US EPA Emergency Response and Removals Assistance

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Do you have closed or abandoned properties in your community that may contain drums, vats of chemicals or contaminated soil that provide an attractive nuisance for children and trespassers? Has your community spent valuable local funds to clean up a spill or release of a hazardous substance from a tire fire, truck accident, waste dump or an illegal drug lab?

While many Wisconsin communities can answer "yes" to those questions, the good news is there are resources available through the Wisconsin Department of Natural Resources (DNR) and U.S. Environmental Protection Agency (EPA) to help local governments with the cleanup and removal of hazardous substances or abandoned containers.

This fact sheet focuses on two EPA programs which provide assistance to municipalities and help supplement local emergency response – the Superfund Emergency Response Program and the Local Government Reimbursement Program.

Superfund Emergency Response Program

The EPA's Superfund Emergency Response Program can provide services to quickly respond at properties or situations that pose an immediate threat to human health or the environment from releases of hazardous materials.

The EPA's On-Scene Coordinators (OSCs) are responsible for directing response actions and working with local first responders and the responsible state agencies to coordinate efforts and resources in both emergency and non-emergency situations.

The EPA's goal is to make the responsible party conduct the removal actions. However, in an emergency situation where human health and the environment are affected, the EPA responds without delay.

Emergency Situations
Emergency situations with significant environmental impacts are called into the EPA Region 5 Hotline directly (312-353-2318) and/or referred to EPA by the National Response Center (NRC) at 800-424-8802.

Emergency incidents include transportation accidents (e.g. automobiles, trucks, trains, boats, airplanes), oil spills, and chemical fires, and groundwater contamination in both private and municipal wells. Once a hazardous release is reported, local responders (e.g. fire and police personnel), DNR and EPA staff respond to emergency situations within hours.

Non-Emergency Situations and Time-Critical Removals
Non-emergency situations and time-critical removals can be referred to EPA through the DNR's Federal Removals Coordinator (FRC). These types of situations are screened by the DNR's FRC for minimum removal requirements before being referred to EPA for assistance. The FRC also ensures that state concerns are addressed and identifies any remaining follow-up issues.

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dnr.wi.gov, search "brownfield"

Non-emergency situations and time-critical removals include closed or abandoned facilities with drums or vats of chemicals; or areas that contain drums, lagoons, pits, contaminated soils, asbestos or lead paint. Once a hazardous release is reported, local, state and federal personnel respond to non-emergency, time-critical removals within six months, depending on the situation.

EPA staff evaluates the site and searches for a responsible party (current property owner, former property owner, or the operator of previous business on that property) who may have been involved in the abandonment or disposal of hazardous materials.

If the responsible party (RP) is found, EPA will develop an agreement with the RP or order the RP to clean up/remove the hazardous materials. If no RP is found, or if the RP is unwilling or unable to complete the work, EPA staff will use their own funding and perform the removal actions necessary to reduce the imminent threat. To the extent possible, EPA pursues legal action to recover its costs.

The EPA's Emergency Response Program only eliminates the imminent threat posed by the hazardous substance or situation. The removal action taken may not be a complete investigation or cleanup of the site or situation. More cleanup work may still be needed after the removal action is completed. DNR will evaluate the site to determine what additional actions are necessary for closure.

Cost Recovery Options
If a site or situation is too small to warrant an EPA removal action or emergency response, the municipality may conduct the response action and recover the costs through the EPA's Local Government Reimbursement (LGR) program or Oil Spill Liability Trust Fund (OSLTF), depending on the type of substance released.

Reimbursement can include such costs as materials and supplies, renting or leasing equipment, special technical and laboratory services, evacuation services, decontamination

of equipment, overtime pay for employees, and replacement of equipment lost or destroyed.
To qualify for reimbursement, EPA requires that the community provide proper documentation of costs and response actions taken.

For More Information
To find out if your site qualifies for EPA assistance or cost recovery, please contact:

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In cases when EPA cannot take action under the Emergency Response Program, DNR may be able to assist. For more information, please refer to the Fact Sheet entitled *DNR Staff Provide Spill Response and Support* (RR-559).