



U.S. ARMY CORPS OF ENGINEERS

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## OVERVIEW OF CERCLA

The Army is currently conducting investigations at the former Fort Devens under the Department of Defense's (DoD) Defense Environmental Restoration Program (DERP) in accordance with the provisions of the U.S. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, Executive Orders 12580 and 13016, and the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR Part 300).

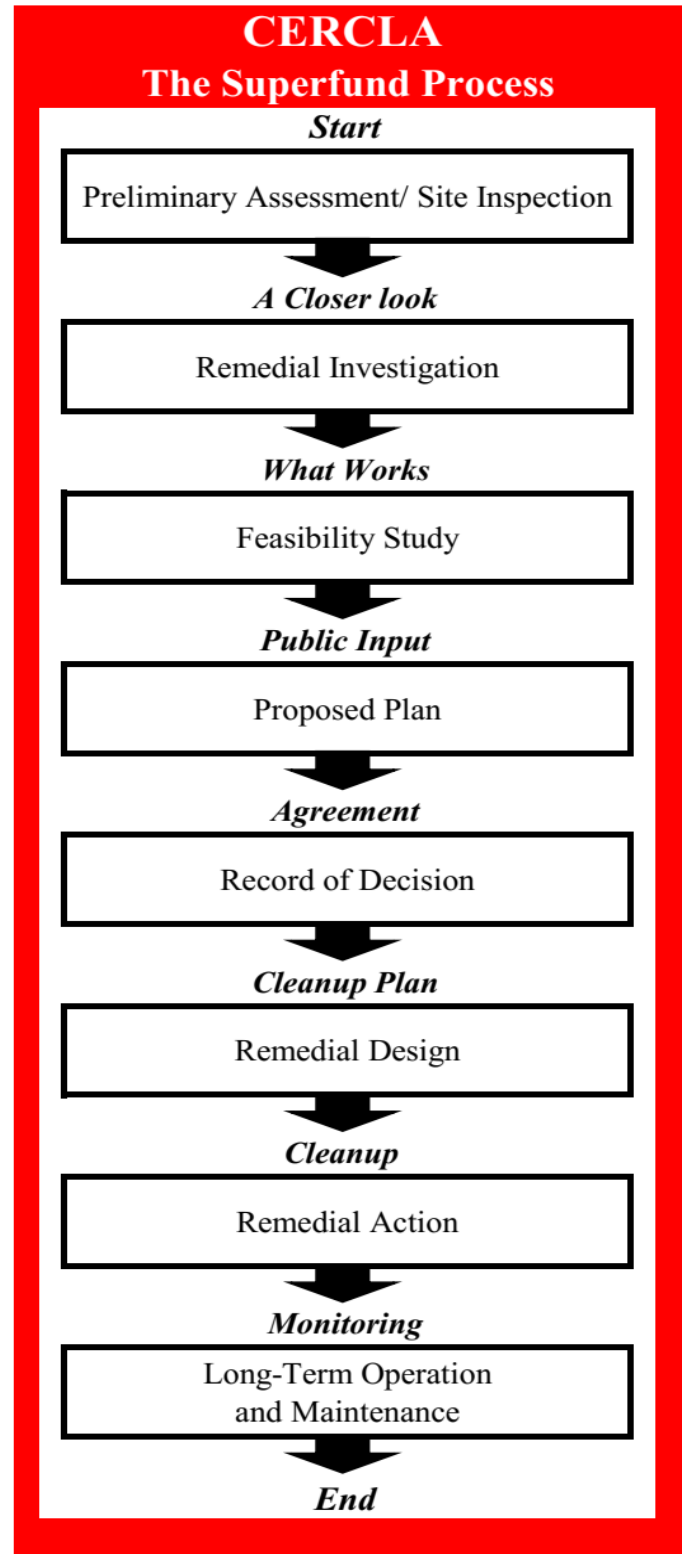
CERCLA, also known as the "Superfund" program, provides a consistent, science-based approach across the nation for environmental site cleanup. The process includes environmental regulatory agencies as well as public participation. The Army follows the CERCLA process to fully investigate a release of contaminants and to determine the appropriate cleanup action based on the associated risk to human health and the environment.

## STEPS OF THE CERCLA PROCESS

**Preliminary Assessment/Site Inspection (PA/SI):** A preliminary evaluation, including research into historical records and some sample collection, to determine whether there has been a release of hazardous waste or materials causing contamination that warrants further study or cleanup.

**Remedial Investigation (RI):** An investigation to determine the nature and extent of contamination and associated human health and ecological risks.

**Feasibility Study (FS):** If an RI determines that cleanup action is needed, then an FS is conducted to develop and evaluate various



cleanup alternatives.

**Proposed Plan (PP):** Identifies the preferred cleanup approach based on an evaluation of the alternatives developed in the FS. The PP is provided to the public for review and comment before a cleanup remedy is selected.

**Record of Decision (ROD):** Documents the selected remedy following consideration of public comments received on the PP. A summary of public comments and responses, known as a Responsiveness Summary, is included in the ROD.

**Remedial Design (RD) and Remedial Action (RA):** The RD develops the technical specifications for the remedy described in the ROD. The RA implements the remedy.

**Five-Year Reviews:** An evaluation of whether the selected remedy remains protective of human health and the environment in the long term. Reviews are generally performed five years after the start of the RA and repeated every five years for as long as land use is restricted due to residual contamination.

**Site Closeout:** Occurs after determination that no further response is required at the site, all cleanup levels have been achieved, and the site is deemed to be protective of human health and the environment.

**National Priorities List (NPL) Delisting:** Specific procedures must be followed to remove a site from the list of sites undergoing CERCLA actions. Sites having releases may be deleted from, or recategorized on the NPL, when no further response is appropriate.

### **ADDITIONAL CERCLA ACTIVITIES**

There are additional activities that may occur at any time during the CERCLA process:

**Interim action:** Actions taken as needed to reduce any imminent risks to human health or the environment, while long-term field

investigations are being conducted or until a final remedy is selected.

**Removal action:** Actions that can function either as an interim or a long-term means of addressing releases of contaminants and reducing human and ecological exposure. Removal actions vary in duration and are categorized by their urgency and duration.

Emergency removal actions require immediate response to releases or threatened releases to the environment and are typically initiated within hours or days of determining that a removal action is appropriate.

Time-critical removal actions (TCRA) are situations where remediation activities must begin within six months of discovering contamination in order to protect public health and safety.

Non-time-critical removal actions (NTCRA) occur when a removal action is appropriate, but the situation allows for a planning period of six months or more before beginning removal activities. Because these sites do not present an immediate threat to public health or safety, more time is available to assess potential threats and evaluate cleanup alternatives.

**Engineering Evaluation and Cost Analysis (EE/CA):** Completed for non-time-critical removal actions and is similar to a fast-track, limited scope, RI and FS.

**No Further Response Action Plan (NFRAP):** A decision document that is developed after a field investigation finds that the level of contamination at a site does not pose a threat to human health or the environment.

**Public Involvement:** Public involvement is an important part of the CERCLA process. The Army hosts public meetings, distributes news

releases, prints public notices, and provides fact sheets and other information to interested citizens. Interest is gauged for the addition of new members to the Restoration Advisory Board (RAB) composed of various stakeholders including community members and government representatives.

### **CERCLA STATUS FOR PFAS AT THE FORMER FORT DEVENS**

Most of the sites undergoing environmental cleanup at the former Fort Devens are in the last stage of the CERCLA process, long-term operation and monitoring. Many of these include a combination of land use controls and long-term monitoring (sampling) to ensure the continued protection of human health and the environment until cleanup goals are achieved.

However, in 2016, a new class of contaminants called per- and polyfluoroalkyl substances (PFAS), was detected in water supply wells at the former Fort Devens and the town of Ayer. The Army initiated the CERCLA process to evaluate the extent of PFAS contamination that may be associated with the former Army operations at the former Fort Devens. The Army has completed the PA/SI for PFAS and the identified sites are currently in the Remedial Investigation (RI) step. During the RI, the Army conducted extensive sampling of soil, groundwater, surface water, and sediment, as well as sampling of community and private drinking water supply wells, in order to determine the nature and extent of PFAS contamination. The Army is currently working with federal and state regulatory agencies to review the data in order to determine where

additional sampling may need to be conducted before proceeding to the next step of the CERCLA process.

Due to the initiation of the CERCLA process for PFAS, the Army recently updated its Community Involvement Plan (CIP) to clarify and improve the methods by which information about the ongoing investigations is shared with the public. The update to the CIP was developed with input by project stakeholders and the local community. The CIP is available as a public outreach document and can be downloaded from the website listed at the bottom of the page. The Army's website for the former Fort Devens serves as an information repository for documents associated with the environmental cleanup. The physical documents are maintained at the Fort Devens Environmental Base Realignment and Closure (BRAC) Office. During 2021, the Army also plans to re-establish a satellite information station at the Ayer Public Library so that community members can review the latest information about the ongoing PFAS investigations.

**For more information** on the CERCLA process and the PFAS RI at the former Fort Devens, please contact the Devens Environmental BRAC Coordinator, Mr. Robert Simeone at 978-615-6090 or visit the former Fort Devens Environmental Restoration Program website listed at the bottom of this page.