

relating to establishing and maintaining the public record.

**Reporting Requirements.** Depending upon the activities included in the State's or tribe's work plan, an EPA regional office may request that a progress report include:

**Information related to the public record.** All recipients must report information related to establishing and maintaining the public record, described above. States and tribes can refer to already existing public record, e.g., Web site or other public database to meet this requirement. For the purposes of grant funding only, and depending upon the activities included in the State or tribe's work plan, this may include:

- A list of sites at which response actions have been completed including:
- Date the response action was completed;

- Site name, the name of owner at time of cleanup, and the type of brownfields site (e.g., petroleum, methamphetamine laboratory, mine scarred lands);

- Location of the site (street address, and latitude and longitude);

- Whether an institutional control is in place;

- Explain the type of the institutional control in place (e.g., deed restriction);

- Nature of the contamination at the site (e.g., hazardous substances, contaminants, or pollutants, petroleum contamination, etc.);

- Size of the site in acres.

- A list of sites planned to be addressed by the state or tribal response program including:

- Site name, the name of owner at time of cleanup, and the type of brownfields site (e.g., petroleum, methamphetamine laboratory, mine scarred lands);

- Location of the site (street address, and latitude and longitude);

- To the extent known, whether an institutional control is in place;

- Explain the type of the institutional control in place (e.g., deed restriction);

- To the extent known, the nature of the contamination at the site (e.g., hazardous substances, contaminants, or pollutants, petroleum contamination, etc.);

- Size of the site in acres.

**Reporting environmental insurance.** Recipients with work plans that include funding for environmental insurance must report:

- Number and description of insurance policies purchased (e.g., type of coverage provided; dollar limits of coverage; category and identity of insured persons; premium; first dollar

or umbrella; site specific or blanket; occurrence or claims made, etc.);

- The number of sites covered by the insurance;

- The amount of funds spent on environmental insurance (e.g., amount dedicated to insurance program, or to insurance premiums) and the amount of claims paid by insurers to policy holders.

**Reporting for site-specific assessment or cleanup activities.** Recipients with work plans that include funding for brownfields site assessments or cleanup must report a list of sites at which site assessments or cleanup have been completed that includes:

- Site name;
- Location of the site (street address and latitude and longitude);
- Size of the site in acres;
- Date the assessment or cleanup was completed;

- Nature of contamination at the site (e.g., hazardous substances, contaminants, or pollutants, petroleum contamination, etc.).

**Reporting for other site-specific activities.** Recipients with work plans that include funding for other site-specific related activities must include a description of the site-specific activities and the number of sites at which the activity was conducted. For example:

- Number and frequency of oversight audits of licensed site professional certified cleanups;

- Number and frequency of State/tribal oversight audits conducted;

- Number of sites where staff conducted audits, provided technical assistance, or conducted other oversight activities;

- Number of staff conducting oversight audits, providing technical assistance, or conducting other oversight activities.

**Reporting for RLF uses.** Recipients with work plans that include funding for Revolving Loan Fund (RLF) must include the information required by the terms and conditions for progress reporting under CERCLA section 104(k)(3) RLF grants.

**Reporting for Non-MOA States and tribes.** All recipients without a Voluntary Response Program MOA must report activities related to establishing or enhancing the four elements of the State's or tribe's response program. For each element State/tribes must report how they are maintaining the element or how they are taking reasonable steps to establish or enhance the element as negotiated in individual State/tribal work plans. For example, pursuant to CERCLA section 128(a)(2)(B), reports on the oversight and enforcement

authorities/mechanisms element may include:

- A narrative description and copies of applicable documents developed or under development to enable the response program to conduct enforcement and oversight at brownfield sites. For example:

- Legal authorities and mechanisms (e.g., statutes, regulations, orders, agreements);

- Policies and procedures to implement legal authorities; and

- Other mechanisms;

- A description of the resources and staff allocated/to be allocated to the response program to conduct oversight and enforcement at brownfield sites as a result of the grant;

- A narrative description of how these authorities or other mechanisms, and resources, are adequate to ensure that:

- A response action will:

- Protect human health and the environment; and

- Be conducted in accordance with applicable Federal and State law; and

- If the person conducting the response action fails to complete the necessary response activities, including operation and maintenance or long-term monitoring activities, the necessary response activities are completed; and

- A narrative description and copy of appropriate documents demonstrating the exercise of oversight and enforcement authorities by the response program at a brownfield site.

Where applicable, EPA may require States/tribes to report specific performance measures related to the four elements which can be aggregated for national reporting to Congress.

The regional offices may also request other information be added to the progress reports, as appropriate, to properly document activities described by the cooperative agreement work plan.

EPA regions may allow States or tribes to provide performance data in appropriate electronic format.

The regional offices will forward progress reports to EPA Headquarters, if requested. This information may be used to develop national reports on the outcomes of CERCLA section 128(a) funding to States and tribes.

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