

Draft Vapor Intrusion Guidance

Overview of Public Comments

Waste Site Cleanup Advisory Committee Meeting
April 28, 2011



Draft VI Guidance

- Posted December 2010
- Comment Period Closed March 1, 2011
- Public Comments Can Be Viewed at <http://indoorairproject.wordpress.com/>



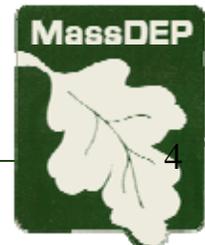
Public Comments

- 24 Comment Sets Received
 - 1 Board of Health
 - 3 PRPs/Developers
 - 1 Attorney
 - 2 Analytical Labs
 - 17 LSPs/Consultants/Remediation Firms/Mitigation System Vendors



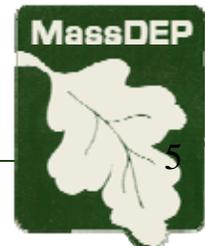
Comment Review Process

- MassDEP workgroup has reviewed comments and drafted recommendations on how to address each
- Currently discussing recommendations and identifying issues for discussion with senior managers
- Currently doing follow-up on comments where clarification of comment or supporting info may be available



Comment Review Process (cont.)

- MassDEP will publish a Comment Response Summary
- Anticipate meeting with external workgroup of specific topics



General Comments

- Clear, well-written; substantial progress made from earlier draft
- Too prescriptive
- Make clear(er) that guidance is guidance, not equivalent to regulation
- Relationship of VI guidance to existing guidance



Section 1 - Introduction

- Presumptive Certainty
 - Recommend not employing term in guidance
- Basis of 2x, 10x, etc. GW-2 Standards for decision points



Section 2 - Assessment

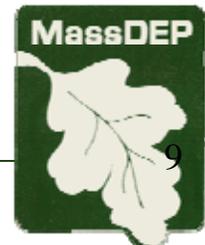
- Use of deep soil gas as a line of evidence
- Soil-Gas Screening Values
 - Attenuation Factor
 - Petroleum compounds



Section 2 - Assessment

(cont.)

- Sampling recommendations
 - numbers of samples, methods of sampling, analyze indoor air only for COCs, averaging of samples
- Clarify role of modeling as a line of evidence



Section 3 - Mitigation

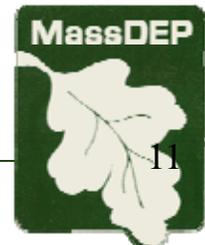
- Membrane Systems guidance is too prescriptive (e.g., specifying barrier thickness)
 - Minimum thickness does not ensure performance
 - Guidance should establish more performance-based criteria



Section 3 - Mitigation

(cont.)

- Passive Venting Systems
 - Recommended use too limited (e.g., not recommended for significant risk levels)
 - Two years to demonstrate effectiveness too much
 - Recommend 3 rounds in one year
 - Recommend representative sampling over range of conditions



Section 3 - Mitigation

(cont.)

- Table 3-1 Sampling Regimens
 - Clarify “until site closure” in terms of maintenance monitoring (address partial RAO, Post RAO RAM)



Section 4 - Regulatory

- Critical Exposure Pathways (CEPs)
 - Basements with 7 ft. headspace or any evidence of current activity should not be considered “living or working space”
 - Assisted living facilities and dorms should not be considered living space
 - CEP requirements should apply prior to completion of the risk assessment & feasibility evaluation – not after



Section 4 - Regulatory

(cont.)

- Critical Exposure Pathways (CEPs)
 - provide financial benchmarks for feasibility (e.g., based on current property values)
 - clarify rebutting the presumption for CEP elimination/mitigation vs. the presumption that an active SSD system is feasible vs. Phase III feasibility evaluations



Section 4 - Regulatory

(cont.)

- Performance Standards to Support Permanent Solutions at Vapor Intrusion Sites
 - too prescriptive and conservative
 - lack of a metric for defining contaminated soil as a continuing source



Section 5 - Public Involvement

- Strengthen optional public involvement discussion. Provide more guidance on contents of site-specific fact sheets.
- Clearly distinguish between *required* and *optional* public involvement



Appendix VIII – AULs & Future Bldgs

- Make clear it's a recommended approach, not required
- Recommendation for all sites > GW-2 is too inclusive; AULs are difficult/costly
- Suggested AUL language is too prescriptive
- Include option for ventilated parking garage as equivalent to open structure
- Need to incorporate into AUL guidance
- Need more guidance on AULs for *existing* buildings

