

How States Manage Remedy Performance Risk

FRTR Meeting, Nov 14, 2012

Anna Willett

ITRC Director

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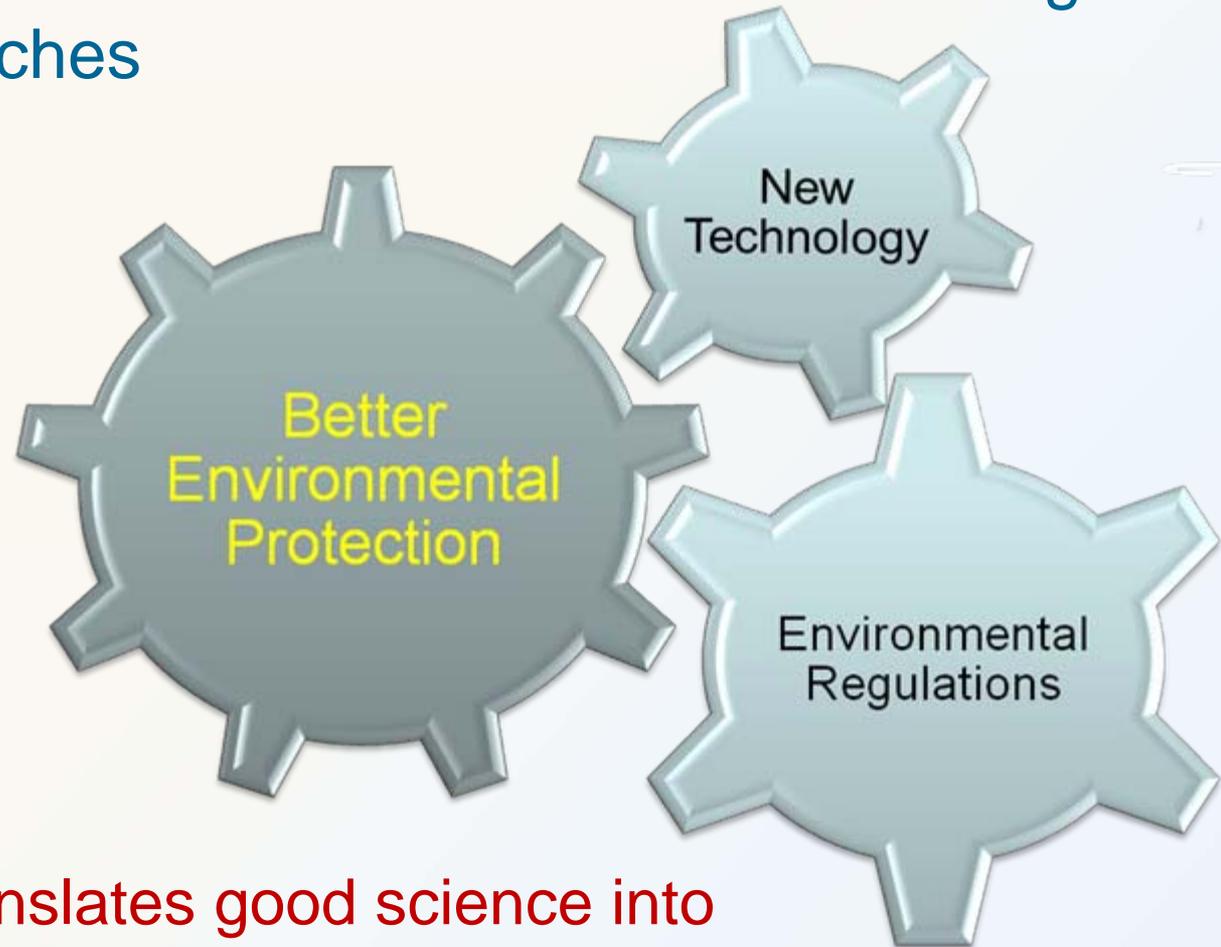


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What is ITRC?

ITRC is a state-led coalition working to advance the use of innovative environmental technologies and approaches



ITRC translates good science into
better decision making

Context

Project Risk Management for Site Remediation (RRM-1), ITRC, March 2011

- RRM question: What if remedial objectives are not achieved in the designated timeframe?
- ITRC conducted a survey in 2008-2009 to learn how this issue is addressed by state environmental agencies (31 states responded)
- Results of survey published in RRM-1
- Results inspired RRM-2: Using Remediation Risk Management to Address Groundwater Cleanup Challenges at Complex Sites, Jan. 2012

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What options are considered if the selected remedy is not on track to meet remedial objectives?

- Land use/institutional controls (17 responses)
- Long term monitoring (17 responses)
- Monitored natural attenuation (17 responses)
- Alternative cleanup limits (9 responses)
- Additional modeling (9 responses)
- Technical impracticability (TI) waivers (9 responses)
- Other (8 responses) – Mixing zones, combinations, move compliance point, extend time to completion, reassess site risks



Does your state follow a protocol for TI waivers or alternative end points or equivalent if selected remedy is not on track to meet remedial objectives?

- Yes (14), No (13), Case-by-case (3)
- Comments:
 - We follow EPA guidelines for TI
 - We have never had or requested for a TI waiver
 - We do not allow or consider TI waivers
 - We use alternative clean up levels
 - It is up to the state PM, not a formal process
 - Application for LUCs requires public comment
 - Internal process for TI, no promulgated regulations
 - Under our program, there is no requirement to remediate groundwater if it is not used or if it can be treated (at point of use)...a risk management pathway is considered just as acceptable as complete removal

Would a document on how to do a technical assessment of whether any remedy will meet remedial objectives be useful?

- Yes (29 of 31 responses)
- No (1)
- Maybe (1)