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# Superfund Site Cleanup Work through Enforcement Agreements and Orders

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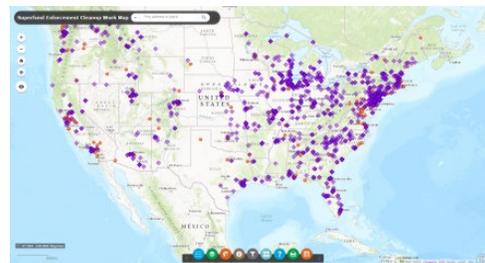
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## Overview

The Superfund Enforcement program makes a visible difference in communities by finding the companies, government entities, or people responsible for contamination at a site and negotiating with or them to

- do the cleanup themselves, or
- pay for the cleanup done by another (i.e., EPA, state, or other responsible parties).



EPA's [Superfund Enforcement Cleanup Work map](#) highlights current

cleanup work at privately- and federally-owned Superfund sites across the country. These cleanups are the result of the Agency's work with responsible parties and federal entities to negotiate cleanup settlement agreements or issue orders to get the work done.

The Superfund enforcement program's efforts to negotiate settlement agreements and issue orders for cleanup work accounts for approximately 69 percent of all the cleanup work currently underway at Superfund sites around the country. For every one dollar that the Superfund enforcement program spends, private parties commit eight dollars toward cleanup work.

More information regarding the data presented in the map is available from the "About the Data" tab.

## **Basics of the Superfund Enforcement Process**

*How does EPA use its enforcement authority to help get Superfund sites cleaned up?*

The Superfund law (the Comprehensive Environmental Response, Compensation and Liability Act or "CERCLA") imposes liability on parties responsible for, in whole or in part, the presence of hazardous substances at a site. EPA prefers to reach an agreement with a potentially responsible party (PRP) to clean up a Superfund site instead of issuing an order or paying for it and recovering the cleanup costs later.

EPA conducts a search to find the PRPs and looks for evidence to determine liability of parties. Once PRPs are identified, EPA works with them to reach a settlement agreement to conduct the cleanup. EPA prefers that responsible parties do the work of investigating, cleaning up, and maintaining the cleanup of Superfund sites.

At privately-owned sites, a Superfund cleanup agreement is written in the form of an administrative settlement agreement and order on consent (ASAOC) or a judicial consent decree (CD). EPA negotiates an agreement with the responsible parties that outlines the work to be done. The term "work agreement" is used to cover a variety of agreements that involve the private party doing the work (versus EPA doing the work).

The most common agreements are for:

- site investigation (remedial investigation and feasibility study),
- short-term cleanup (removal action), and
- long-term cleanup (remedial design/remedial action).

EPA can order parties to perform cleanup work under the following circumstances:

- Responsible parties do not agree to perform the cleanup work through a judicial consent decree or an ASAOC; or
- Responsible parties refuse to perform work they previously agreed to perform under a settlement agreement.

These orders, known as unilateral administrative orders (UAOs), are used for both short- and long-term cleanups by private responsible parties. On occasion, EPA has used UAOs under other statutes to order cleanup at federally-owned NPL sites.

When the responsible party is a federal government entity, EPA will negotiate an enforceable federal facility agreement (FFA) for a federally-owned site that is on the National Priorities List (NPL). The FFA governs the site cleanup and EPA's role in the process. More information about the cleanup process on federal lands is available on the Agency's [CERCLA and Federal Facilities Web page](#).

[More information about the Superfund enforcement process.](#)

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