

Model Remedies



December 11, 2014

Toxics Cleanup Program
Department of Ecology

Agenda

- Introductions (1:30)
- Purpose (1:40)
- Background (1:50)
- Summary of Past Cleanup Decisions (2:00)
- Model Remedy Options (2:15)
- Next Steps (3:15)
- Summary of Meeting (3:25)
- Adjourn (3:30)

Background – 2001 MTCA Rule Amendments

- ◎ The 2001 MTCA rule amendments included new provisions for establishing model remedies.
- ◎ Ecology adopted procedures for developing model remedies for common categories of sites.
- ◎ When a site meets the criteria for use of a model remedy it is not necessary to conduct a:
 1. Feasibility Study, or
 2. Disproportionate Cost Analysis

Background (cont.)

Work Between 2001 & 2013

- ◎ Ecology has developed model remedies for soils in the Tacoma Smelter plume.
 - Soil excavation and removal
 - Soil mixing
 - Soil capping
- ◎ Information on the Tacoma Smelter is available at:
<http://search.usa.gov/search?utf8=%E2%9C%93&affiliate=www.ecy.wa.gov&query=Tacoma+Smelter&x=12&y=7>.
- ◎ Ecology began preparing several other model remedies.
 - Petroleum contaminated sites
 - Hard rock mining
 - Natural gas metering stations

Background (cont.)

2013 Model Remedy Changes

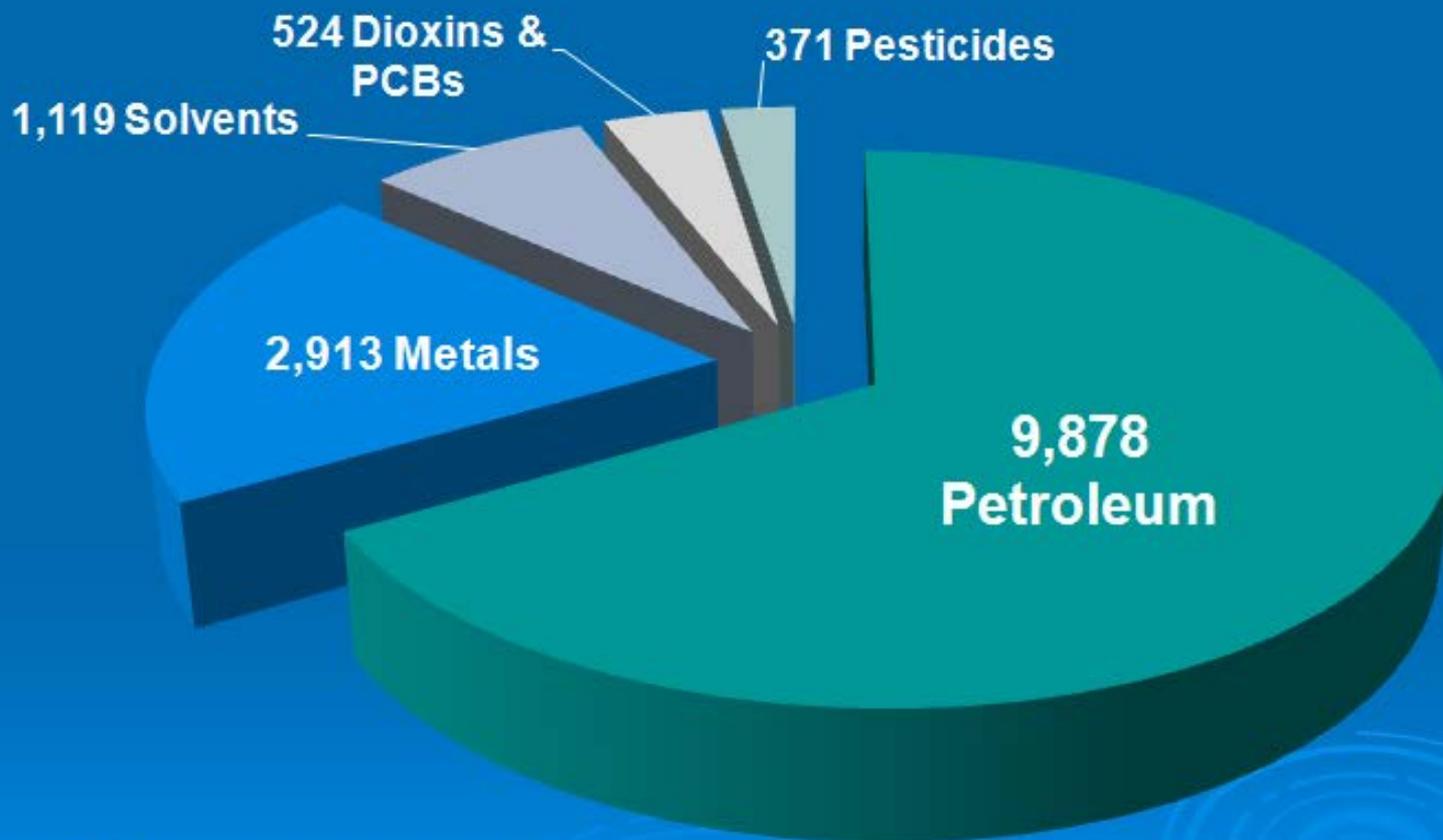
- ◎ The MTCRA legislation (SB 5296) directed Ecology to place increased emphasis on model remedies with the goal of accelerating the pace of cleanups.
- ◎ Major factors for establishing model remedies:
 - Applicability.
 - Site characterization.
 - Monitoring.
 - Meet standards.
 - Public review and comment.
- ◎ Ecology may waive fees for cleanups that appropriately use a model remedy.
- ◎ The requirements in SB 5296 can be found at:
<http://www.ecy.wa.gov/programs/tcp/regs/wac173322/Mtg-2013-12-05/5296-S2.SL.pdf>.

Background (cont.)

Current Work on Model Remedies

- ◎ Draft model remedy guidance for sites with petroleum contaminated soil is under review.
- ◎ Preliminary work on model remedies for sites with limited petroleum impacts to ground water.
- ◎ Ecology's 2015-2017 budget request includes \$4 million for model remedy work.

Most Commonly Reported Contaminants



Many sites have more than one contaminant.
85% of all contaminated sites have petroleum contamination.

Summary of Past Cleanup Decisions at Sites with Petroleum Contaminated Soil

- ◎ Approximately 600 sites with only petroleum contaminated soil have received an NFA letter since January 1, 2012.
- ◎ Ecology evaluated on-line information for approximately 20% of the total.
- ◎ The available information typically included:
 - The NFA letter or NFA determination. Site Hazard Assessments were also available for some sites.
- ◎ In some cases, significantly more information was available.

Summary of Past Cleanup Decisions at Sites with Petroleum Contaminated Soil (cont.)

- ◎ LUST's were responsible for the contamination at over 80% of the sites.
- ◎ It was not always possible to determine the source of the release.
- ◎ The vast majority of sites (95%) used Method A for establishing soil cleanup standards.
- ◎ Most of those (80%) met the Method A values following remedial action.

Summary of Past Cleanup Decisions at Sites with Petroleum Contaminated Soil (cont.)

- ⦿ Where information was available, soil removal was used as the remedial option in every case but two.
- ⦿ In those two, initial sampling revealed soil impacts below Method A levels.
- ⦿ Several sites used Method B and 1 used Method C for establishing soil clean-up standards.
- ⦿ Restrictive covenants were used to address residual contamination in about 10% of the cases.

Model Remedy Options

- ◎ The draft guidance proposes 7 soil only model remedies that rely on soil removal. These include:
 1. Meet Method A standards – no restrictions.
 2. Meet Method A standards for industrial properties – environmental covenant required.
 3. Method A standards selected. A structural impediment precludes full compliance with the standards. Environmental covenant required.
 4. Meet Method B standards – no restrictions required.
 5. Method B standards selected. A structural impediment precludes full compliance with the standards. Environmental covenant required.
 6. Meet the Method C standards – environmental covenant required.
 7. Method C standards selected. A structural impediment precludes full compliance with the standards.

Model Remedy Options (cont.)

- ◎ Model remedies must meet the requirements of MTRCA.
- ◎ The most critical provisions include:
 - Applicability.
 - Site characterization.
 - Monitoring.
 - Meet standards.
 - Public review and comment.

Model Remedy Options (cont.)

- ◎ Potential discussion questions/issues:
 1. Is addressing petroleum contaminated soil the appropriate starting point for model remedies?
 2. Are the eligibility criteria for using the model remedy options clear?
 3. Are the regulatory requirements for each option easily understood?
 4. Do the options help streamline the remedy selection and cleanup process?
 5. Should any additional model remedy options be included?

Next Steps – Short Term

- ◎ Discuss timelines for:
 1. Providing comments on the soil only document,
 2. Evaluating the comments and determining if additional meetings are necessary, and
 3. Issuing a formal public notice and opportunity to comment.
- ◎ Decide what the next model remedy guidance effort should focus on.
- ◎ Ecology's preference is sites with limited petroleum impacts to groundwater.

Next Steps – Longer Term

- ◎ Seek recommendations and proposals for future model remedy development.
- ◎ Evaluate the make up of this work group as the focus of the model remedy effort changes.
- ◎ Submit a Report to the Governor and Legislature in November, 2016.

Meeting Summary

