

CBO TESTIMONY

Statement of
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before the
Subcommittee on Transportation
and Hazardous Materials
Committee on Energy and Commerce
U.S. House of Representatives

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NOTICE

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CONGRESSIONAL BUDGET OFFICE
SECOND AND D STREETS, S.W.
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Mr. Chairman and Members of the Subcommittee, thank you for inviting me to participate in your review of the Superfund cleanup program. The Congressional Budget Office (CBO) appreciates this opportunity to contribute to a careful examination of the program's status and prospects.

My central message today is that the end of the problem of hazardous-waste contamination is not in sight. When Superfund was first authorized in 1980, many people expected a relatively short-term program, measured in years and hundreds of sites. The available evidence now indicates that present policies will yield a program that continues for decades and encompasses thousands of sites. In this light, the Congress may wish to review some aspects of the present law and its administration to determine whether they are appropriate to the task at hand.

I have organized my remarks around five topics: an overview of the Superfund program; its funding and expenditures; its accomplishments to date; gaps in our knowledge base; and possible issues for Congressional attention. The main findings can be summarized as follows:

- o Expenditures under Superfund started slowly and have escalated since the 1986 reauthorization. The federal government obligated \$1.5 billion to \$1.7 billion in each of

the last five years, not counting expenditures on the government's own contaminated military and civilian sites. Cumulative obligations through fiscal year 1992 totaled \$10.6 billion.

- o Expenditures to date by the private sector are less accurately known, but appear to be roughly comparable to those of the government. Consequently, the total public and private Superfund bill through 1992 is on the order of \$20 billion.
- o Relatively few sites have finished the Superfund remedial process. As of the beginning of fiscal year 1993, the Environmental Protection Agency (EPA) and liable private parties had completed cleanup construction work at only 149 of the 1,275 sites on the National Priorities List; just 40 sites had been deleted from the list. Most sites are undergoing investigation or design of a remedy.
- o Evidence on recent trends in the program is mixed. In part because of EPA's "enforcement-first" policy, the number of

remedial actions under way has almost tripled since 1988, and the share of cleanups undertaken by private parties has also grown sharply. However, the time required to complete individual cleanup projects continues to rise. Data available on two of the three main stages of cleanup show that average durations in both categories increased by about eight months between 1990 and 1992.

- o After 12 years of experience, management and evaluation of the Superfund program are still hampered by many large and small information gaps. For example, EPA has not evaluated the ultimate size of the Superfund problem or the benefits of different levels of cleanup; nor does it track private-sector costs. Some of the gaps are inherently difficult to close; others are larger than necessary, reflecting problems of accessibility, consistency, and accuracy in EPA's data on costs, enforcement, and duration of cleanup projects.

- o Among the issues that the Congress may wish to consider in the next reauthorization are Superfund's cleanup goals and

standards, its administrative and legal complexity, the applicability of insurance coverage, the roles of state governments, and impediments to productive reuse of contaminated land.

AN OVERVIEW OF SUPERFUND

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) was an innovative response to novel technical and legal challenges posed by the nation's hazardous-waste problem. To describe the basic structure of the program created by CERCLA, it is useful to focus on two questions: what kinds of cleanups occur, and how are the cleanups funded?

Removal and Remedial Cleanups

CERCLA authorizes two kinds of cleanups: "removal actions" and "remedial actions." Removal actions include emergency responses to immediate threats (from spills or leaking barrels, for example) and

limited, interim steps toward full cleanup (such as draining a surface lagoon). By law, removals financed by the trust fund are limited to one year and \$2 million, unless EPA finds that continued action is immediately necessary, or appropriate and consistent with its plans for subsequent remediation.

Sites that are more costly to clean up and pose the greatest threats to human health and the environment can be placed by EPA on the National Priorities List (NPL) for remedial response. Examples of remedial actions include excavation and disposal of river sediments, pumping and treatment of groundwater, incineration or biological treatment of soils, and capping of landfills. Sites are listed on the NPL after a three-stage screening process that culminates in a scoring under the Hazard Ranking System. The NPL itself is also a multistage process, or "pipeline," whose major phases or milestones are as follows:

- o The remedial investigation and feasibility study (RI/FS) maps out the nature and extent of a site's waste hazards and evaluates alternative responses;

- o The record of decision (ROD) documents EPA's selection of a particular option;
- o The remedial design (RD) develops the detailed engineering plan for carrying out the selected remedy; and
- o The remedial action (RA) is the actual construction of the remedy.

Two qualifications to this description of the pipeline are important. First, sites that are divided into multiple "operable units," corresponding to different areas or media to be cleaned up, generally undergo the RI/FS-ROD-RD-RA sequence separately for each unit. Second, a site or operable unit that has reached a given pipeline stage may return to an earlier stage as a result of further evaluation or new information.

The Financing and Liability System

CERCLA took a two-pronged approach to the funding problem: it made four groups of "responsible parties" (RPs) liable for cleaning up such

wastes, and established a trust fund--the Superfund itself--for use in cases where these parties are unable or unwilling to take action.

The four groups of responsible parties are a site's present owners and operators, its previous owners and operators during periods when it received hazardous substances, the generators of such substances, and any waste transporters responsible for choosing the disposal site. Under CERCLA, liability for these RPs is strict, joint and several, and retroactive. Strict liability implies responsibility without regard to care or negligence, or observance of existing regulations. Joint-and-several liability means that any RP can be assessed the total costs for a contaminated site. Retroactivity means that liability applies to actions that took place before CERCLA's passage in 1980.

EPA can choose from three broad approaches in enforcing Superfund liability: it can pay for cleanup out of the trust fund and then seek to recover its costs later; it can use administrative and judicial mechanisms to insist that RPs perform the work (in cases of "imminent and substantial endangerment to the public health or welfare or the environment"); or it can negotiate a settlement with the RPs. None of these approaches requires EPA to pursue all known or suspected RPs at

a site. Parties that EPA chooses to hold liable may initiate "contribution suits" for reimbursement from their fellow RPs.

The Superfund Amendments and Reauthorization Act of 1986 (SARA) gave EPA several tools to facilitate settlements with responsible parties. Of these tools, *de minimis* buyouts for minor contributors to a waste hazard have been used most frequently, with 86 such settlements reached through fiscal year 1992. EPA has made much less use of mixed-funding agreements (in which the trust fund and RPs share the costs of a cleanup) and nonbinding allocations of responsibility, or NBARs (in which EPA suggests an apportionment of financial responsibility among a site's RPs).

SARA also expanded the trust fund and its set of sources, which can be classified as "external" and "internal" sources. Superfund receives external financing from excise taxes on petroleum and certain chemicals, a corporate environmental tax, and transfers from the general fund. The internal sources are interest paid on trust fund monies invested in Treasury securities, CERCLA penalties and punitive damages, and expenditures recovered from liable parties.

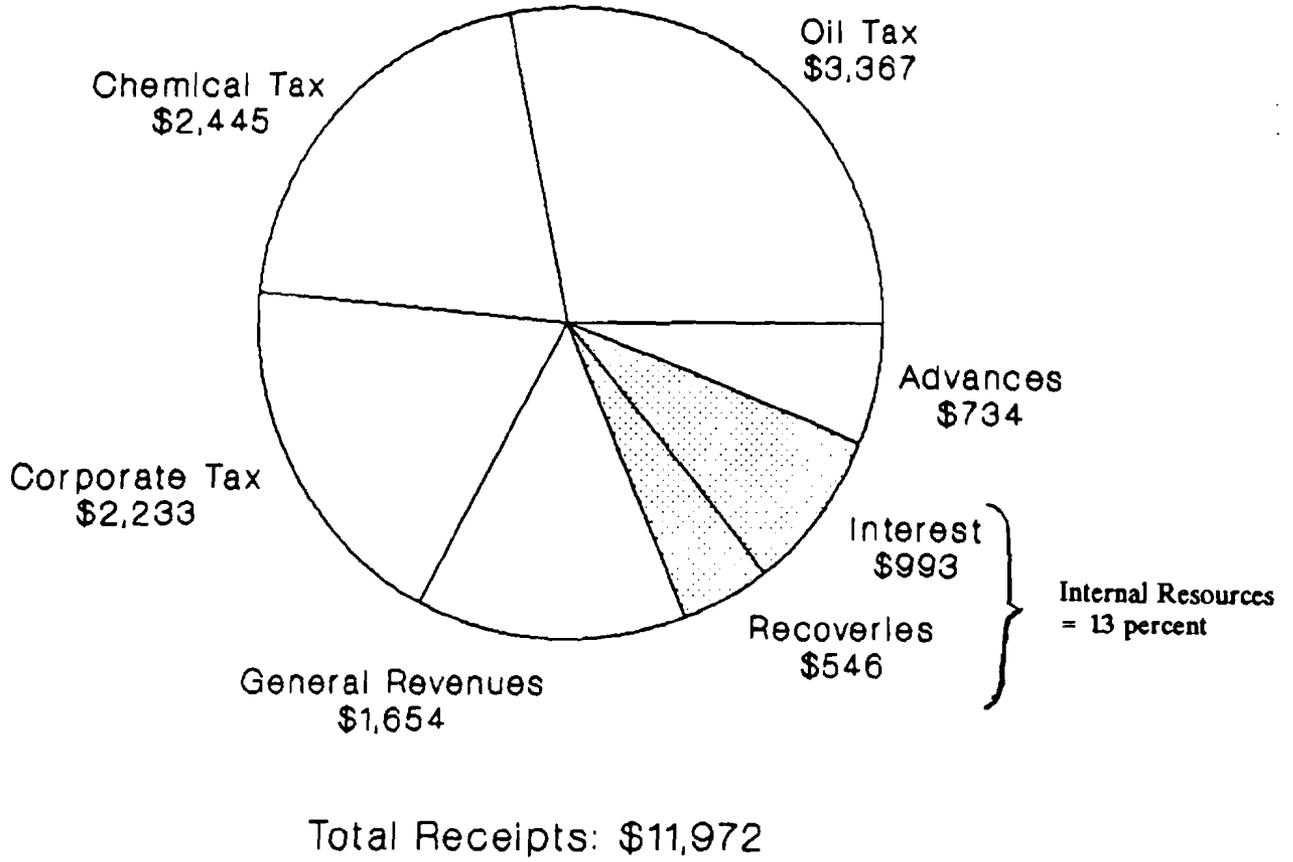
FUNDING AND EXPENDITURES

CBO estimates that the total public and private bill for the first 12 years of the Superfund program is on the order of \$20 billion, not counting the costs associated with cleanup of federal facilities (which are funded separately). The shares of federal and private spending in this total are roughly equal.¹

Almost all of EPA's Superfund spending is subject to annual Congressional appropriation of monies from the trust fund.² As Figure 1 shows, the trust fund collected \$12.0 billion in its first 12 years. Taxes and internal sources (interest, cost recoveries, fines, and penalties) account for 67 percent and 13 percent of the total, respectively; transfers from general revenues and a repayable advance owed to the general fund supply the remaining 20 percent.

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1. State governments also incur Superfund costs: CERCLA requires them to contribute to the costs of cleanups financed through the trust fund. Available data suggest that state contributions to the national total are roughly \$0.1 billion to date. The total given in the text excludes reimbursements of trust fund expenditures by the private sector, to avoid double-counting, and is in nominal dollars. In principle, the total would be somewhat higher in constant 1992 dollars; in practice, however, the adjustment for inflation would be well within the margin of error of this rough estimate.
 2. Not subject to the appropriation process are funds received in "cash-out" settlements, in which RPs settle their liability by paying in advance for cleanup work to be done by EPA.

FIGURE 1. CUMULATIVE TRUST FUND RESOURCES, Fiscal years 1981-1992 (In millions of dollars)



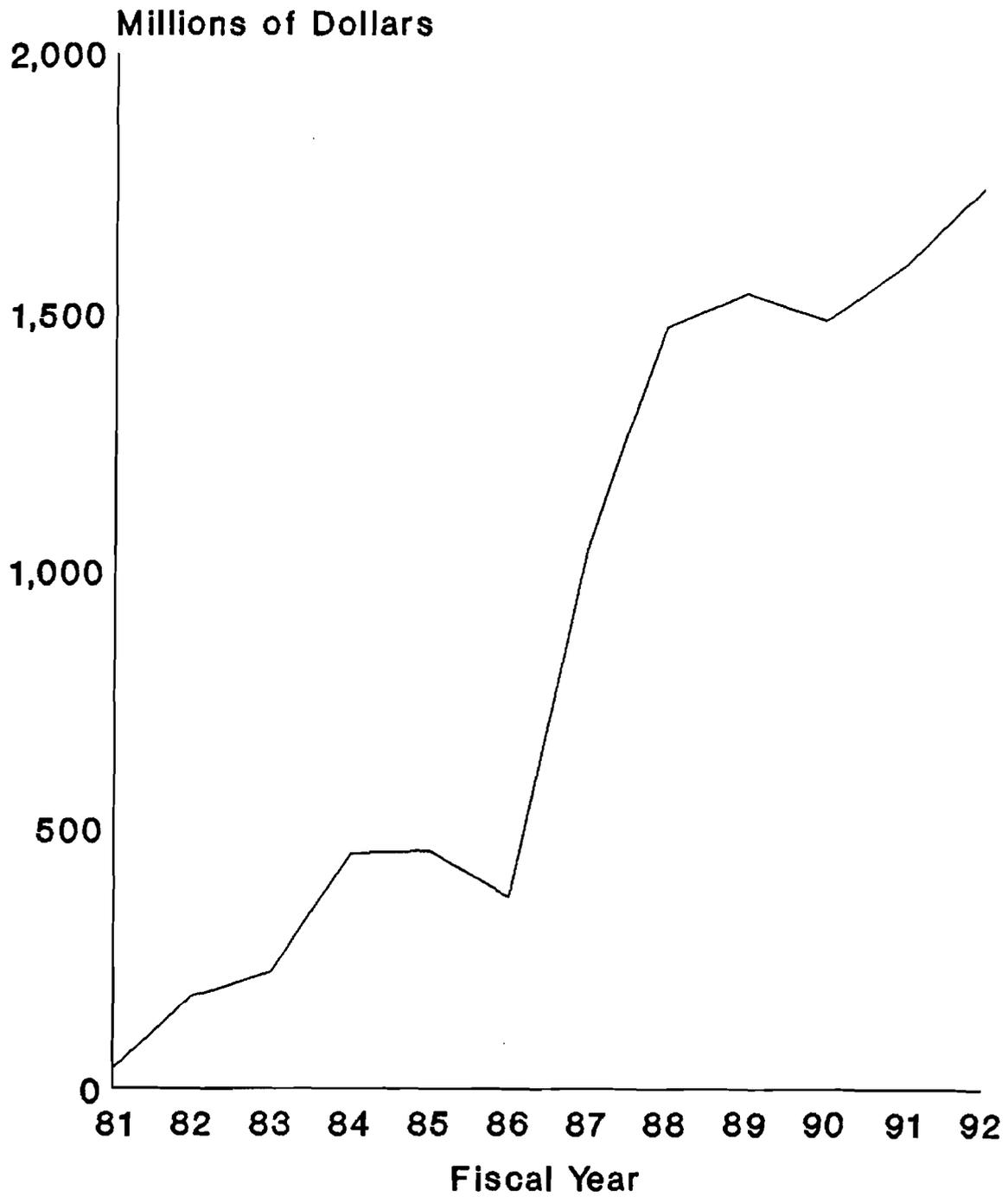
SOURCE: Congressional Budget Office based on Treasury Department data.

The trust fund started fiscal year 1993 with a balance of \$4,378 million. Of this total, all but \$861 million (20 percent) was already "spoken for": \$2,784 million had been obligated by EPA and other cooperating agencies but not yet spent, and \$734 million was an advance from the general fund.

Cumulative Superfund obligations through fiscal year 1992 were \$10.6 billion. As shown in Figure 2, annual obligations increased sharply in 1987 and 1988, the first two years after SARA; a more modest increase in 1992 brought spending commitments to a new high of \$1.7 billion. This level of net obligations exceeded the 1992 Superfund appropriation by \$125 million, thanks to additional funding of \$180 million in cash-out settlements and other "offsetting collections" (see footnote 2). Before 1992, this source of funds never exceeded \$25 million per year.

In the final 1992 Superfund budget, illustrated in Figure 3, over half of the total is accounted for by the "direct response" category, which consists primarily of payments to outside contractors for cleanup, site investigation, and oversight of private-sector cleanups, and also includes laboratory analysis and salaries of EPA's "direct site workforce." "Response support," 11 percent of the total, includes funding for technical

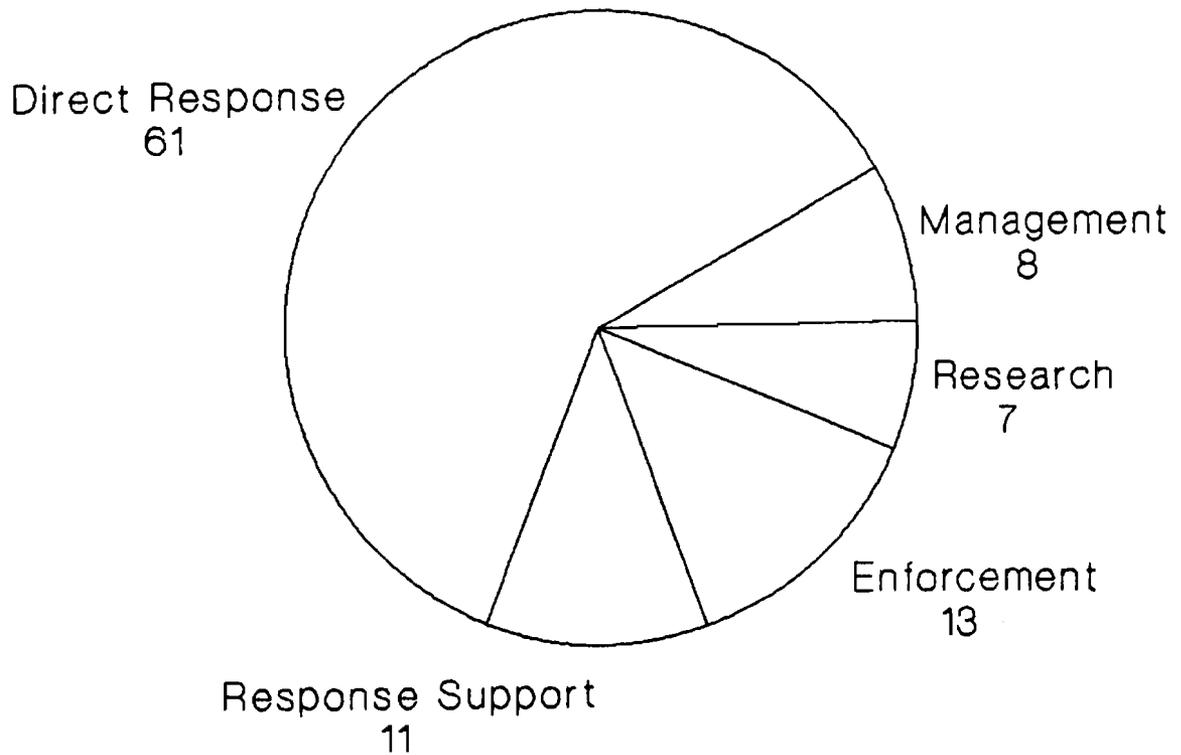
FIGURE 2. ANNUAL SUPERFUND OBLIGATIONS



SOURCE: Congressional Budget Office based on *The Budget of the United States Government*, various years.

NOTE: Figures shown are net of recoveries of prior-year obligations.

FIGURE 3. SUPERFUND OBLIGATIONS, Fiscal Year 1992 (In percent)



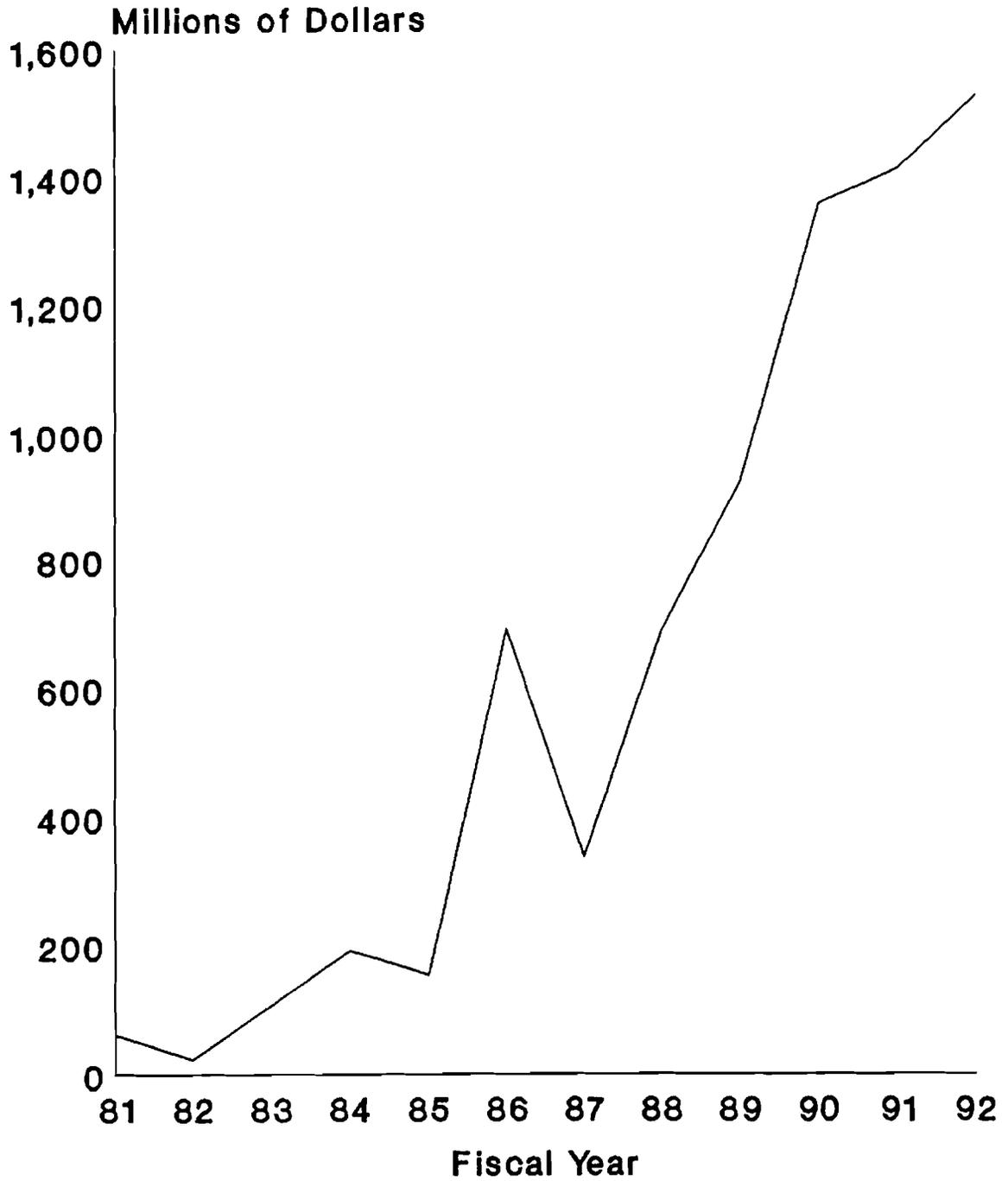
SOURCE: Congressional Budget Office based on Environmental Protection Agency data.

assistance, community relations, grants to state governments, the Agency for Toxic Substances and Disease Registry, and other EPA salaries. The rest of the budget can be classified as enforcement, management, and research, representing 13 percent, 8 percent, and 7 percent of the total, respectively.

The private sector's Superfund costs for studies and cleanup actions conducted under EPA supervision are not known as precisely. EPA estimates the cost of such "RP-lead" (or "enforcement-lead") work commitments, but does not monitor actual expenditures to see how closely they match its estimates. Under the enforcement-first policy that EPA announced in 1989, annual RP commitments have reached an estimated value of \$1.5 billion, close to the level of federal Superfund spending (see Figure 4). Cumulative commitments over the first 12 years of the program are valued at \$7.5 billion.

Total private-sector Superfund costs also include payments to the government to reimburse it for trust fund expenditures and various "transaction costs" incurred in efforts to minimize the liability of individual RPs and insurers. Through fiscal year 1992, agreements for reimbursement of \$0.9 billion were reached, and \$0.5 billion was

FIGURE 4. ESTIMATED RP WORK COMMITMENTS



SOURCE: Congressional Budget Office based on Environmental Protection Agency data.

NOTE: RP = Responsible Party.

collected pursuant to those agreements. EPA does not monitor or even estimate private transaction costs; data from a RAND study of five very large industrial firms and four insurance companies, which I cowrote before coming to CBO, suggests that these costs may total \$2 billion to \$3 billion to date.

ACCOMPLISHMENTS

How much has Superfund accomplished with the resources it has been given? The program's track record is arguably better than its image. Nonetheless, its pace and efficiency give reasons for concern.

Perhaps the most successful part of the program is the removal effort. More than 500 NPL sites have received one or more removal actions (see Figure 5). In addition, some 2,000 non-NPL sites have received removals, and cleanup work (excluding routine operations and maintenance) has been completed in almost 1,700 of these cases.

The results of the remedial program are more mixed: many sites have entered the remedial pipeline, but few have exited it. EPA has been

FIGURE 5. SITES WITH REMOVAL ACTIONS



SOURCE: Congressional Budget Office based on Environmental Protection Agency data.

NOTE: NPL = National Priorities List.

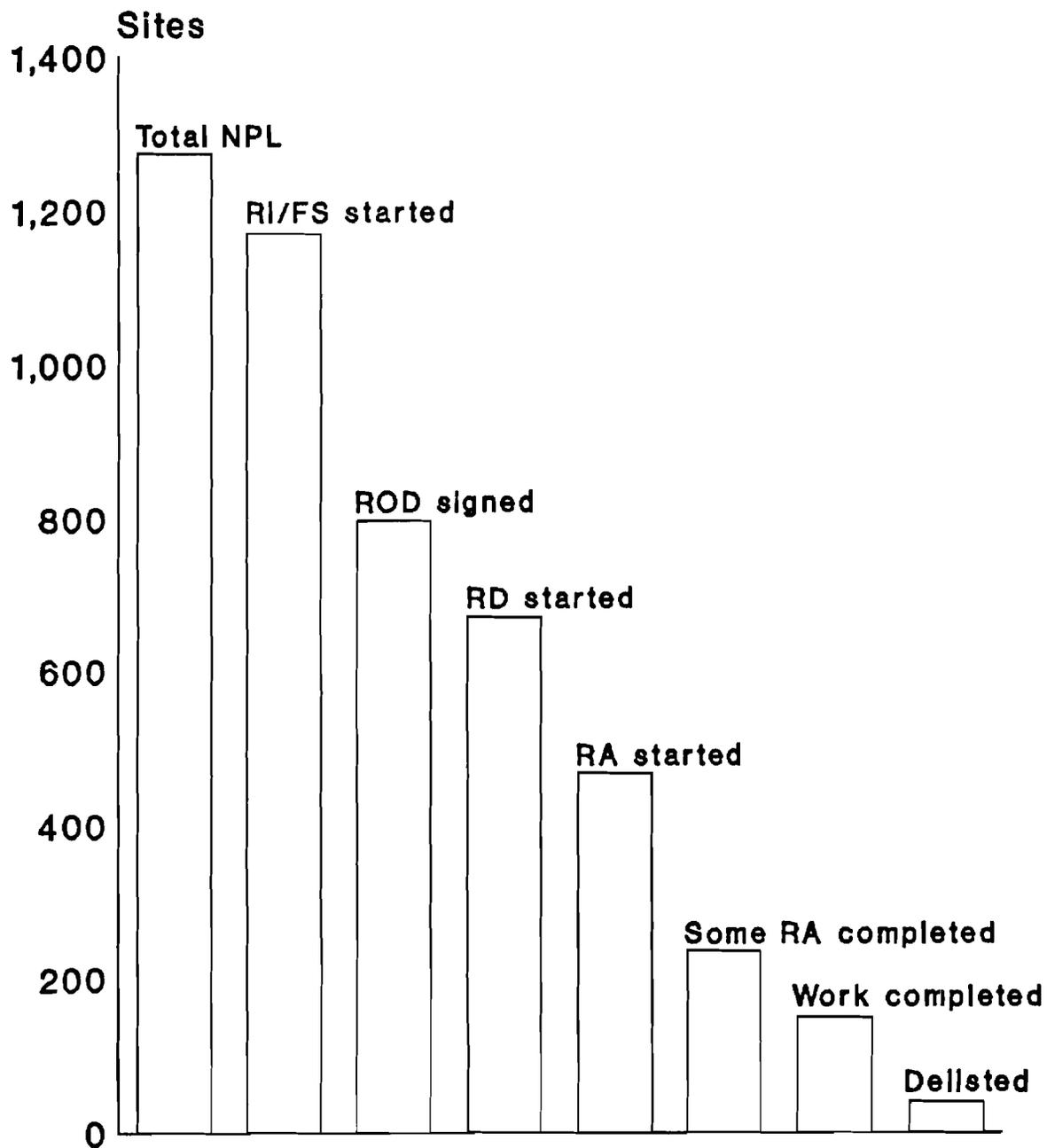
a. As of August 18, 1992.

notified of almost 37,000 sites that may merit Superfund attention. Through its screening process, EPA has determined that some 23,000 of these sites do not warrant placement on the NPL. Another 12,000 sites are in various stages of screening, including 6,600 sites in the last stage, awaiting scoring under the Hazard Ranking System.

At present, the NPL contains 1,275 sites, including 52 that have been proposed in the Federal Register but are not yet final, and 126 federal facilities (117 final and 9 proposed). As Figure 6 illustrates, EPA considers that all cleanup work other than routine operations and maintenance has been completed at 149 sites, 12 percent of the total. Actual "delisting" of a site--that is, certification by EPA that the remediation goals were achieved--has occurred in just 40 cases (3 percent).

The intermediate measures of progress in Figure 6 count a site as having achieved the indicated stage if any of its operable units have done so. A more complete and satisfactory status report on the NPL pipeline would include all operable units, but the number of such units that have not yet started the RI/FS is not readily available. Perhaps the most

FIGURE 6. SITES IN THE NPL PIPELINE (End of fiscal year 1992)



SOURCE: Congressional Budget Office based on Environmental Protection Agency data.

NOTE: NPL = National Priorities List; RI/FS = Remedial Investigation/Feasibility Study; RoD = Record of Decision; RD = Remedial Design; RA = Remedial Action.

positive development revealed in the figure is that remedial design and remedial action have begun (for at least one project) at 669 and 465 sites, respectively, slightly more than one-half and one-third of the total NPL. Both of these numbers represent increases of 50 percent in the last two years.

On one level, this growth in RD and RA projects was a natural consequence of the maturation of the NPL pipeline. (Another contributing factor may have been a shift in emphasis away from RI/FS starts, which fell from 152 in 1990 to 74 and 92 in 1991 and 1992, not including starts at federal facilities.) Nonetheless, the growth would not have been possible without increased use of private-sector resources. RPs started 133 RDs and 81 RAs in 1992, up from 80 RDs and 43 RAs in 1990, while fund-lead starts stayed largely constant over those two years.

Are the public and private resources devoted to cleanup being well spent? One reason for concern is the continued increase in project durations. Averaging all remedial projects completed or under way as of January 1992, EPA estimated that the study-design-action (RI/FS-RD-RA) sequence takes 9.1 years for the typical operable unit; in October, nine months later, EPA's estimate had risen to 9.4 years, an increase of

four months. The available data on completed projects alone, excluding ongoing work, also show upward trends in duration: the average RI/FS and the average RD completed in 1992 both took roughly eight months longer than their counterparts in 1990.

INFORMATION GAPS

After 12 years of experience, our understanding of the national hazardous-waste problem and the effectiveness of the Superfund program is still limited by important gaps in information. Some of these gaps are inherently difficult to close; one example is the aforementioned lack of data on actual private-sector cleanup spending, which many firms would be reluctant or even unwilling to divulge. Other gaps reflect EPA's failure to ask relevant questions, or to collect accurate and consistent data. CBO hopes to narrow some of the gaps in forthcoming reports to the Congress.

One striking example of missing information is that no one knows how many NPL-level waste hazards remain to be discovered. CBO is facing this question in a current study, requested by the ranking minority

member of the House Budget Committee, that attempts to estimate the long-run costs of the Superfund program. This study will contain alternative scenarios, across which the number of nonfederal NPL sites varies by a factor of three. We believe that this range of uncertainty properly reflects the present state of knowledge about the ultimate number of sites to be screened for inclusion on the NPL, and the acceptance and rejection rates of the screening process.

A second major gap is the lack of information about the benefits of cleanup. Ideally, a benefit measure would be available for three distinct purposes: for weighing the value of the overall program, for monitoring its progress over time, and even for evaluating the trade-offs among cleanup alternatives at individual sites. The Congress might determine that benefit analyses require too much subjective judgment to be practical at individual sites, given the various environmental and health benefits involved in a comprehensive index. However, without clearer measures of benefits, at least on the overall level, Congressional and public observers will have to continue to rely on the present bean-counting indexes of progress, and the true value of the program will continue to be anybody's guess.

On the cost side of the ledger, EPA has failed to analyze its existing data for time trends in the physical characteristics and costliness of sites added to the NPL. Some Superfund sites are hundreds of times more costly to clean up than others; accordingly, in one sample of 273 records of decision analyzed by CBO, the most expensive 10 percent of the cases account for half of the total estimated costs. A change in the incidence of such "mega-sites" could have a major impact on future funding requirements.

EPA has conducted some analysis on another key topic--the length of time required for site cleanup--but our understanding is still incomplete. EPA's analysis has led it to conclude that enforcement-lead sites do not take significantly longer than fund-lead sites on average, contrary to some anecdotal reports, and conversely that downtime in the screening process, overly broad feasibility studies, and disagreements between EPA and state agencies are important sources of delay. Further research on the duration of cleanup projects is needed to investigate the recent increases in average durations, the effects of various settlement tools, and differences among the 10 EPA regions. CBO anticipates doing an analysis of Superfund enforcement data that may shed light on some of these questions.

Again, some information gaps are larger than necessary because of problems by EPA in data collection and management. In the course of our research, CBO has found that EPA's central Superfund data base yields different answers to seemingly identical questions; that certain data are not routinely collected, not readily accessible, or not consistently presented; and that special-purpose data sets developed by EPA to avoid the preceding problems are themselves susceptible to problems of quality control. These problems impede the flow of reliable information to program managers. For example, Figure 6 above showed 465 sites with RA work started, because it relied on page I-8 of EPA's internal quarterly management report for the end of fiscal year 1992; had it used page I-6, it would have showed 523 sites.

CBO does not know whether the answer to these data problems lies in closer attention by EPA management, increased funding, reduced use of outside contractors, or some combination of the three. Our colleagues in the General Accounting Office may be in a better position to comment on these management issues.

POSSIBLE ISSUES FOR CONGRESSIONAL ATTENTION

In light of the Superfund experience discussed above, the following policy issues seem ripe for Congressional review: the program's cleanup goals and standards, its administrative and legal complexity, the applicability of insurance coverage, the roles of state governments, and impediments to productive reuse of contaminated land. As always, CBO does not recommend particular policies.

Cleanup Goals and Standards

SARA gave EPA several requirements and criteria to follow in selecting a cleanup remedy. According to section 121:

The President shall select a remedial action that is protective of human health and the environment, that is cost effective, and that utilizes permanent solutions and alternative treatment technologies or resource recovery technologies to the maximum extent practicable,

where the preferred permanent and alternative remedies are identified as those that "result in a permanent and significant decrease in the toxicity, mobility, or volume of the hazardous substance." Furthermore, the degree of cleanup must generally satisfy all applicable or relevant and appropriate requirements (ARARs) of state and federal law, including the federal Toxic Substances Control Act, Safe Drinking Water Act, Clean Air Act, Clean Water Act, and Solid Waste Disposal Act. EPA is authorized to waive ARARs in fund-lead cleanups if necessary to balance the benefits at one site with demands on the trust fund elsewhere.

This set of criteria leaves some important ambiguities, particularly in the definitions of health and environmental "protection." Does health protection require that human exposure to hazardous substances be eliminated, that contamination levels be reduced to those of the surrounding environment, or that the risk of disease and early death be reduced below some target levels? If the latter, should expected patterns of land use play a role in the calculation of risks? Is the environment protected if a contaminated groundwater plume is contained but not cleaned up? These ambiguities may be serving a valuable purpose in allowing EPA a certain degree of flexibility. However, the Congress may wish to clarify or revise the cleanup goals if it determines that the

flexibility provided by the current law is outweighed by problems of inefficiency and inconsistency, or by an excessive number of cleanups that do not strike the desired balance between costs and benefits.

The Congress may also wish to review the types and levels of standards used to implement the cleanup goals. In particular, the multiplicity of state and federal ARARs--which may define standards in terms of concentration levels, residual risks, or required technologies--can pose problems ranging from administrative delays to technical inconsistencies.

Administrative and Legal Complexity

With varying degrees of approval and dismay, several observers have described Superfund as a "gorilla in the closet," both for its broad liability provisions and its allegedly burdensome administrative requirements. The metaphor suggests that Superfund is most successful when the gorilla stays in the closet--that is, when the program induces voluntary cleanups, careful handling of waste, cooperation with state cleanup programs, and compliance with EPA enforcement orders. Less desirably, the metaphor

also suggests occasional havoc when the gorilla gets out, and a large bill for bananas. In the Superfund context, these problems correspond to cleanup delays, bureaucratic costs, and legal fees.

Various ways to improve the program's administrative and legal efficiency have been suggested. On the administrative side, EPA's new Superfund Accelerated Cleanup Model, currently undergoing testing, seeks to speed cleanup by eliminating downtime in the screening process and instituting presumptive remedies for common contamination problems. The Congress may wish to promote or discourage this increased emphasis on quick action over detailed study.

Proposals for reducing Superfund's legal costs span a wide spectrum in their degree of departure from the present law. With little or no legislative change, EPA could make greater use of existing settlement tools (mixed funding, *de minimis* settlements, and NBARs) or omit certain "indirect" costs (such as those for research and site screening) from its cost-recovery efforts.

A proposal representing a sharper break from CERCLA and SARA is to finance the cleanup of codisposal landfills (those containing

both industrial and municipal waste) through an expanded or additional trust fund, rather than through the liability system. Because of the large number and diversity of parties involved at these sites, they are often among those with the highest transaction costs. At the more radical end of the spectrum are proposals to eliminate the retroactivity of Superfund liability, using financing from the trust fund to clean up all sites that closed before 1980 (or 1986, in some versions). These and other proposed changes to the liability system could be judged on their likely impacts on legal and administrative costs, incentives for cooperation, and fairness.

The Applicability of Insurance

Aside from the liability scheme itself, another source of legal costs associated with the Superfund program is the litigation between liable parties and their insurers over the validity of claims for Superfund costs. My earlier research suggests that the insurance industry spent on the order of \$200 million in 1989 for such disputes with policyholders.³ Because of the number of distinct legal issues involved, and because

3. Jan Paul Acton and Lloyd S. Dixon, *Superfund and Transaction Costs* (Santa Monica, Cal.: RAND Corp., 1992), p. 31.

insurance contracts are generally interpreted under state law, these disputes over coverage could continue to be a major source of litigation for many years. The Congress may wish to establish a national interpretation of these insurance contracts; alternatively, it may determine that the issues are appropriately handled at the state level.

The Roles of State Governments

State governments play several important roles under CERCLA and SARA. For example:

- o Sites to be screened for removal action or placement on the NPL are typically brought to EPA's attention by the states;
- o Under EPA's current interpretation of the statute, states must provide 10 percent of the costs of any fund-lead remedial action (except at certain state-owned sites, where the required state share is at least 50 percent), and assure all future maintenance of such remedies;

- o States have the opportunity to participate in negotiations between EPA and private liable parties, to review and comment on the selection of all remedies, and to contest any settlement for enforcement-lead cleanup that does not satisfy state ARARs; and

- o EPA may designate a state to take the lead in overseeing cleanup by a site's responsible parties.

In addition, many states operate their own cleanup programs, modeled on the federal Superfund program to varying degrees.

In practice, these statutory provisions for federal/state cooperation do not always work smoothly. Conflict can arise over interpretations of state ARARs, RPs' desires to avoid multiple levels of governmental oversight, and state claims that EPA's choice of a remedy takes inadequate account of future costs for operations and maintenance. As noted earlier, EPA believes that such intergovernmental problems are a major source of cleanup delays.

Again, a wide variety of possible reforms have been suggested for Congressional consideration, including equalizing the percentage shares of capital and operational costs paid by the states, jettisoning state ARARs for uniform national cleanup standards, and allowing EPA to delegate the implementation of Superfund to qualified state agencies.

Impediments to Reuse of Contaminated Sites

Owners and operators of contaminated sites--even those whose involvement began after all use or disposal of hazardous substances had ceased--are generally liable parties under CERCLA. The main exception is that owners who acquire property by inheritance or bequest, or who had "no reason to know" of the contamination problems at the time of purchase, can assert the "innocent landowner" defense added by SARA.

Liability for subsequent owners and operators serves two main purposes: it provides an incentive for voluntary cleanups when contaminated sites are sold, and it minimizes the possibility that property buyers will make windfall gains on cleanups financed solely by others. However, the incentive to make sure that a property is uncontaminated

before purchasing it is also an incentive to choose previously undeveloped "greenfields" over existing "brownfield" sites, and thus to contribute to land-use sprawl rather than redevelopment of urban core areas. To encourage greater "recycling" of contaminated sites--and industrial sites in general--the Congress could eliminate or cap liability for successor owners and operators, perhaps where certain specified criteria are met. Alternatively, it could offer various incentives targeted toward certain types of sites or certain types of uses.

CONCLUSION

To summarize, Superfund has a mixed record of success. Controversies surrounding the program involve issues not only of EPA's interpretation and implementation of the law, but also of the goals and methods of the law itself. Because Superfund is likely to continue for decades and encompass thousands of sites under current policies, Congressional decisions regarding the future course of the program may have significant budgetary, economic, and environmental implications.