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Federal Site Assessment Process: Association of State and Territorial Solid Waste Management Officials Focus Group Issues Paper

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The Association of State and Territorial Solid Waste Management Officials (“ASTSWMO”) issued a focus group paper on federal site assessments (“FSAs”).

ASTSWMO’s Site Assessment Focus Group prepared the paper.

ASTSWMO describes the organization as representing the 50 States, 5 Territories and the District of Columbia. The organization’s mission is described as enhancing and promoting effective state and territorial programs and to affect relevant national policies for waste and materials management, environmentally sustainable practices, and environmental restoration.

Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”) FSAs evaluate site conditions to identify appropriate responses to the release of hazardous substances to the environmental. The United States Environmental Protection Agency’s (“EPA”), states, Tribes, and other federal government environmental programs collect data to identify and evaluate hazardous waste sites based on the Hazard Ranking System.

The process involves evaluating different cleanup options based on assessment results, which may lead to:

- Emergency response and removal actions.
- Listing on the National Priority List.
- No further remedial actions.
- Referral to State-led cleanup programs.

EPA is stated to have contacted ASTSWMO for assistance in collecting input from the states on how to improve the federal site assessment program. The ASTSWMO Site Assessment Focus Group noticed “several trends” when compiling responses from States and this issues letter identifies those trends.

The paper identifies what it describes as key improvement areas:

- Funding (noting that funding is often the central barrier for effective site assessment, early intervention, and long-term cleanup). Recommendations include:
- NPL listing should remain an option for high-risk sites where State resources alone are insufficient for a complete long-term remedy.
- Increased State funding, inflation-adjusted awards, and broader eligible use of funds.

- Coordination, Communication, and Program Management (a need for continued strong coordination between EPA and the States is referenced, and extended review times for documents and inconsistent directives for site assessments lead to longer site assessment timelines, making it difficult to honor grant commitments). Recommendations include:
- Dedicated Site Assessment Managers, regular coordination meetings, and the National Site Assessment Symposium are the most effective current supports that improve communication, continuity, and practical problem-solving.
- Faster sharing of assessment results and post-removal activity summaries, clearer yes-or-no decisions on funding eligibility, and more transparent opportunities for State input into decision documents.
- Improved/proactive communication between EPA programs (Brownfields, Voluntary Remedial Program, Remedial, Removal), and between EPA regional offices.
- Technical Assistance and Data Tools (noting concise technical assistance, guidance and direction, and dependable access to federal databases and records is key to implementation of the site assessment program). Recommendations include:
- Stronger and improved substantive federal guidance documents and information systems will support defensible, efficient decisions during site assessment.
- Continued availability of federal technical assistance from hydrogeologists, risk assessors, and more frequent training opportunities.
- Consistent direction on Hazard Ranking System (HRS) scoring, Superfund Chemical Data Matrix (SCDM) values, background concentrations, ecological and recreational exposure pathways, case-law implications, and Quality Assurance Project Plan (QAPP) preparation.
- Improved and accessible federal information system infrastructure. States support continued or increased access to dashboards and databases, example documentation, digitized historical files, and better file-sharing so State programs can use EPA-generated data.
- Community Outreach (effective site assessment depends not only on technical and funding decisions, but also on public communication and clear federal-State coordination). Recommendations include:
- Early outreach through fact sheets and clearer risk communication with property owners and stakeholders.
- More support in explaining timelines, obligations, and benefits to elected officials and stakeholders of the NPL listing process.

A copy of the paper can be found [here](#).