

Workgroup 5

RSR Evaluation
Soil and Sediment

Direct Exposure Criteria Subgroup

Key Proposed Revisions

- Moderate Exposure Standard;
 - Default Criteria (using AUL) that fits between the RDEC and I/C DEC.
- Self implementing exposure controls (AUL);
 - multiple standards with compartmentalized use;
 - subordination agreement not required under AUL
- Self-implementing risk based site specific standards;
 - Adjust Frequency, Intensity, Body Weight (adult/child) assumptions to fit the site conditions

Key Proposed Revisions

- Consideration of former Agricultural Lands: Further DEEP Guidance and Statutory reference to the guidance.
- Reevaluate depths of inaccessible soils:
- Urban Fill needs to be addressed:
 - Urban Fill workgroup guidance and recommendations.
 - Reportable release under new system?
 - AULs needed?

Residential

- Unrestricted access
- 0-15 feet
- No change proposed

Moderate Exposure

- Newly defined numerical standard (self –implementing)
- Based on exposure scenarios (ie frequency, intensity, body weight)
- Moderate access restriction (AUL/ELUR)

Industrial Commercial

- Highly restricted access
- 0-15 ft
- AULs in some I/C DEC cases, e.g. Paved parking lots over PAH soils

Site Specific Standards

- Based on standard exposure calculations
- Using site specific variables;
 - 1.frequency
 - 2.intensity
 - 3.body weight
- Self Implementing

Pollutant Mobility Criteria Subgroup

Pollutant Mobility Criteria (PMC) Transformation Re-Evaluation

- Re-evaluate/Update PMC Criteria.
 - Revisit derivation and recalculate as appropriate. Have current derivations yielded values proven to be too conservative?
- Evaluate expanding self implementing site specific performance evaluation.
 - Proposed RSR revisions allow this in limited circumstances (i.e. is there actually a plume associated with vadose zone soil > PMC).

PMC Re-evaluation

- Should the PMC be directly tied to GW classification or existing/potential use?
 - Create new categories for GA current and potential drinking water, GA-non-potential drinking water, and Non-drinking water (GB) use areas.
 - Create site specific GC-type classification, where plume present, source removed/controlled, extent defined and MNA occurring (CT DEEP permitted).
 - Anti-degradation policy needs to be considered.

PMC Re-evaluation

- Re-evaluate current implementation and Specific Circumstances in RSR.
 - Can Site Specific Circumstances for GA and GB be made more consistent?
 - Requirement for 20 samples and 2x limitation over PMC should be revisited per recommendations of 95% UCL Workgroup.
 - Allow additional self-implementing alternate means of evaluating leaching potential (additional EPA-approved leaching tests as available).

PMC Re-evaluation

- Re-evaluate current implementation and Specific Circumstances in RSR (continued).
 - Allow more self implementing options for environmentally isolated soils.
 - Allow AUL mechanism in addition to an ELUR as an option to maintain soil as Environmentally Isolated.

Sediment Subgroup

Historic Difficulty with Sediment Investigation and Remediation

- Lack of clarity as to the applicability of RSRs to sediments – legal obligation left to debate.
- Sites that enter regulatory system require extensive use of Department resources.
- Lack of regulation/guidance leads to uncertainty as to costs and work associated with remediation.

A Proposed New Method for Addressing Sediment

- Revise RSRs to specifically address sediment.
- Program to be designed to:
 - Be largely self-implementing;
 - Provide for sufficient “off-ramps” for the majority of sites; and
 - Focus DEEP resources on large scale or complex sites or sites where public policy warrants.
- Detail requirements in guidance referenced by the RSRs.

Tiered-Proposed End Points

- Scoping – is there a complete pathway?
- Screening – are contaminants present above accepted benchmarks?
- LEP lead – off ramps:
 - Based on risk assessment
 - Based on institutional controls
 - Based on remediation
- DEEP Involvement – large scale or complex sites or where public policy warrants.

QUESTIONS?