



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 011997

MEMORANDUM

SUBJECT: Final Draft Guidance for Developing
Superfund Memoranda of Agreement (MOA) Language
Concerning State Voluntary 'Cleanup Programs'

FROM: Steven A. Herman
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TO: EPA Regional Administrators
Regions 1-10

Background

Attached for your information is the final draft guidance on Developing Superfund Memoranda of Agreement (MOA) Language Concerning State Voluntary Cleanup Programs which will be published in the Federal Register for public comment within the next few weeks. The draft guidance was developed by OSWER and OECA with the support of the Regions and the Department of Justice and reflects the input of various stakeholder groups. EPA encourages the Regions to develop partnerships with the States through MOAs to address cleanup of low risk sites, such as brownfields.

Purpose

The purpose of this guidance is to provide a framework for the Regions to use in negotiating MOAs with State Voluntary Cleanup Programs.

The draft guidance sets out baseline criteria which EPA will employ to evaluate the adequacy of State voluntary cleanup programs. EPA will request States to address these criteria in the context of negotiating these MOAs which can constitute a planning mechanism for division of labor at sites between EPA and the States. As explained more fully in the draft guidance, for those sites included within the scope of the MOA, EPA will not exercise cost recovery authority and does not generally anticipate taking CERCLA removal or remedial actions at these sites



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except under limited circumstances detailed in the guidance document.

Should you have additional questions or clarification of these issues, please contact Linda Garczynski (202-260-1223) or Linda Boornazian (202-564-5104).

Attachment

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