

US EPA ARCHIVE DOCUMENT

# PAUL PERONARD

EPA On-Scene Coordinator, Libby, MT

**Interview Date: November 4, 2005**

**Location: Denver, CO**

EPA Interviewer: We're conducting an oral history with Paul Peronard, a Region 8 on-scene coordinator [OSC] on November 4, 2005. I am going to ask you to introduce yourself and give your title here at EPA.

Peronard: I am Paul Peronard. I am an on-scene coordinator in EPA Region 8. Actually, I started as an on-scene coordinator in EPA Region 4 back in 1990. I have been doing this as an OSC for 15 to 16 years now, and before that I actually worked in the hazardous waste program in Region 4.

EPA Interviewer: What is your current position right now?

Peronard: Senior on-scene coordinator.

EPA Interviewer: Has your role changed over time at EPA? Have you always been an on-scene coordinator?

Peronard: Working backwards, three years ago, two of us in this region were made senior on-scene coordinators, me and Steve Way. I think they did this around each region, select a couple [of] folks to take lead positions. Before that I was just a regular on-scene coordinator here in Region 8, and I came out here in 1998. Prior to that I worked in Atlanta, Georgia as an on-scene coordinator and started in November 1990. Before I became an on-scene coordinator, I started with EPA in 1985 and worked in the RCRA [Resource Conservation and Recovery Act] program doing enforcement work.

EPA Interviewer: I am asking for a very general answer here, but over the years, what have been the most significant issues that you have dealt with in the program?

Peronard: The nature of our business is constantly changing. When I first started, we were all about the sort of small, quick and dirty responses. Put fences around sites, shuttle them through removal, spill response, [and] that type of thing. That morphed, especially as the Agency started implementing the SARA [Superfund Amendments and Reauthorization Act] amendments to where we started doing bigger and bigger removal projects. There was this wave of SACM [Superfund Accelerated Cleanup Model] projects where we were not only doing bigger removal projects, but also pioneering some work on NPL [National Priorities List] sites. The nature of the business changed. The type of sites we were doing changed pretty significantly. After, and even slightly before 9/11, that morphed again where all of a sudden site work was dropping in importance and preparing for the "Big One" for homeland security issues, for terrorist attacks, became more important. Even that has morphed some.

As we have been planning for terrorist attacks since 9/11, we've run into a series of other large natural or man-made disasters. The Shuttle Columbia. I am going to go down again on Sunday to work on the Hurricane Katrina and Rita response. Our core mission has changed. The way we respond and the way we organize has changed. Keeping current and capable, especially as we bring new OSCs on in a mission that is evolving is kinda tricky.

Everything good I learned how to do, I learned how to do onsite. As we get into counter-terrorism or disaster response, I spend less time doing site work and more time going to different training classes. It's something I think we need to worry about as hampering our effectiveness, because site work is where you learn stuff.

EPA Interviewer: Are there any of those issues that you just mentioned, or those situations that have been more significant in your mind?

Peronard: I can think of the big, big sites that I've worked on in my career, and I can go back to when I started being an OSC working on a site in Pensacola, Florida, the Escambia Wood Treating Site. It was one of these pilot sites. It was an NPL site. Everyone knew it was going to go on the National Priorities List, and we went in to do a removal. Traditionally, what we would have done was gotten rid of some of the product material, rinsed it off, and secured it. But at the time, the Agency was working on the SACM, the Superfund Accelerated Cleanup Model, and the idea was to front load the process with removal actions so that you got a lot of the major cleanup work out of the way in concert with the remedial program. We launched into this project in Pensacola, Florida, excavated all sorts of contaminated materials, worked on site and treatment technologies. When I say "a lot of material," we excavated almost 250,000 cubic yards of contaminated material, made a stock pile that occupies nine acres and is 26-foot tall at the crest, leaving two enormous 40-foot deep holes on the site.

We had figured out how to treat it, exactly what we were going to do with the material, but it didn't work out so well, because we ran afoul with all sorts of community involvement requirements. As a matter of fact, the community was an EJ [environmental justice] community. They took umbrage to the pace and to the technologies we selected. We didn't do a great job of doing all the community involvement that we should have. It was sort of new to us as a removal program. We used to get in, get out, and go to the next site. If I point to failures in my career, [it would include] Escambia Wood Treating, Pensacola, Florida. The pile is still there. I left that site in 1993 for the last time, and nothing has happened since. The truth is because we didn't do the community involvement work, because we didn't do a great job of integrating the programs—we were new at it—it's been sort of [a] black-eye for the Agency.

I can contrast that with [the] Libby Asbestos site. Here's one, where having learned our lessons, we again went after rather ambitious removal actions. We did a much better job at community involvement and a much better job at integrating the transition to the remedial program. I think by all measures it worked well. So you can just sort of see the evolution.

These are enormous \$100 million kind of sites. Funny, you get smarter as you get older. We did a better job at that sort of thing later on in the program's history than we did early on. I don't think my experience in that regard is particularly unique. So you can see that I've got pictures on my wall from the LCP [Chemicals Georgia] site. Here's another one down in

Brunswick, Georgia I did when I was in Region 4. Again, it was an NPL site. When the place went out of business, we knew it was going to be an NPL site. The place actually did a cold shut down, and we ended up putting the Company President, the Environmental Program Manager, the Plant Manager, and the CEO [Chief Executive Officer] in jail. They left tankers of chlorine, almost 300,000 pounds of elemental mercury in these chloralkali cells. Again, it was one where we stepped in to do the removal to sort of secure the site but ended up doing a rather extensive removal action. [We] probably got the PRPs [potentially responsible parties] to do the bulk of the cleanup work, all under the guise of the removal program. Again, [a] \$60 to \$70 million cleanup addressing more than what we would have [done] five years prior.

The problem now is as we get into homeland security, we're back to sort of not investing time into these big transition sites, because our core missions now are supposed to be centered around waiting for the big disaster to happen. If you go to New Orleans or the Gulf Coast right now, there's probably two-thirds of the nation's OSCs are responding to Wilma, Hurricane Katrina, Hurricane Rita right now. In contrast, if you look back, site work is grinding down slowly, because people aren't here or back in their regions to do that type of work. That's the sort of transition, and I think those are pretty good examples of where we've done well in those transitions and where problems come with it.

EPA Interviewer: I debated whether to ask this question. What is your general, over all opinion about the Superfund program in its present state? I think you kind of alluded to it just now.

Peronard: Programmatically, I am very concerned to where we are going. We're going to become like FEMA [Federal Emergency Management Agency] if we're not careful. We're going to take on this sort of new mission of disaster response, be it terrorist or otherwise, and we are going to do it at the expense of our base mission [to] clean up sites—classic emergency response. The problem with that [is] you can go to all the training classes on incident command and bioterrorism that you want, it doesn't really help you in the real world when you are down in New Orleans and you've gotta figure out how to collect all the household hazardous waste, get it Haz categorized, sorted, and bulked. You learn how to do that [by] doing cleanups at drum sites or plating shops, in these small removal jobs.

My worry is that we've picked up this mission; we're going to spend lots of man hours scurrying about getting ready for it at the expense of the other part of our mission, which is where we learn how to do stuff. If I go to New Orleans, FEMA has been a disaster down there. The people I dealt with at Hurricane Andrew or we dealt with in the Mississippi floods or the North Dakota floods were much more capable than the people from FEMA there now. FEMA has been paying attention to Homeland Security issues. They forgot how to do hurricanes; they forgot how to do natural disasters. The people they have there just aren't as capable. I worry that we are going to get that way. In 10 years we'll have OSCs who are doing one site every three years as opposed to five sites every year. Our skill set will be reduced if we don't keep up with the core mission. We won't be as good at this as we have been. It's kind of pessimistic, because we'll figure out how to do it right, but that's my worry.

EPA Interviewer: What were your expectations when your involvement at EPA began?

Peronard: When I began for EPA, I had no expectations. I was loading trucks at UPS and I got an interview and got a job at the RCRA program. I had no idea what I was getting into. I was a chemical engineer. I had worked for Union Carbide for awhile. I was going back to grad school and had no inkling to get into the environmental business. I didn't know what I was getting into. I started out in the RCRA program, and it was actually pretty fun. I was doing enforcement work. I was actually working mostly in the State of Alabama, which didn't have a delegated RCRA program, so I was doing all the enforcement. It turned out to be pretty interesting, pretty fun work, pretty meaningful work. I started liking it.

I started working with some on-scene coordinators who were doing cleanups in Alabama, and we had some interface there. I would say I was kinda jealous. I was desirous of an OSC position. It looked fun. It looked a lot more hands-on, directive, a lot of autonomy in what they were doing, especially when Alabama got their RCRA program back and all I was doing was state oversight. I was about to shove needles in my eyes. I credit Shane Hitchcock for rescuing me. He came to me and said, "Hey, there's going to be some OSC positions opening up." I jumped in and never looked back. Since I've been an OSC, I've never even thought about applying for a job at another position. My concerns notwithstanding, I love doing this work. I knock out sites. I get stuff cleaned up. I can honestly say, with the exception of Pensacola, Florida, every site I've been on I've left in much better shape. I don't think that everyone gets to say that about their job. I take my kids to my sites. At three years old, my son went to the Interstate Lead Company and got to watch cranes tear down. I am proud of it. Good stuff, good work. I think if we are smart about how we keep up with our mission, it'll continue to be good work for another generation of OSCs.

EPA Interviewer: What is your most memorable story in your involvement?

Peronard: My most memorable one is a bad one. When I started OSC-in', I used to have long hair—which I guess you can't tell from on oral history—but I don't anymore. I was a relatively new OSC and especially in [Region] 4, you did your mentoring program, which basically meant you were a boot-lackey for a senior OSC. You would go to their sites, attend to some of the grunt work onsite, and baby sit. You learned the business. I was working on a site in South Carolina, and sittin' in the office. Because I was just babysitting and the real OSC wasn't there, I didn't really have anything to do. Having a very short attention span, I got sort of bored sitting in the office, and I was watching the crew, which were short of a couple. It was a big drum site. It was one of these 200,000 drums stacked in an old landfill. It was supposed to be an old RCRA facility, but the guy wasn't really doing anything other than stacking drums. So I am watching the crew out sampling drums, and it looked to be a lot more fun than what I was doing sitting in the office, and I figured it would be good for me to really get a handle on how you do this. So I dressed out and I went in. I was going to work with the contractors actually sampling drums. Good stuff for me to learn.

So if I am on a big drum site [pause]. Sampling a single drum is a three-man operation. You have a guy who's on a forklift. He goes up and he picks up the drum and he brings it over there. We lay out a little staging area and he brings it. Then you have a guy who basically records all the information, captures, "It's a 55-gallon drum, open-top, when we open it, it's two-thirds full." So he's doing data collection about the physical state of the material and the drum and what the drum looks like and then the labeling information. Then you have the

third guy, who's sort of the grunt, who opens the drum, actually gets the sample out and does the collection. There's other people who get the samples and do the chain of custody.

So I didn't know how to drive a forklift, and my writing is so bad that I couldn't be the data scribe, so I was just opening the drums. You have to picture this. It's June in South Carolina. It's 90-bloody degrees out at seven in the morning when I decided that this is what I am going to do today. When you first put on all the protective gear—the level B—there's some romance to it. “Oh, this is cool and it's exciting.” 90-degree weather, South Carolina, 90 percent humidity, that romance is gone pretty quickly. So we were opening the drums all morning, I am just SWEATIN'. I mean I got water slog-gin' in my boots and I can barely see. My mask is fogged up and I'm hot and irritated—I guess [it] would be the euphemism—my vocabulary had been reduced to about four cuss words as I point and they bring the drums. We've been doing this all morning. It's like 11:45 a.m. I was like, “OK guys, we're going to do one more drum then we are going to break for lunch.” Since I was in charge, I got to say that. I had them bring the drum out. The stencil on the side of the drums said, “Inert Solids.” OK. It's an open top drum, which you're not really supposed to put liquids or reactive material in, so that made sense. The drum was all rusted to hell.

When you're opening drums, you use spark-proof brass tools, which are very soft. And the idea is you don't want to provide an explosive atmosphere, but the problem with that is the bolt ring was all rusted. To open it, I couldn't get the socket to sit on the bolt. So I am pounding it, and I can't get it to [un]stick. All of a sudden it's 12:00 and I can't even get the tools on there to move and everyone's standing around waiting for me. And then [it's] 12:15 p.m., I'm sitting there with the mallet, and I am trying to pound on top of this drum to get it open and I am just sweatin'. My mask is sliding around. I can't see what I am doing. I still can't get it to work. At 12:30 p.m. I call for the real tools. Give me some friggin' steel. I got a pry bar underneath the bolt and I'm bangin' on that and I'm trying to wedge this socket on there.

About 12:45 p.m.—I've been working on this drum for an hour—I am reduced to this primordial state where I am sweatin'. I am goin' [to] get this damn drum open. I am just WHALING on the top of this drum [*emphasis, obvious physical motions*]. I am just beating the crap out of this thing. Finally, BAM! I hit it and I feel it give and I think it's the bolt turning, but I've actually hit it hard enough where the top of the drum ripped open. When it gave, my hammer goes flying. I come staggering up and I can't see. I am just full of sweat and rage. I am screaming. It was so funny [*laughter*] and I remember it so clearly cause I heard—not right away, but I am up there—and I heard this kind a [*sucking noise*], this sucking sound.

Now we're sort of in this rural place in South Carolina, and I would tell you I am probably only one of five people with a college degree within 20 miles of this site. But the two techs with me when they heard the sucking sounds, they hit the ground and ducked and started rolling away. Right? But me, I hear this [*sucking noise*], and I go, “Hey, what's that?” That little intellectual curiosity that got the best of me. By the time I got to the “What's that?” I hear this, “WHOOSH!” I wouldn't say it's a big fireball. If there's such a thing as a small fireball, I am engulfed in a small—although pretty significant to me—[fireball]. [*Laughter*] I see this big orange flash of light and I am on fire. As a matter of fact, the drum lid gets blown off the top, and as it's flipping up it catches the front of my respirator and rips my respirator off. WHOOSH! My respirator is going and my entire thought process was reduced to something I learned in

kindergarten. When you are on fire, [YELLS] “STOP, DROP, AND ROLL! STOP, DROP, AND ROLL!” [laughter].

I am on the ground. I am just covered in all smoozed out with hazardous waste, and all I could think of, and I am screaming at the top of my lungs, “STOP, DROP, AND ROLL! STOP, DROP, AND ROLL! STOP, DROP, AND ROLL!” I am trying to roll around and, of course, they have an extinguisher on the forklift and they are trying to chase me, but I am rolling and they are squirtin’ me with the foam from the fire extinguisher and finally they get me and put me out. You know the fire triangle, you learn about that in chemistry? I had an air line to me, so that’s the oxygen, and I had initiated a hell of an ignition source, and it turned out all of our protective gear—which was very adequate for chemical resistivity—burns right nicely. So I was the perfect fire-triangle as I am rolling on the ground. They’re trying to chase me to put me out.

Anyway, so they put me out. I remember sitting up. I had this long hair—it was in a pony tail, back of my neck—and of course my pony tail is singed up and my right eyebrow is gone and my hair is burnt up on one side. Fortunately, I didn’t have third degree burns or anything. I was not in pain. I just remember sitting up and smegged out with all the waste and stuff we’d spilled on the ground. I am covered in fire fightin’ foam, and [laughter] I remember looking up at the techs and I said, “Boys, I think we’re taking the afternoon off.”

I had to go through decon[tamination] and get housed off. Drop my gear. All my clothes and stuff were burnt. I had to borrow some clothes and stuff from a guy on site, and I drove into the barber shop in Greer, South Carolina. It’s like out of Mayberry. The old guy sitting behind the [desk], he looks up at me when he comes in. There’s another guy sitting there reading a magazine. I said, “Don’t ask! Shave it!” So they shaved my head, which I’ve been doing ever since. What was really bad about it was that I didn’t tell my wife the story. I got home—I actually stayed an extra week so my eyebrow grew back—I just told her that my hair was getting caught in the respirator, which I don’t know if she believed or not, but I didn’t tell her until about a year later at a party when somebody asked me about it.

EPA Interviewer: Why didn’t you tell her?

Peronard: [Laughter] You know, she was always worried when I started this work that it was dangerous. I was like, “No, no, honey. I am just supervising. I’d never do anything where I’d be at risk.” I am not scared of many things in this world, but my wife is like on the top of that list. I paid for not telling her [laughter] too. Anyway, bad story, but...

EPA Interviewer: No, great story, great story. What is the high point of your involvement in Superfund?

Peronard: High point. I am going to say I don’t have any. One of the bad things about our business is that we tend to work on things that are bad situations. I’ve had sites where I was proud of our work, and we did good stuff. Libby Asbestos or the LCP Chemical site. These are places where we made the world better, but that said, you still had this rather impacted [pause]. I remember somebody asking me at Libby, “Are you proud of what you done?” I always fall back on the story. When I was at the Libby Asbestos site, I had a guy I worked with

up there, Al Cating, who's a World War II veteran, landed at D-day, who while I was up there I watched. Basically, I watched him die. For the first year that I was up there you could just see him digress. I remember one day seeing him walk around the grocery store. I've told this story a couple of times. It was just awful. It was just—I wouldn't quite say I stalked him—but I followed him around this grocery store. It was just [that] he'd stop and get a head of lettuce and he'd wheeze. The "minorest" thing to go shopping, but if you knew Al, he's a stubborn, proud fellow. He didn't want to stop doing stuff. He'd push his cart five steps and he'd have to stop. It took him three hours to buy a handful of groceries. How do you feel good about that? I don't care what I did or what we did as an Agency to clean stuff up. It was too little, too late. Libby is a bad example of that, but in a lot of ways it's [pause]. You don't have high points fixing disasters. It's damage control. You make things as good as they can, but I don't know how to describe it differently. It's just not something I would describe as a high point.

EPA Interviewer: What is the low point of your involvement in Superfund?

Peronard: If I looked at the site where I screwed up, [where] I did the most damage to the Agency, and the Agency's reputation and my reputation, it would be Pensacola at the Escambia Wood Treating site. The lesson I got out of that—and I teach OSC 101 and 201 classes—[is that] we had a great solution for the Escambia Wood Treating site; technically we had that site nailed down three ways from Sunday. We knew exactly what we were going to do, but lost political control because we didn't do the ground work we should have [done] with the community. I had my head in the ground in terms of the racial issues that went around with working in a black community. I missed the boat on that entirely. It ground the cleanup to a stop.

It's always those issues, the politics, the working with the local community that make our sites turn out badly. It was a pretty hard lesson. We spent \$4 million on a removal action there, but left such a bad state of affairs that the remedial program had to move the community around the site, which by the way was a stupid decision, but one they were forced to do because we got so cross-wise. I point to that as the biggest mistake I have ever made. It's the type of mistake—I am not unique in those types of mistakes—but it's one that cost the Agency 10 years of a cleanup and \$30 to \$40 million. If nothing else, I got a good lesson out of it.

EPA Interviewer: If you could change one thing about the Superfund program in its current state right now, what would it be and why?

Peronard: [Laughter] I have a couple pet peeves with how we do things, and this is going to be not particularly entertaining from a historic standpoint, but the Agency relies, especially in the remedial program, on quantitative risk assessments. We come up and tell communities, "Well, here's the level of chemicals and we're going to protect you to a 10 to the minus four risk." In the times I was sober in grad school [laughter] and we got into statistical analysis or sensitivity analysis on calculations. If you did error bar analysis around our qualitative risk assessments [on] which we base multi-million dollar decisions, you would see you have error bars that are [a] yard-wide by measurements that are a millimeter. We are kidding ourselves and we are misleading communities by thinking we have that kind of accuracy and scientific understanding about [pause]. It's not the nature of our work. We tend to rely on that. The problem with not having any quantitative risk assessment and a formulaic one, especially, is



that you give up judgment for process. Well, I am feeding the numbers in and this is what the models say. You get bad decisions out of that. Anytime you say, "OK, I got smart people, but I am not going to count on their judgment, I am going to have this mechanical approach to process, and that's what's going to drive my decisions," you are going to make bad ones.

I could point to tons of sites where the Agency has done that, or we've done cleanups that weren't necessary, or where we didn't do cleanups enough, because we relied on some risk assessment model. And I guess my bigger picture is we took judgment away from people who know the business and how to get things done and put it [in] to a mechanical process. That reliance on process is something that drags remedial sites down. That's why you have Leadville going on 16 years after. That's not the only example out there. The Agency is fraught with that. If I would change that, we would loosen up the process requirements, not at the sake in terms of involvement and information-sharing, but the mechanics of how we do that. It's silly to always go from a ROD [Record of Decision] to a remedial design and then remedial action. There's better, smarter ways to do that if you have the right smart people working on it who know the business, who have good judgment.

EPA Interviewer: Describe your general approach with the stakeholders that you work with at a site. How has that changed over time, if it has?

Peronard: It certainly has. I am old enough in the program, and certainly if you talk to guys older than me who've been around, removal used to be a get in, get out at midnight kind of program. Community involvement, stakeholder involvement was a burden. It still kind-of is a burden, but, it was something we used to avoid regularly. Now, I try to be a bit Machiavellian about it. I try to weigh who are the interested stakeholders, whose interests are at stake, is their opinion of their stake going to matter on what needs to happen out here? In some sites, you know, Libby or the LCP site, the stakeholder involvement was crucial. It was the key piece for what had to happen because of the size of the jobs. For a small job, that's not necessarily so. The first process is who are the stakeholders? How important is their stake? That sounds a little harsher than I mean it.

I did a job in Hialeah, Florida one time where it was a "you-store-it" place that had all kinds of chemicals. There was a retired chemist who was running a little lab out of a "you-store" place. It could have gone up and, hell, probably killed people within half a mile either way. Nobody cared. At that site, spending a lot of time finding community leaders would have been a waste of time and effort. People didn't care. Get in, get out worked just fine.

I contrast [that] with a lot of our sites now where if you don't engage the right stakeholders, that's the key—the right ones—folks who have a stake and have good input, can help guide you and help you make your decisions and cleanups work. If you don't include them, you are just going to get hosed. You're going to get ground down like we did in Escambia. Once I've done that first, rather Machiavellian step of who counts, and, by the way not everybody counts. That ain't true in an ideal world, maybe. But who counts? Not only do you have to gather input and let them have a voice, their voice has to count. They have to be able to change your cleanup. You have to be responsive to what they need, not to every whim and fancy. But if they say, "Hey, look we don't want you citing a unit here and here's our six reasons," and the reasons have some validity, you gotta honor that. Otherwise, one, you're

being disingenuous—which is bad—and, two, you are just going to [upset] them and your cleanup is going to go. There's a practical side and one just a manner of honor. You are obligated to respond to the input that you get.

On big sites, I try to, one, make sure I am involved with our community involvement. That they have a conduit to who's making decisions on their site and they know why I think this is the case and that they know I'll take their input and make that change. We need to make sure that we are frequent, often, and informative. We can't sit behind, "Oh, here's the Agency policy on this." In Libby, we went up there with a notion that well, we clean up asbestos with level one percent or higher. It just wasn't going to work there. One, it wasn't protective. Two, most of the folks knew better. So there, to me it was important to gauge on, "Well, guys, here's what I think scientifically. Here's where the Agency stands policy-wise. Here's how the system's going to have to chew over this to get us forward."

Warts and all, you need to be able to discuss how the program works. Good and bad. Folks get that, really, [and] much better than we give them credit for. If you finally get to a point where it's like, "Hey, I'm a little cog in the wheel, and this is all I can do for 'ya." At least you've laid out the issues honestly and openly, and they know who to talk to. Or they know where it is. I tell people at all my sites, "You're not going to like all the decisions I make, but you are going to know why and how I made every one of them." Once you've decided who's getting involved, you got to really involve them. It can't be lip service. It's not just on some issues. You got to let them see how this process, even internally, is working for the EPA, or not working for the EPA.

EPA Interviewer: Here's a big general question. Has the Superfund program had an impact on environmental protection in America?

Peronard: Absolutely. So the irony there, it's not just the actual cleanups. Certainly you can point to a list of sites now where these were bad places and now they're good. But to me, one of the biggest tools, the biggest effects that Superfund has had, is that it scared the bejesus out of people. The liability scheme is still fairly Draconian. Joint and several liability is a concept that—and I guess that we've decided it's constitutional—scared the heck out of a lot of people. That fear of liability has caused even more so than when I was doing RCRA enforcement. The fear of CERCLA [Comprehensive Environmental Response, Compensation, and Liability Act] liability has changed the way companies have managed and generate hazardous waste and hazardous materials so profoundly to the good. People don't want to be a PRP at a site 10 years from now, so they do the right thing. It's almost like having that 800-pound gorilla out there. I think it's even more so.

I worked five years doing RCRA enforcement. People being scared of CERCLA liability has caused better management of hazardous waste than all the RCRA enforcement in the world. You have all sorts of other [examples]—you know like the space program gets you Velcro. You've also seen it as a fore-runner for new, innovative, and effective technologies for handling waste to make that waste management [is] cheaper. So there's all sorts of other spin-off benefits from CERCLA.

EPA Interviewer: Then I think that answers this question which is: Do you think the Superfund program has had an impact on preventing future hazardous waste sites?

Peronard: Like I said, for the sheer sake of [pause]... Not with everybody, but if you're Dow Chemical or Hooker Chemical, you're not burying stuff in the canal anymore. Not 'cause you are worried about your RCRA fines, but you are worried about cleanup costs.

EPA Interviewer: Superfund relies on both federal funding and private funding through the enforcement program. Do you think this dual funding has been successful?

Peronard: Absolutely. Part of that gets back to—I tried to teach my kids this—when you have a problem, you got to work with people. You got carrots and you got sticks. At the LCP site, one of the reasons we got the responsible parties to do so much cleanup work under the removal was the notion that, “Look guys, you don’t [do] it, we’ll do it. You want to sit and argue with me about this, we’ll step in and do the cleanup, and by the way, I’ve never lost a dime on cost recovery cases. We will get our money back from you. Do you want control of your destiny or not?” Once you get a PRP to do a cleanup, I try to give a lot of deference for decision making to folks spending the money, but that ability to back it up, the “if you don’t do it, we will,” is key to making the enforcement part work.

And then there's a ton of sites out there that is not a PRP liable or viable. Out here in the West, we do mining sites where it might not have operated in the last 100 years. Those have to go Fund-lead. There has to be some sort of revenue to do those types of sites, or they just don't get done. So for a whole bunch of reasons I think there has to be a dual scheme. It can't be an enforcement only program. We'll spend all our time litigating. It can't be a Fund-lead only. We're not smart enough to cleanup every site in this country, nor do we have the money to. To me, you have to have that sort of bilateral approach—mixed metaphors there—but you have to have both options available to you, and you have to be in a position to use either one.

EPA Interviewer: If you are familiar with them— which I think you are—did the EPA Administrative Reforms of the mid-1990s have an effect on the program?

Peronard: No. Our program evolution has been more mission driven and more politically driven. When we would get dinged on the Hill for not enough construction starts, that has more effect on how quickly we got to construction than any of the administrative reforms that would make our process—we haven't done a great job of making our process—any more efficient. It's still basically just like it was since 1986 and the SARA amendments. That was the last time there was a meaningful change for our process. We got better at it; don't get me wrong on that. We've gotten better at how we handle sites. It's not because of our administrative reforms. It's because we got beat up around the head and shoulders and told to do better. Not that I am cynical or anything.

EPA Interviewer: EPA Superfund liability policies that provided relief to certain parties (ROS perspective purchasers, contiguous property owners, and innocent land owners) were enacted into law in 2002. Are you familiar with this?

Peronard: Absolutely. I've got one of the first ROS perspective purchaser and contiguous property owner settlements. A site I did up at Fort Collins [Colorado].

EPA Interviewer: What site's that?

Peronard: Poudre River Site.

EPA Interviewer: What effect has this had on the program? And you could use that site as an example?

Peronard: They are good changes. They give people hope to redevelop and reuse sites and even get involved in cleanups, while shielding them from acquiring liability that probably by any other standard, other than joint and several, is not their liability. Certainly the ROS perspective purchaser has actually helped us get more cleanups done, and [it] aligns liability with something that is a little more fair, just in that general sense of honor—contiguous property owner language.

We had the city of Fort Collins in this Poudre River Site. You had a coal tar plume that was coming underneath basically an old landfill of theirs that they have a community center on. The coal tar was bubbling up in the middle of the Poudre River. Our remedy is entirely taking place on city property, but we've got them to a spot where they don't have any Superfund liability. That's certainly made it easier to deal with them and it's fair. Why should they pick up liability for a problem they didn't cause just 'cause it came under their line? It's harder to get there. There's always been an out for innocent property owners under CERCLA, but it was hard to get to under the old standard. I think those changes were to the good and effective.

EPA Interviewer: Would you like to discuss any changes for better or for worse that you have observed in the program over time?

Peronard: You've heard my worry about as we pick up this homeland security disaster response mission. Paradox and irony, those are sorta the things that make life interesting. The irony being is the more we focus on it, the less capable we will be of doing it, because everything is a program to an OSC. Everything useful we've learned, we've learned on the site somewhere. Whether it's my mistake at Pensacola or figuring out that, "Hey, I can use a subsurface sheet pile barrier for interception of contaminants to killing anthrax?" These are things you learn onsite. The less site work we do, no matter how you slice it, the less capable we will be at responding when a big disaster or major terrorist strike occurs. We just gotta make sure that we have some sort of mission that keeps us capable.

EPA Interviewer: Can you describe the role of state and local governments in the program and any evolution of how they are involved that you have seen?

Peronard: Well, the interesting thing about states, they're all different. I can't say that I can talk to some sort of cognitive recognition of an evolution. But I can tell you that the ability for a state to participate and how they participate is different in every state. When you get back to stakeholders and involving them, as an on-scene coordinator, RPM [Remedial Program Manager], or anybody in Superfund, you have to be aware of that.

When I was in Region 4, I worked with the state of Mississippi quite a bit. They had the most capable set of emergency response personnel and responders that you'd ever like to

work with. They are good folks, and they didn't have any money in Mississippi. If there were more than three drums, they couldn't do it. You had to sort of acknowledge that reality in how you worked. It didn't mean that they couldn't give you input or help you out with the site or that you couldn't arrange [to do] some fairly creative things to let them get work done before us and with us.

It was completely different than working in the state of Florida, or working with the state of Colorado. Florida could do a lot more. They had a lot more money, a lot more people, a lot more incidents, and a completely different organization. Everywhere you go, states are going to be involved in our sites, big or little, to some degree. How they are involved is going to be different everywhere. It's very important that you get savvy enough as an OSC—again it's something we try to teach the new ones—find out, get that state counterpart, figure out what program they are going to be, hear from them where and how they are going to get involved. Learn what their capabilities are and make that work for your site.

It's not this kum-ba-ya, we're going to involve states and give 'em the program. That's just simply not going to work. I don't ever see CERCLA as a delegated program like RCRA or the Clean Water Act. The states just have too different capabilities. We owe them a fair cut at knowing what we are doing on our sites and again, effecting changes in how we do it. You just got to work with a state and their capabilities and their desires to get involved. And even if they want to get involved, if they don't have the money to back it up, you got to deal with that, too.

EPA Interviewer: Only a few more questions. What role, if any, have you observed the Superfund program playing in the redevelopment of properties in areas?

Peronard: I've had on my sites, at least some of them. [At] the LCP site, they've partially redeveloped. It's never been the primary goal of either classic removal or remedial program. You've always had to consider future land use that might entail redevelopment, but it's only recently that that is a goal of our remediation and really only through the back door. They created the Brownfields program. You see that redevelopment [is] creeping into our sites and our responses more and more. That's a good change. Obviously, putting urban corridors back in use, back in [a] capable situation, has all sorts of positive economic benefits and good environmental ones. Preventing sprawl, redeveloping interior areas are all good goals. Something we should incorporate more in our response actions when and if we can. The rub is that the economic redevelopment can't take precedence over environmental protection or cleanup. The worry there is you can rush to redevelopment at the expense of doing the cleanup right. There's a lot of pressure economically for [development. Developers tend to have money. They tend to have quite a bit of influence with state governments. You can see the pressure to declare something safe and clean so it can get redeveloped at the sake of a quality cleanup. The rub is finding that balance, and as I tell new OSCs, "It's your job on your sites to get it done. You have to advocate for the proper thing. You've got to learn to manipulate and work within the system and [with] whatever factors are at play, and if redevelopment is one of them, you've got to manage that. You got to make it happen so that a good outcome happens. That's what your job is."

EPA Interviewer: Do you think that any innovations can be attributed to the Superfund program? For example, legal program management, technologies, use of computers, etc.

Peronard: Well, I mean you could go to the last question you had—use of computers, we've gone to electronic data management. You'll see guys out with PDAs doing data inputs. The drum description that I gave you earlier when I caught fire—we do all that electronically now. That can be directly uploaded and fed into a database. You'll see a lot more Web link databases instead of having to wait for a report to come out with hardcopies of analytical data. I now set up a server somewhere where the stakeholders, PRPs or the states or whatever—we have this at the Fort Collins site—can do a Web entry and look at the data as soon as it's electronically uploaded. You'll see those sort of technological improvements.

I don't know if we are driving those, probably not. That's just keeping up with times. You'll see other technological things which we are driving in terms of learning what works for cleanup technologies. In situ soil vapor extraction is something I've seen. Fifteen years ago, where we were basically putting tubes in the ground and sucking real hard, to much more effective, sophisticated systems. We've been on the front end of that learning curve.

Programmatic improvements—as OSCs, we do have that cowboy reputation to keep up with. The euphemism would be, “You'll see us on the cutting edge of programmatic steps all the time.” We used to do handshake voluntary cleanups. You won't get an order from me, but if you do these things, we'll go away. You now actually start to see that mainstream where we have voluntary cleanup orders now. We've been pushing the envelope in what the program can do. Even at Escambia, we were pushing what traditionally the removal program had done and the amount of cleanup. There's some positive things still that happened at the Escambia site, because we pushed that envelope. Groundwater has gotten a lot better, because we did dig up all the source material. We did a lot of things in Libby which traditionally had been remedial work or asbestos abatement work.

Cut to the chase, we got cleanups done, we protected people, and we did it quicker. Again, that's one of the things that I see as the main role of the OSC. Where's the right short cut to take in getting it done?

EPA Interviewer: I am debating whether to ask you this question, because I think it is redundant to what we have talked about. I have written here, what is the biggest challenge the program has dealt with over the last 25 years? And then, what is the biggest challenge facing the program today?

Peronard: Beat it to death.

EPA Interviewer: Do you see a day when hazardous waste sites will be cleaned up and a Superfund program, as we know it today, will no longer be necessary?

Peronard: I can foresee a time when the big sites are gone. I got pictures up on my wall here from W.R. Drum site in Memphis, Tennessee. It was 27,000 drums on two acres of land in downtown Memphis. We used to do a site like that every year, maybe two when I was in Region 4. They just simply aren't out there any more. You see, even the large chemical or industrial facilities, even mid-size ones [*pause*]. It used to be when a secondary lead smelter went out of business, we had work to do no matter what. I can point to the Interstate Lead Company and the Sanders Lead Company sites I worked on which now, because of the state

of the laws, when they go out of business, they aren't the environmental disasters they used to be. There always will be spills. There always will be that need for response. A lot of that is getting pushed out locally. Trains derail. Those types of things will always be out for us. I think you'll also see a pretty constant stream of these sort of medium sized sites when the economy turns south, the electroplating shop goes out of business. I don't ever see that going away. The sort of mega-sites—I know we're chewing a whole bunch of them right now as an Agency—but I think once we get over that hump, they will go away over the next decade or two, but they'll go away. There always will be a need for that sort of emergency response capability and for the sort of mid-level cleanup.

EPA Interviewer: Is there anything more you would like to talk about?

Peronard: I always tell—when I teach new OSCs—to be aware of their lineage. You're doing an oral history. When I first became an OSC, I was mentored by Don Rigger, Fred Stroud—who by the way is a character of recognition in our history. Steve Sperlan. These were guys who worked for Shane Hitchcock, who now has moved up and is a Branch Chief. They learned the business from Al Smith, who was clearly one of the innovators and movers and shakers in developing a response program. Going back to Ken Biglaine, I trace my lineage as an OSC back through this chain about how we did our business. It's different from region to region.

EPA Interviewer: And these folks are different OSCs in different regions within EPA?

Peronard: These were all in Region 4. That's where I learned my bones, or whatever you want to call it, as an OSC. Where I developed my approach, where I developed a sense of what we can and cannot do, and what's important in the program. It's different in every region. I try to make people cognizant of that. This oral history project is probably a good step to that. If you are an OSC working in Region 4, there's a storied history of folks behind you who got the program where it is today. We get to do stuff today 'cause of guys like Don Rigger or Al Smith and the steps they took. I think it's important for folks to be aware of that because a lot of it explains the differences between the regions but also it empowers people in knowing the sort of problems historically that we have overcome. Knowing how we developed our tools, and knowing how the program has evolved. It gives you an ability to look forward and figure out what we're going to be doing in five years from now. If there is anything to impart to anybody who's working inside the program, know your history, know that lineage. I don't know if we can sit around the camp fire and beat the drums. Every time I go to an OSC Readiness [Training Conference], I tell Shane Hitchcock and Al Smith stories. I am sort of proud of that OSC heritage I have, and everybody's got that.

EPA Interviewer: Very good. Thank you very much.