

SUMMER READING

By Lisa Alexander

Well, the warm weather is finally here, along with the most extensive revisions to the Massachusetts Contingency Plan (MCP) since 1993. The 2014 MCP is “live” at last, and those of you who have been following this process are already well aware of the changes. By now, hopefully everyone has availed themselves of the extensive training that was offered. Meanwhile, internally, we’ve updated the eDEP forms and have made available draft revised guidance and policies that reflect the changes.

For the Audits group, this meant revisions to our various Audit Screening forms. Happily, the Level 2 Site Inspection Audit and Remedial System inspection forms remain unchanged, as do Downgradient Property Status Submittal screening forms. The Activity and Use Limitation (AUL) and AUL Amendment forms were both updated, and lastly, the Level 1 Technical Screening forms were updated.

As any LSP who has participated in our past Audit Case Study training knows, the Level 1 Audit Screening forms are a compilation of questions that DEP/BWSC auditors use to review specific submittals and complete an audit “checklist.” On the first page of each form are certain “flags” (generally indicative of higher potential risks) that, if checked, meant auditors should bring these to the attention of their Section Chiefs to evaluate whether further review was warranted. The rest of the form was a general checklist of requirements relevant to MCP submittals and used to create consistency in the review of various submittals regardless of region or individual auditor.

For submittals that were completed before June 20, 2014, DEP/BWSC auditors will continue to use the applicable (i.e., older) Level 1 checklists for Response Action Outcomes, Preliminary Response Actions and Comprehensive Response Actions. For submittals received on June 20, 2014 and later, BWSC will be “test driving” a new multi-purpose checklist for Level 1 Screening Audits.

Those who were able to attend one of the short trainings in the last year or so that covered the Comprehensive Response Action Level 1 checklist know that there was a great deal of overlap with the three Level 1 Screening forms, particularly with respect to the “flags” in all the screening forms. Therefore, when we redesigned the Level 1 Screening Audit, we sought to streamline it to make a multi-purpose form that could be used for any of the three types of submittals. We kept the relevant flags, made some accommodations for the types of submittals and incorporated the Permanent and Temporary Solution (PTS) requirements. Will it work? Well, we’ll find out this summer.

If any of you want to see what’s on the new draft forms, feel free to check them out at:

<http://www.mass.gov/eea/agencies/massdep/cleanup/sites/technical-screening-audit-forms-checklists.html>

Hopefully, this will not be your only summer vacation reading!

On another note, during the summer, DEP often has the opportunity to bring some college students on board to do some short, focused projects. This year is no exception and there are at least two dozen interns throughout all Bureaus in Boston and the regions.

This summer, Boston the BWSC Audits and Enforcement group has an intern reviewing all the Higher Level Enforcement (HLE) done by the Bureau in 2013 and, depending on the time constraints, possibly 2012 and 2011 as well. It's one thing to have internal discussions about specific cases or types of cases that have come up in recent years, but it will be interesting to see what a larger review of the data tells us. We'll share that as it comes in. Meanwhile, our intern is also getting opportunities to learn about the 21E program, as well as some Geographic Information Systems (GIS), Chapter 91 (Wetlands and Waterways), the Natural Resource Damages program and the legal complexities of large projects with state and federal partners. As in years past, the Commissioner also has a lunchtime "speaker" series, a weekly offering of internal and external speakers to talk about both in DEP, and with other related state agencies, so interns have an opportunity to get a good sense of what is going on in Massachusetts' various environmental programs.

In an agency that hasn't had new hires in a long time, it's exciting to see the interest and enthusiasm the interns bring to their work. It seems to bode well for the future of environmental stewardship.