

Listing of Major Text Changes in TGM for Presentation to the CSSAB on 02/22/01.

The enclosed version of the Land Recycling Program Technical Guidance Manual shows the edits made since February 1998 (the last version that the CSSAB commented on the package). It contains language on issues that the DEP and Board have been discussing over the three years. Some changes are clarifications, some guidance changes and some reflective of changes proposed in the August 5, 2000 proposed amendment to Chapter 250. The changes are indicated by underline for additions and strikeout for deletions.

Section I

1. Expanded guidance on site characterization with examples. *CSSAB provided input.*
2. **SIGNIFICANT POLICY CHANGE:** Change in guidance/policy on Management of Separate Phase Liquids (SPL) on Act 2 sites. *This is a follow-up description of the policy toward SPL that the DEP presented to the Board at their June 22nd meeting. There is no regulatory language that goes along with this change. It is a policy change only. This issue was referred to the Standards Subcommittee and they will be commenting on this proposal at the February 22nd meeting.*

Section II

1. Use of Final Report Summary to include reporting of MASS of contaminant remediated.
2. Use of Completeness List (checklist). *This list was designed in Spring of 1999 and has been implemented for public use.*
3. Clarification on POC for Background Standard. *As agreed to by CSSAB*
4. Procedure for applying the Synthetic Precipitation Leaching Procedure (SPLP). *As drafted and approved by the CSSAB Subcommittee and full Board.*
5. Extended example in how to select applicable Medium Specific Concentrations (MSCs) under the Statewide Health Standard. *This was reviewed and concurred upon by the Board.*
6. **Significant changes** under the Non-Use Aquifer Determination Section
 - Changes to reflect the proposed regulatory language for “pre-certification” by local governments.
 - **SIGNIFICANT POLICY CHANGE**, which requires that sites utilizing non-use aquifer determinations (as applied under the 1997 chapter 250 rule) must NOW apply an institutional control. *There is no regulatory language which goes along with this guidance; it is considered a policy change. This is first notice to CSSAB which has not discussed this issue.*
 - An example of applying the non-use aquifer determination area. This is for clarification purposes.

7. Reference to Section IV that includes the “No Exceedance Rule” whereby attainment is applied without full site characterization. *This was discussed and agreed to by the CSSAB.*
8. Inclusion of the Risk Assessment Flowchart. *As discussed and agreed to by the CSSAB.*
9. Clarification of determining “no complete exposure pathways” in situations where public water supply is present.
10. **SIGNIFICANT POLICY CHANGE:** Tied to this is an additional policy requirement that an institutional control and/or remedial work is required in addition to the determination of no current or probable future exposure pathway. Various options of institutional controls and postremediation care activities are provided for. *This has not been reviewed by the Board.*
11. Process for selecting the most appropriate toxicological value. *This was designed and approved by the CSSAB.*
12. Suggested outline for various site-specific plans and reports
13. Clarification that under SIA, a person is considered “RESPONSIBLE” if they are an owner, but have not caused or contributed to the contamination.
14. More detail and clarification on what is needed in a Baseline Investigation, and the associated Work Plan.

Section III

1. Newly defined DEP policy toward interface between Act 2 and Act 97.
2. Method for determining compliance with surface water standards.
3. Procedure for complying with air quality requirements when asbestos containing materials are present on site. *Approach of using air quality requirements discussed and agreed to by CSSAB.*
4. Use/non-use of NFA letters for regulated tank cleanups

Section IV

1. More information on the rationale and requirements for conducting Fate & Transport Analysis
2. Corrections to description of DEP spreadsheets for analysis use.
3. Process for conducting attainment demonstration where no site characterization was done. *Part of Chapter 250 amendment which CSSAB approved.*
4. Process for reduced number of samples needed for attainment. *Part of Chapter 250 amendment which CSSAB approved.*
5. Equations for calculating the mass of contaminants removed from soil and groundwater during remediation.

Section V

1. Clarification on Guidance for Conducting Human Health Risk Assessments which provide for screening levels and acknowledge that combination of standards (e.g., SHS and SSS) can be used on a substance by substance basis.
2. Description of the Ecological Screening Process under Statewide Health Standard.
The CSSAB subcommittee concurred on content.
3. Notice of Intent to Remediate Form – could be streamlined w/ web input
4. Final Report Summary Form – new version w/ web based
5. Completeness Checklist