

Highlights of [GAO-11-514](#), a report to the Honorable Edward J. Markey, House of Representatives

Why GAO Did This Study

Years of industrial development generated hazardous waste that, when improperly disposed of, poses risks to human health and the environment. To mitigate these risks, Congress passed the Resource Conservation and Recovery Act of 1976 (RCRA). Subtitle C of RCRA, as amended, requires owners or operators to take corrective actions to clean up contamination at facilities that treat, store, or dispose of hazardous waste. The corrective action program is administered by the Environmental Protection Agency (EPA) or states authorized by EPA.

GAO was asked by Representative Markey, in his former capacity as Chairman of the House Subcommittee on Energy and Environment, to assess this program. This report discusses (1) actions EPA has taken to establish goals for the program and expedite cleanup; (2) the progress EPA, states, and facilities have made in meeting these goals; and (3) the challenges EPA, states, and facilities face, if any, in meeting future cleanup goals. GAO reviewed and analyzed EPA documents and data and interviewed EPA and state agency officials and stakeholder groups.

What GAO Recommends

GAO recommends that EPA assess the remaining corrective action workload, determine the extent to which the program has resources needed to meet 2020 goals, and take steps to either reallocate its resources or revise its goals. EPA agreed with the recommendation.

View [GAO-11-514](#) or key components. For more information, contact David Trimble at (202) 512-3841 or trimbled@gao.gov.

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HAZARDOUS WASTE

Early Goals Have Been Met in EPA's Corrective Action Program, but Resource and Technical Challenges Will Constrain Future Progress

What GAO Found

To focus and streamline the RCRA corrective action program, EPA has over the past decade set a series of progressively more ambitious performance goals and identified which facilities must meet them. Its first set of performance goals, for example—to be achieved in fiscal year 2005—were to control human exposures to contamination and migration of contaminated groundwater at 95 percent of 1,714 “high-risk” facilities. EPA also established a long-range vision for the program, going beyond controlling contamination to cleaning it up. Hence, it targeted 2020 as the year by which 95 percent of 3,747 facilities (expanded from 1,714 to include low- and medium-risk facilities) would have completed construction of all cleanup remedies. EPA also (1) established a process for its regions and authorized states to follow in determining whether facilities undergoing cleanup have met major milestones toward controlling human exposure and preventing the spread of contaminated groundwater and (2) issued guidance to assist in streamlining the corrective action process, maximize program flexibility, and expedite cleanup.

EPA, states, and facilities have made considerable progress in meeting corrective action performance goals to control and contain contamination at high-risk facilities. Each of the five EPA regional offices GAO visited cited efforts to improve information on state program status, better estimate remaining work, and identify actions taken to meet the 2020 goals. Several also directly assisted states in assessing whether facilities had controlled contamination. Regional and state offices also reported streamlining reporting requirements and compliance procedures. EPA data show that by the end of fiscal year 2005, the vast majority of high-risk facilities had controlled human exposure to hazards and the migration of contaminated groundwater. Importantly, the EPA data also highlight the challenge facing EPA, states, and facilities in meeting the 2020 goal of constructing final cleanup remedies for 95 percent of the expanded universe of 3,747 facilities. For example, almost three-quarters of these facilities have yet to construct final cleanup remedies. Most EPA and state officials interviewed agreed that the 2020 goal was unlikely to be met.

EPA, states, and facilities identified fiscal and human resource constraints and groundwater cleanup as key challenges for achieving the 2020 goals on time. Program cuts resulting from states' fiscal problems and facilities' funding difficulties resulting from the economic downturn have exacerbated resource constraints. Technical complexity associated with groundwater remediation may also impede progress, and disagreements between industry and regulators over groundwater cleanup standards may perpetuate delays. To date, however, EPA has not performed a rigorous analysis of its remaining corrective action workload, including the resources it needs to meet its 2020 goals and the complexity and cost of what remains to be done. Without such an assessment, EPA cannot determine the extent to which the program has the resources it needs to meet these goals.