

US EPA ARCHIVE DOCUMENT

## **SESSION 5**

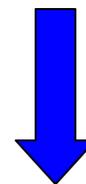
# **Completion of Corrective Action and Beyond**

**WHEN ARE WE FINISHED?**



## Agenda: Corrective Action – When are we finished?

- ▶ Goals of Corrective Action
  - Short-term
  - Intermediate
  - Final
  
- ▶ Completion of Corrective Action



When are we finished?

## Goals of RCRA Corrective Action

- ▶ Combination of goals for RCRA Corrective Action
  - Short-term protection goals
  - Intermediate performance goals
  - Final goals
    - Selection and implementation of final remedy
  - Completion of corrective action process



When are we finished?

## Short-Term Goals of RCRA Corrective Action

- ▶ Els are **highest priority short-term goals** for the RCRA program but they are interim milestones in the overall RCRA corrective action process
  - Focus efforts on risk reduction, communication, and resource protection
  - Provide an opportunity for facilities and regulators to show meaningful progress that is achievable in short term
  - Focus corrective action process on immediate threats based on **current** exposure scenarios



When are we finished?

## Intermediate Goals

- ▶ 2008 Goals represent intermediate goals
  - Continue to work on addressing intermediate and long-term goals
  - Complete any remaining site characterization not completed for EIs
  - Complete remaining interim measures
  - Select and implement corrective measures
  
- ▶ A **phased approach** allows facilities and regulators to use information obtained during previous phases to plan and refine subsequent phases



When are we finished?

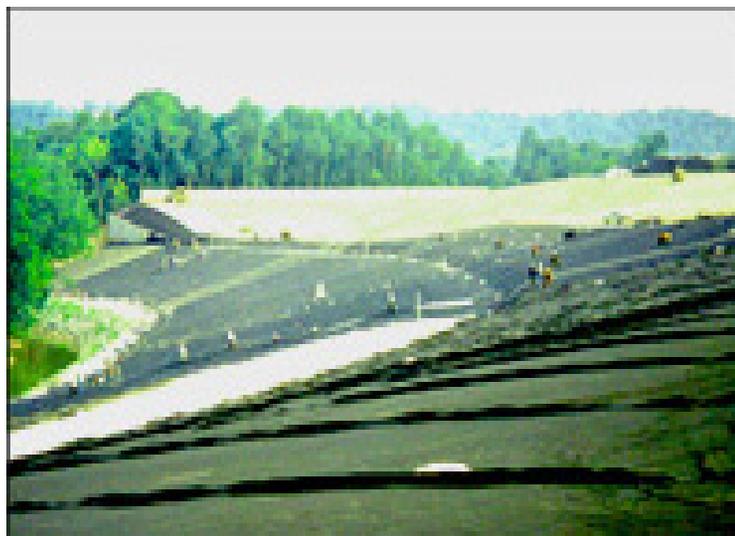
## Final Goals - 2020 Challenge and Completion of Corrective Action

- ▶ Once short-term and intermediate goals are met, the facility is ready to select and implement a final remedy
  - Move toward completion of corrective action
- ▶ Overall goal of final remedies selected for RCRA corrective action facilities is to **protect human health and the environment**
  - Based on reasonably anticipated current **and** future land use(s)
- ▶ **Ultimate goal of corrective action is remedy completion**
  - Promote beneficial reuse of property
  - Focus resources on higher priorities

When are we finished?

## Completion of RCRA Corrective Action

- ▶ EPA's *Final Guidance on Completion of Corrective Action at RCRA Facilities* (68 FR 8757, February 25, 2003) outlines two types of corrective action completion
  - Corrective Action Complete Without Controls
  - Corrective Action Complete With Controls



When are we finished?

## Corrective Action Complete Without Controls

- ▶ A Corrective Action Complete Without Controls determination can be made where:
  - Site investigation determined that corrective action is not needed, or
  - A remedy has been selected, implemented, **and** no further activities or controls are necessary to protect human health and the environment
  
- ▶ Unrestricted land use scenario is achieved
  - Meeting residential standards for soil and drinking water standards for groundwater
  - The corrective action requirement can essentially be eliminated at this time
  - Does not preclude corrective action in the future



When are we finished?

## Corrective Action Complete With Controls

- ▶ A Corrective Action Complete With Controls determination can be made where:
  - A full set of corrective measures has been defined
  - The facility has completed construction and installation of all required remedial actions
  - The selected remedy protects human health and the environment
  - Unrestricted media cleanup standards have **not** been met
  - All that remains is:
    - Required operation and maintenance
    - Monitoring actions
    - Compliance with and maintenance of any institutional controls



When are we finished?

## Corrective Action Complete With and Without Controls (Combined)

- ▶ A third option is a combination of Corrective Action Complete With and Without Controls
  - Parceling
- ▶ Can work if several different remedies are implemented at different areas of one facility
- ▶ Facility may include areas and media that present a range of environmental risks
  - Facility may have areas that were never used for industrial operations as well as areas that were heavily impacted
  - Groundwater may remain contaminated for years after soil has been returned to unrestricted use levels

When are we finished?

## Corrective Action Completion Mechanisms

- ▶ Permitted facilities
  - EPA or authorized state should modify permit to reflect completion
  - 40 CFR §270.42 documents requirements for permit modification with public involvement
  
- ▶ Non-permitted facilities
  - No ongoing treatment, storage, or disposal activities
  - All closure and post-closure requirements satisfied
  - All corrective action obligations including long-term monitoring have been satisfied

When are we finished?

## Other Considerations for Completion of RCRA Corrective Action

- ▶ Corrective action and remedy completion decisions are:
  - Based on current available information
  - Do not preclude future cleanup actions, as appropriate, in response to new information
- ▶ These factors often cause concern in the regulated community
- ▶ Regulated community often
  - Wants some form of **guarantee** that corrective action will not be opened arbitrarily in future, or
  - Needs **documentation of completion** to facilitate transfer of property ownership

