

## Waste Site Cleanup Advisory Committee Meeting Agenda May 26, 2016

*(times are approximate)*

- 9:30 General program and guidance updates
- 9:45 Anthropogenic Background/Historic Fill public comment
- 10:30 Emerging Contaminants and recent developments re:  
Perfluorooctanoic Acid (PFOA) & Other Perfluorinated  
Chemicals (*PFCs*)
- 10:50 Federal Sites Program update
- 11:30 Clean Energy update
- 11:45 Adjourn



## Review of Master MCP Q & A

<http://www.mass.gov/eea/agencies/massdep/cleanup/regulations/master-mcp-q-and-a-1993-2009.html>

Mass.gov
State Offices & Courts | State A-Z Topics | State Forms
No Active Alerts
Skip to main content | A A | English

**Energy and Environmental Affairs**

Q Search... in Energy & Environment SEARCH

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Agencies

EEA Home > Agencies > MassDEP > Cleanup of Sites & Spills > Laws & Rules > Master MCP Q & A: 1993 - 2016

### Master MCP Q & A: 1993 - 2016

#### INTRODUCTION

When the redesigned Waste Site Cleanup Program started operating in October 1993, questions related to interpreting the Massachusetts Contingency Plan or "MCP" (310 CMR 40.0000), the regulations that set out the requirements for reporting, assessing and cleaning up contaminated sites, were raised by Licensed Site Professionals and others involved in applying the new rules. To respond to these questions in a timely and consistent way, MassDEP's Bureau of Waste Site Cleanup issued "MCP Q&As," which contain brief regulatory interpretations and policy statements in Question and Answer format.

This document includes questions from all Q&As published through June 2014. It is organized by MCP Subpart. Questions have been placed in the Subpart section that seemed to be the most appropriate. Please note that some of the questions may address more than one MCP Subpart. In addition to searching for questions under Subparts and subtopics, users may also find it helpful to search the document using key words.

**May 2016** This Master Q&A is currently under review by MassDEP for the purpose of updating the responses to reflect regulatory amendments (to the MCP and other regulations that are cited) as well as changes in practice and program policy. As part of this process, every question will be reviewed, some will be revised, and some will be "retired" as no longer relevant. Questions that have been reviewed without revision will be noted as "Reviewed [Month][Year]" Questions that have been reviewed and revised will be noted as "Revised [Month][Year]." The original publication date will also be retained. MassDEP will post reviewed/revised Q&As on a rolling basis (i.e., not all questions will be reviewed/revised and reposted at the same time). If you are referring to a Q&A for guidance that has not been recently reviewed and have some question as to whether it reflects current regulation, practice or policy, you may contact [BVSC.Regulations@Mass@fall.state.ma.us](mailto:BVSC.Regulations@Mass@fall.state.ma.us) to check on the status of the Q&A.

A to Z Quick Links

Site Cleanup Index

## Review of Master MCP Q & A

- Reflect regulatory amendments (MCP and other cited regulations *and* changes in practice and program policy
- Every question will be reviewed: some will remain unchanged, some revised & some "retired"
- Questions reviewed without revision will be noted as "Reviewed [Month][Year]"
- Questions reviewed and revised will be noted as "Revised [Month][Year]"
- Original publication date will also be retained
- Reviewed/revised Q&As posted on a rolling basis
- For a Q&A that has not been recently reviewed, if you have a question about its current applicability, ask [BWSC.Regulations@MassMail.state.ma.us](mailto:BWSC.Regulations@MassMail.state.ma.us)



## Guidance Updates



## Other Guidance Updates

- AEPMM telemetry – identifying issues
  - Unregistered systems
  - Systems not operating correctly
  - Sites (a few PS, a few dozen TS & ROS) that require telemetry **but don't have telemetry at all.**

Please work with your clients to address these issues **now**, before it becomes a noncompliance matter.

<http://www.mass.gov/eea/agencies/massdep/cleanup/regulations/remote-telemetry-information.html>



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 Remote Telemetry Information

### Remote Telemetry Information for Active Exposure Pathway Mitigation Measures

Active Exposure Pathway Mitigation Measures (AEPMM) that are part of a Permanent Solution, Temporary Solution or Remedy Operation Status require the use of remote monitoring technology to provide immediate notification to both MassDEP and the owner and operator of the building protected by the AEPMM upon failure of the AEPMM, as the result of loss of power, mechanical failure or other significant disruption of the effectiveness of the system (pursuant to 310 CMR 40.1025(3)(d) and 40.1026(3)(d), respectively).

#### Remote Monitoring Registration Process

Updated Effective February 1, 2016

##### 1. Select and install AEPMM Remote Monitoring System

✓ System must be able to **communicate via text or email**. Registration of new systems that rely on voicemail will not be accepted on or after February 1, 2016.

✓ System must be able to immediately communicate **BOTH system shutdown AND system restart**.

Shutdown and Restart event notifications, by email or text, must be sent to [AE-PMM.HWSC@state.ma.us](mailto:AE-PMM.HWSC@state.ma.us)

✓ System must be able to communicate in the CSV (comma separated values) format and *as close to the sequence specified below as possible, with each value enclosed in quotes*



[A to Z Quick Link](#)

[Site Cleanup Ind](#)



## Other Guidance Updates

- Vapor Intrusion Guidance & Activity & Use Limitation Guidance
  - ...still not final
  - ...top priority
  - ...by next meeting!?
- Next meeting – June 23<sup>rd</sup> - will be in the MassDEP **Worcester Office** (with live streaming too)



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# Anthropogenic Background and Historic Fill

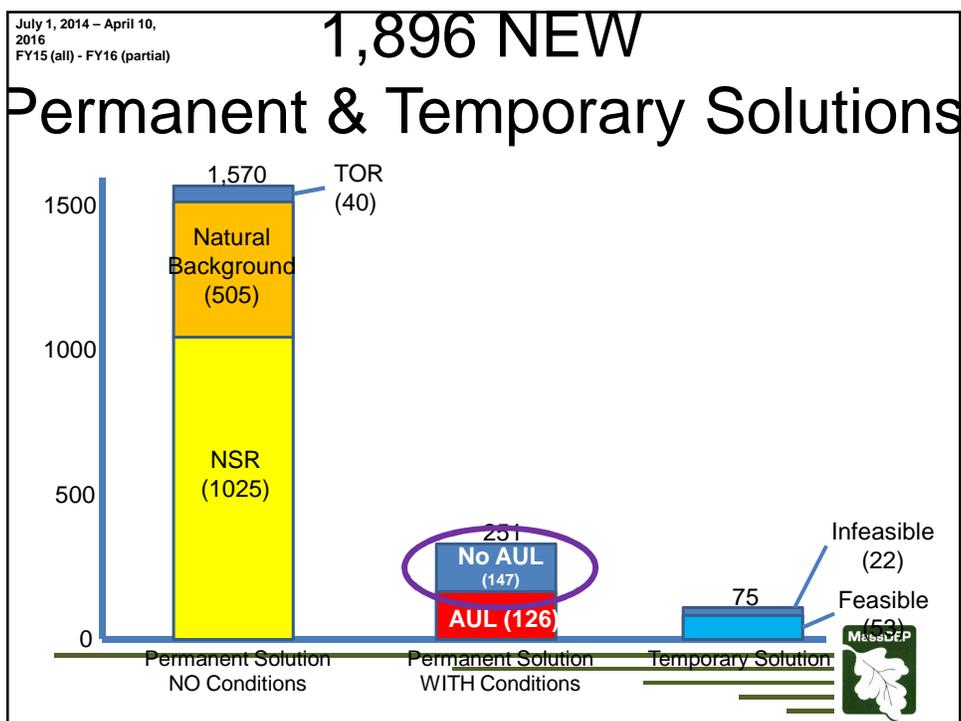
## Draft Guidance for Review & Comment

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# *How Many* Anthropogenic Background/Historic Fill Sites Are We Dealing With?





**Massachusetts Department of Environmental Protection**  
*Bureau of Waste Site Cleanup*

**PERMANENT AND TEMPORARY SOLUTION STATEMENT**

Pursuant to 310 CMR 40.1000 (Subpart J)

**BWSC104**

Release Tracking Number

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**E. PERMANENT OR TEMPORARY SOLUTION CATEGORY (cont.):**

**2. Permanent Solution with Conditions** (check a and/or b):

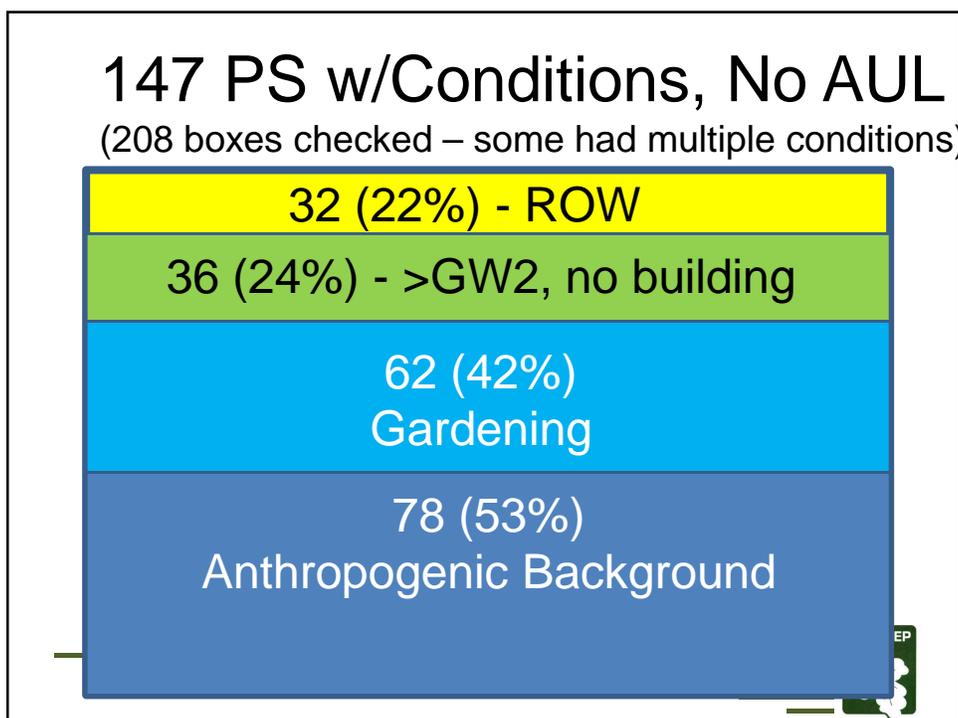
- a. An AUL has been implemented** pursuant to 310 CMR 1012(2) (check one)
  - i. Required pursuant to 310 40.1012(2)
  - ii. Optionally implemented pursuant to 310 40.1012(3)
- b. Limitations or conditions apply** pursuant to 310 CMR 40.1013 (check all that apply):
  - i. Gardening Best Management Practices (BMPs) for non-commercial gardening in a residential setting
  - ii. Concentrations of Oil and Hazardous Material consistent with Anthropogenic Background
  - iii. Residual contamination in a Public or Railroad Right-of-Way
  - iv. Groundwater contamination would exceed GW-2 Standards except for the absence of an occupied building or structure

**3. Temporary Solution** (check one)

- a. Response actions to achieve a Permanent Solution **are not currently feasible**
- b. Response actions to achieve a Permanent Solution **are feasible** and are being continued toward a Permanent Solution

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**F. PERMANENT AND TEMPORARY SOLUTION INFORMATION:**



## DRAFT Historic Fill/Anthropogenic Background Gu

### Background & Purpose

- Guidance for DEP staff *and* LSPs
- Appropriate level of effort
- Use of guidelines/concentrations
- Type of Documentation needed
- Emphasis on Conceptual Site Model



## DRAFT Historic Fill/Anthropogenic Background Guide

### Definitions

Straight from the regulations

- Anthropogenic Background
- Fill Material
- Historic Fill

Likely to be tweaked in the future as we all gain experience using them



## Historic Fill Considerations

- Timing
- Presence of solid waste and/or other material
- Nature and concentrations of OHM in the fill
- “Ubiquitous presence” or “pervasive use”



## OHM Considerations

- **Metals**
  - *Lead, in particular*
- **EPH & TPH**
- **PAHs**
- **VPH & VOCs**
- **Coal Ash**
- **PCBs**



## Site Assessment Considerations

- **Site History**
- **Conceptual Site Model**
- **Subsurface Investigations**
- **Quantitative Laboratory Analyses**
- **Data Compilations**



## Closure Considerations

- Permanent Solution with Conditions No AUL
- Clear and accurate description of Background areas
- Historic Fill may also trigger BMPs for gardening (40.1056(2)(j)1.)



## Attachments/Appendices

- Table 1: Technical Update entitled "Background Levels of Polycyclic Aromatic Hydrocarbons and Metals in Soil", 2002.
- Table 2: Historic Fill Evaluation Criteria
- Notification Exemption Summary



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