

**CERCLA Exemptions for Fund-lead Removal Actions  
(>\$2 Million and/or >12 Months)**

<b>CERCLA Exemptions</b>	<b>CERCLA Criteria</b>	<b>Regional Delegation of Time Limits</b>	<b>Regional Delegation of Dollar Limits</b>	<b>Headquarters Approval of Exemption Requests</b>
<p><b>Emergency Exemption</b></p>	<p>1) There is an immediate risk to public health, welfare, or the environment;                  2) continued response actions are immediately required to prevent, limit, or mitigate an emergency; and                  3) assistance will not otherwise be provided on a timely basis</p> <p><b>All 3 criteria must be met.</b></p>	<p>Regional Administrators have authority to approve time emergency exemptions. Authority may be redelegated to Division Director level.</p>	<p>Regional Administrators have authority to approve emergency exemptions up to \$6 million. Authority may be redelegated to Division Director level. [Delegation 14-1-A]</p>	<p>All emergency exemptions &gt;\$6 million must be approved by the Assistant Administrator of the Office of Solid Waste and Emergency Response (AA OSWER). OERR reviews all action memorandum. OSCs should contact their OERR Removal Regional Coordinator.</p>
<p><b>Consistency Exemption</b></p>	<p>Continued response actions are otherwise appropriate and consistent with the remedial action to be taken.</p>	<p>Regional Administrators have authority to approve time consistency exemptions based on both NPL and non-NPL sites. Authority may be redelegated to Division Director level.</p>	<p>Regional Administrators have authority to approve consistency exemptions with no ceiling limit for proposed and final NPL sites. Authority may be redelegated to Division Director level. [Delegation 14-2-B]</p>	<p>All consistency exemptions for non-NPL sites must be approved by AA OSWER. OERR reviews all action memorandum. OSCs should contact their OERR Removal Regional Coordinator.</p>

**CERCLA Exemptions for Fund-lead Removal Actions  
(≤\$2 Million and ≤12 Months)**

Situation and Delegation	Limitation	Delegated to Whom
Emergency situation selection of performance of Removal Actions [Delegation 14-1-A]	≤\$200,000	Regional Administrator (may be redelegated to OSC)
Other than emergency situation selection of performance of Removal Actions [Delegation 14-1-A]	≤\$50,000	Regional Administrator (may be redelegated to OSC)