

US EPA ARCHIVE DOCUMENT

## **SESSION 3**

# **Corrective Measures Selection Process**

## **INSTITUTIONAL CONTROLS TRACKING**

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# Agenda: Institutional Controls Tracking

- ▶ Institutional Controls (ICs) Tracking Network and Standard
- ▶ ICs Tracking in RCRAInfo
  - ICs
  - Engineering Controls (ECs)



## Institutional Controls (ICs)

- ▶ Help minimize potential for human exposure to contamination and protect integrity of remedy
- ▶ Key challenge to effective use of ICs: different levels of government with overlapping and often disconnected responsibilities for implementation, monitoring, and/or enforcement



## IC Tracking Network

- ▶ Voluntary national network of interactive Federal, State, Tribal, Local and Industry IC tracking systems being developed by U.S. EPA Superfund Program
- ▶ Tracking network will enhance IC effectiveness and provide information on all cleanup sites with ICs in a community
- ▶ Share IC tracking data at different levels of government and industry using existing systems
- ▶ Keys to success are standardization of terms and willingness of Federal, State, Tribal and Local Agencies to participate
- ▶ Participants will define appropriate level of data gathered and exchanged



## Draft IC Tracking Standard

- ▶ Define terms and structure of data, develop capability to exchange information
- ▶ Data defining institutional controls: a means for improving accuracy and effectiveness of data processing and data interchange
- ▶ Exchange of data and amount of data gathered voluntary



## More Info on IC Tracking Network

- ▶ Data Standard:
  - [www.envdatastandards.net](http://www.envdatastandards.net)
  - [www.epa.gov/edr](http://www.epa.gov/edr)

Superfund's IC Tracking System contact:

- Mike Bellot at [bellot.michael@epa.gov](mailto:bellot.michael@epa.gov)



## RCRAInfo



- ▶ EPA's comprehensive information system tracking the regulated RCRA universe of hazardous waste handlers
- ▶ Web access to RCRA program data
- ▶ Convenient user interface for program staff and management





## IC Tracking in RCRAInfo

- ▶ Two new corrective action (CA) event codes added (2004) to track ICs and ECs
  - CA770 - Engineering Controls Established
  - CA772 - Institutional Controls Established
  
- ▶ Proposed Compliance Evaluation Indicator Check Box
  
- ▶ Two proposed CA event codes
  - CA780 - Engineering Controls Terminated
  - CA782 - Institutional Controls Terminated



## Why ECs?

- ▶ ECs often used in conjunction with ICs
- ▶ Physical limits to access and exposure to contamination, eliminate further migration of contamination
- ▶ Can be integral part of IC protectiveness
- ▶ IC and EC combination sometimes called Land Use Control (LUC)



## CA770 - Engineering Controls Established

### CA Event Code Details

<u>Event Code Name:</u>	CA770 - ENGINEERING CONTROLS ESTABLISHED
<u>Description:</u>	This event signifies the establishment of engineering controls (ECs) as part of, or to augment, an interim or final corrective action. ECs consist of engineering measures (e.g., caps, treatment systems, etc.) designed to minimize the potential for human exposure to contamination by either limiting direct contact with contaminated areas or controlling migration of contaminants through environmental media. When ECs are established at the facility level (e.g., site security), this event should be linked to the "entire facility" area. When ECs are established and affect only portions of the RCRA facility, this event should be linked to the specific areas affected by the control.
<b>Status Codes:</b>	<p><b>NG Non-groundwater Control.</b> Refers to any control not related to groundwater, such as barriers or caps.</p> <p><b>GW Groundwater Control.</b> Includes any EC pertaining to groundwater, including in situ and ex situ treatment like bioremediation, in situ permeable reactor barriers, monitored natural attenuation (MNA), long-term monitoring, etc.</p>
<u>Initiating Sources:</u>	
<u>Nationally Required:</u>	Yes
<u>Schedule Date:</u>	Date ECs are projected to be fully constructed and operational.
<u>Actual Date:</u>	Date ECs are fully constructed and operational.
<u>Responsible Agency:</u>	EPA or State
Event Notes	Indicate location where additional information concerning the specific control can be accessed (e.g., responsible agency contact information, website address, etc.). Also, the authority linked to the event code is the authority implementing corrective action. Enter information about the authority for a specific EC in the Notes field. <b>Note: The information entered into this field will be available to the public via Envirofacts.</b>
Guidance	For further guidance on ECs in RCRAInfo, <a href="#">click here</a> . For further guidance with respect to ECs, refer to the latest One Cleanup Program guidance (OSWER 9355.0-74FS-P). This document can be found at <a href="http://www.epa.gov/superfund/resources/institut/guide.pdf">http://www.epa.gov/superfund/resources/institut/guide.pdf</a>



## CA772 – Institutional Controls Established Event Code Details

<u>Event Code Name:</u>	<b>CA772 - INSTITUTIONAL CONTROLS ESTABLISHED</b>
<u>Description:</u>	This event signifies the establishment of institutional controls (ICs) as part of, or to augment, an interim or final corrective action. ICs are defined as non-engineered and/or legal controls that minimize the potential for human exposure to contamination by limiting land or resource use. When ICs are established at the facility level (e.g., site security), this event should be linked to the "entire facility" area. When ICs are established and affect only portions of the RCRA facility, this event should be linked to the specific areas affected by the control.
<b>Status Codes:</b>	
GC	<b>Governmental Control.</b> Implemented and enforced by State or local governments. It excludes permits, orders, and other enforceable agreements.
PR	<b>Proprietary Control.</b> Relies on legal instruments placed in the chain of title for the property .
EP	<b>Enforcement &amp; Permit Tools.</b> Includes permits, orders, or other enforceable agreements.
ID	<b>Informational Device.</b> Includes information or notification of contamination present at property.
<u>Initiating Sources:</u>	
<u>Nationally Required:</u>	Yes
<u>Schedule Date:</u>	Date ICs are projected to be fully implemented and effective.
<u>Actual Date:</u>	Date ICs are fully implemented and effective.
<u>Responsible Agency:</u>	EPA or State
Event Notes	Indicate location where additional information concerning the specific control can be accessed (e.g., responsible agency contact information, website address, etc.). Also, the authority linked to the event code is the authority implementing corrective action. Enter information about the authority for a specific IC in the Notes field. <b>Note: The information entered into this field will be available to the public via Envirofacts.</b>
Guidance	For further guidance on ICs in RCRAInfo, <a href="#">click here</a> . For further guidance with respect to ICs, refer to the latest One Cleanup Program guidance (OSWER 9355.0-74FS-P). This document can be found at <a href="http://www.epa.gov/superfund/resources/institut/guide.pdf">http://www.epa.gov/superfund/resources/institut/guide.pdf</a>



## Proposed IC Tracking RCRAInfo Data Elements

- ▶ Two new IC/EC CA event codes and compliance evaluation check box recommended by PCA PAA (Permitting Corrective Action Program Area Analysis) workgroup
- ▶ PCA PAA -- part of WIN/Informed initiatives by EPA & States to implement necessary information management changes [Waste Information Needs (WIN), Information Needs for Making Environmental Decisions (Informed)]
- ▶ Permitting and Corrective Action information needs were focus of PCA PAA workgroup
- ▶ National Review Comment Period ended 4/15/2005



## Proposed RCRAInfo Indicator *Institutional Control Evaluations*

- ▶ Recommendation to add nationally defined indicator check box to CM&E module to record compliance evaluations of ICs and ECs. Check box to be defined as follows:

<i>Description Definition</i>	
<i>IC/EC</i>	<i>Evaluation conducted included evaluation of Institutional and/or Engineering Control implementation.</i>

- ▶ Versatility is a principal benefit. Adding check box to evaluation data entry screen will allow inclusion of IC/EC evaluation in any type of facility evaluation.



## Proposed RCRAInfo Event Code

### CA780 - Engineering Controls Terminated

Event Code Name:	<b>CA780 - Engineering Controls Terminated</b>
Description:	Use this event code when the engineering control is no longer required to protect human health and the environment. Use this code where a CA770 [Engineering Controls (ECs) Established] was entered and the control(s) subsequently terminated. When ECs were established at the facility level (e.g. site security), this event should be linked to the 'entire facility' Area. When ECs were established and affect only portions of the RCRA facility, this event should be linked to the specific areas affected by the control or controls. If both groundwater and non-groundwater controls exist for a particular area, enter an event code for each control.
Initiating Sources:	Enter this code upon completion of required activities and approval by the State / EPA of the decision document required to terminate controls at the facility. This decision document would be the mechanism put in place by the State / EPA to terminate the controls, e.g. a permit mod.
	<p><b>Status Codes:</b></p> <p><b>NG Non-groundwater Control.</b> Refers to any control not related to groundwater, such as barriers or caps.</p> <p><b>GW Groundwater Control.</b> includes any EC pertaining to groundwater, including in situ and ex situ treatment like bioremediation, in situ permeable reactor barriers, monitored natural attenuation (MNA), long term monitoring, etc.</p>
Schedule Date:	Date EC is scheduled to be terminated
Actual Date:	Date EC is terminated
Nationally Required:	Yes
Responsible Agency:	EPA or State
Event Notes	Indicate location where additional information concerning the specific control can be accessed (e.g. responsible agency contact information, web site address, etc.). Indicate any specifics about the control termination.
Guidance	For further guidance with respect to ICs and/or ECs refer to the latest One Cleanup Program guide (OSWER 9355.0-74FS-P). This document can be found at <a href="http://www.epa.gov/superfund/resources/institut/guide.pdf">http://www.epa.gov/superfund/resources/institut/guide.pdf</a>



## Proposed RCRAInfo Event Code

### CA782 - Institutional Controls Terminated

Event Code Name:	<b>CA782 - Institutional Controls Terminated</b>
Description:	Use this event code when the institutional control is no longer required to protect human health and the environment. Use this code where a CA772 [Institutional Controls (ICs) Established] was entered and the control(s) subsequently terminated. When ICs are established at the facility level (e.g. site security), this event should be linked to the 'entire facility' Area. When ICs are established and affect only portions of the RCRA facility, this event should be linked to the specific areas affected by the control or controls. If more than 1 control exists for a particular area, enter an event code for each control.
Initiating Sources:	Enter this code upon completion of required activities and approval by the State / EPA of the decision document required to terminate controls at the facility. This decision document would be the mechanism put in place by the State / EPA to terminate the controls, e.g. a permit mod.
	<b>Status Codes:</b>
	GC Governmental Control: <b>implemented and enforced by State or local governments; excludes permits, orders and other enforceable agreements.</b>
	PR Proprietary Control: relies on legal instruments placed in the chain of title for the property
	EP Enforcement & Permit Tools: includes permits, orders or other enforceable agreements
	ID Informational Device: includes information or notification of contamination present at property
Schedule Date:	Date IC is scheduled to be terminated
Actual Date:	Date IC is terminated Yes
Nationally Required:	Yes
Responsible Agency:	State or EPA
Event Notes	Indicate location where additional information concerning the specific control can be accessed (e.g. responsible agency contact information, web site address, etc.). Indicate any specifics about the control termination.
Guidance	For further guidance with respect to ICs and/or ECs refer to the latest One Cleanup Program guide (OSWER 9355.0-74FS-P). This document can be found at <a href="http://www.epa.gov/superfund/resources/institut/guide.pdf">http://www.epa.gov/superfund/resources/institut/guide.pdf</a> Additional guidance is needed regarding the process and steps necessary to terminate ICs/ECs





## Guidance/References



- ▶ Access CA770 and CA772 details in RCRAInfo Help
  - RCRAInfo Main Menu > (top right corner) > Contents (left side) > Nationally Defined Values > Corrective Action Event Code Details > CA770 and CA772
- ▶ *Institutional Controls: A Citizen's Guide to Understanding Institutional Controls at Superfund, Brownfields, Federal Facilities, Underground Storage Tank, and RCRA Cleanups*  
<http://www.epa.gov/superfund/action/ic/guide/citguide.pdf>
- ▶ Institutional Controls Registry (ICR) by the Florida Department of Environmental Protection (FDEP).  
<http://gisweb.dep.state.fl.us/dwm/icr/viewer.html>
- ▶ Land Use Controls web site with news, e-Library of documents and a IC/LUC E-Newsletter & Discussion List. [www.lucs.org](http://www.lucs.org)

