the justification and proposed action, cost estimate, and the signed approval must be sent to the Deputy Assistant Secretaries' Advisory Group on Environmental Policy and Compliance.

### **Documentation**

The appropriate bureau will ensure that each project being nominated for CHF project funding will include the following:

#### **I. Project Overview**

A map and the legal description of the lands comprising the project.

The project manager (including name, address, telephone and fax number, and e-mail address).

A description of the type, extent and threat of the potential contamination (by operable unit, if more than one).

A work proposal for the fiscal year for which funding is sought (including the stage within the remediation process any on-going project will occupy)

Identification of any activity which is being conducted under accelerated remedial action or utilizing innovative technology to reduce or eliminate risk to human health and the environment.

Identification of any public outreach or community involvement in the decision process.

A discussion of the status of removal actions to date at the project.

#### **II. Funding**

Identification of funding requested tied to accomplishments within the work proposal.

Identify the procedure used to generate this request. Was the estimate generated by the Remedial Action Cost Engineering and Requirements System?

In addition to the amount of the request itself, out year cost estimates from the current fiscal year through FY 2005. *It is recognized that these requirements are estimates and subject to change. List all caveats and assumptions that are needed to qualify these estimates.*

The procedures that will be used to maintain records of project expenses.

Estimates of the time needed and cumulative cost required to complete the project.

Summary of previous CHF funding by FY and an overview of what was accomplished with those funds.

Identification whether this project been deferred from previous CHF funding and what were the consequences of that deferral?

A statement whether the project is subject to fines and penalties from regulatory agencies and why.

Funding and levels of legal support needed to conduct Potentially Responsible Party--related efforts for cost recovery, cost sharing, or cost avoidance prepared in consultation with the appropriate office of the Office of the Solicitor. Include the following points:

- An assessment of the viability of the Potentially Responsible Parties and,
- Any statute of limitations issues,
- A brief description of any cost recovery, cost contribution, and/or cost sharing results at the project to date.

### *III. Legal Status*

A discussion of the Department's exposure to potential or the status of on-going litigation, enforcement actions and/or settlement negotiations prepared in consultation with the appropriate office of the Office of the Solicitor.

Identification whether the Department is the lead Federal agency for the project? If other Federal agencies are involved please note why they are involved and what they are doing.

The National Priorities List status of the project and a statement addressing the status of any existing or anticipated IAG's / Federal Facility Agreements. If the project is affected by an adjacent National Priorities List site, please identify the site.

State or local regulatory agency involvement, such as administrative orders, or cost sharing.

*Respondents are cautioned that information in the nomination package should be considered litigation sensitive. Each submittal must include a statement at the beginning of each nomination indicating that the document is privileged information.*

Attachment 1-3

All nomination submittals must be by memorandum and in electronic file format. WordPerfect, Microsoft Word, and ASCII files are acceptable.

Please provide your response by **May 30, 1997**. If you have any questions, please call Robert M. Wilson of my staff at (202) 208-7556.

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Attachment 1-4

**TABLE 1. FY 1997 CHF Supported Projects**

1. Crab Orchard NWR, IL (FWS)
2. Great Swamp NWR, NJ (FWS)
3. Charleston Harbor, SC (NPS)
4. Cuyagoga NRA, OH (NPS)
5. Lee Acres Landfill, NM (BLM)
6. Atlas Asbestos Mine, CA (BLM)
7. Murtaugh Landfill, ID (BLM)
8. Tar Creek, OK (BIA and BLM)
9. Monite Dynamite, NV (BLM)