

REVISED CRITERIA FOR DETERMINING SITE REMEDIATION FUNDING NEEDS FOR SITES IN NON-AGREEMENT STATES

These criteria are for determining when Federal funding, if available, is appropriate for site remediation and to minimize the need for Federal funding assistance. The criteria have been revised in response to Staff Requirements Memorandum-SECY-00-0180. The criteria are listed below by licensee category and are not listed in sequential order.

- 1) Current licensee is not financially capable.
 - a) Current licensee is already bankrupt; or
 - b) All available licensee assets have been obtained from the current licensee without causing bankruptcy, but these assets are insufficient to complete remediation; or
- 2) Current licensee cannot obtain sufficient financial assurance.
 - a) Licensee would be bankrupt by paying for higher financial assurance amount that might be needed for offsite disposal; or
 - b) Licensee does not have sufficient collateral to obtain a sufficient financial assurance instrument needed for offsite disposal.
- 3) Previous licensee and parent company, if any, do not exist.
- 4) Previous licensee and parent company, if any, exist; and
 - a) Previous licensee and parent company, if any, are not legally reachable; or
 - b) Previous licensee and parent company, if any, are legally reachable and all available assets have been obtained without causing bankruptcy, but these assets are insufficient to complete remediation.
- 5) Owner of non-licensed site is not financially capable.
 - a) Owner is bankrupt; or
 - b) All available owner assets have been obtained without causing bankruptcy, but these assets are insufficient to complete remediation.
- 6) Site would not qualify for U.S. Environmental Protection Agency (EPA) remediation under the Comprehensive Environmental Response, Compensation, and Liability Act.
 - a) As a result of EPA analysis of site data, the site does not score high enough on EPA's hazard ranking system to be added to EPA's National Priorities List.