

Interagency Agreement Between The U.S. Army Corps of Engineers  
and the U.S. Environmental Protection Agency in Executing  
P.L. 95-510, The Comprehensive Environmental  
Response, Compensation, and  
Liability Act of 1980 (CERCLA)

*EPA  
Records  
2/82*

PURPOSE

The Environmental Protection Agency (EPA) has overall statutory responsibility for implementing the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), also known as Superfund. This agreement defines the management and technical assistance the U.S. Army Corps of Engineers (Corps) will provide to EPA to assist in implementing the Superfund program.

BACKGROUND

1. CERCLA provides authority and funding to respond to releases of hazardous substances, pollutants, and contaminants into the environment. The statute and Executive Order 12316 assign primary responsibility for implementation to EPA. The Superfund program includes emergency response (removal) to hazardous substance spills and sites and longer term (remedial) action at sites. This agreement primarily addresses aspects of the remedial response program.

2. For purposes of this agreement, remedial response at uncontrolled hazardous sites consists of the following: investigation to define the problem; feasibility study to evaluate the problem and select a cost-effective remedial action; final design; and implementation (construction and related tasks).

3. States may perform all or part of the remedial response program activities at sites. EPA is responsible for remedial response where a State does not elect to so perform.

4. The authorities under which this agreement is being implemented are the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 USC 9601 et seq., and Section 219 of the Flood Control Act of 1965, P.L. 89-296, Title 2, 79 Stat. 1073, 1092.

EPA's RESPONSIBILITIES UNDER THIS AGREEMENT

1. EPA will manage all activities undertaken at a site before the Corps accepts a project and all remedial program activities except those performed by the Corps under this agreement.

3. Corps Division Engineers and EPA Regional Administrators will operate under the provisions of this agreement. There will be no separate regional agreements.

4. This agreement shall be effective for a term of two years. It may be modified, extended or terminated by mutual consent of the parties. In cases of war or national emergency, or in the interest of the national defense this agreement may be terminated unilaterally.

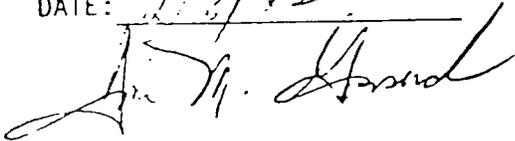
5. The Corps and EPA will issue instructions implementing this agreement.

AUTHENTICATION

This agreement will become effective upon signature by both parties.

Anne M. Gorsuch  
Administrator  
Environmental Protection Agency

DATE: 2/3/82



William R. Gianelli  
Assistant Secretary of the Army  
(Civil Works)

DATE: 2/3/82

