

Waste Site Cleanup Advisory Committee Meeting

November 16, 2023

** This meeting is being recorded.*



Agenda

9:00 am General program updates

9:25 MCP Amendments Implementation Updates

- Discussion of revisions to BWSC124 Notice of Immediate Response Actions

9:55 Compendium of Analytical Methods Updates

10:00 2023 Program Statistics

10:20 Adjourn

Times are approximate.



General updates

- Office Hours & Waste Site Cleanup Advisory Committee Schedule
- Hiring
- Brownfields
- Technical Assistance Grants
- MOSPRA Grant
- PFAS Sampling Guide



MassDEP Hiring

- <https://www.mass.gov/find-your-career-at-the-commonwealth>



Brownfields

- MassDEP applied for a Community Wide Assessment Grant
- State Coordinator has provided 24 Letters of Community Support
- NEWMOA: Brownfields Summit in May 2024. The deadline for the call for presentation ideas is MONDAY, November 20, 2023
- EBC event with MassDEP BWSC AC, DRDs and statewide Brownfields Coordinator in Framingham on November 29, 2023



Technical Assistance Grants

- Grant application deadline was October 13th; 8 applications received.

Marine Oil Spill Prevention & Response Act (MOSPRA) Grant

- Grant Announcement 11/1/23
<https://www.mass.gov/info-details/marine-oil-spill-prevention-response-grant-program>
- Info Meeting, 11/8/23; official response to questions to be posted 11/22/23
- **Application Deadline 12/15, 2023, 4pm**

- preparedness training
- spill prevention systems and/or equipment
- identification and mitigation of oil spill risks
- vessel navigational safety improvements
- sensitive area data management and mapping
- geographic response strategies
- research & development projects
- wildlife rehabilitation training
- spill detection equipment
- research & improvements on climate change resiliency in oil marine transportation/storage



PFAS Sampling Guidance

Recent update posted

<https://www.mass.gov/doc/sampling-and-analysis-guidance-for-pfas-at-disposal-sites-regulated-under-the-massachusetts-contingency-plan-november-2023/download>



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

Sampling and Analysis Guidance for PFAS at Disposal Sites Regulated under the Massachusetts Contingency Plan

November 13, 2023¹

Introduction

This Sampling and Analysis Guidance ("Guidance"), prepared by the Massachusetts Department of Environmental Protection (MassDEP) Bureau of Waste Site Cleanup (BWSC), provides guidance to Licensed Site Professionals and consultants regarding when and how to sample and analyze for Per- and Polyfluoroalkyl Substances (together, PFAS) at Disposal Sites regulated under the Massachusetts Contingency Plan (MCP). MassDEP recommends a specific list of target PFAS analytes and discusses appropriate quantitative and qualitative risk characterization approaches. This Guidance also summarizes physical and chemical properties, potential environmental health effects, and current state and federal standards and guidelines for PFAS compounds.

PFAS may be present at MCP sites as a result of current or past releases associated with the manufacturing, use, or disposal of products containing these chemicals. PFAS are considered hazardous materials under MGL Chapter 21E and potential Contaminants of Concern (COCs).

¹ Original publication date: June 19, 2018. Previously updated December 27, 2019, October 21, 2020 and June 16, 2022.

2024 MCP Amendments Overview


<https://www.mass.gov/info-details/september-21-2023-meeting-discussion-items>

Additional Resources

Meeting Videos ==> Exit to MassDEP YouTube Channel



Slides from September 21, 2023 WSCAC meeting (English, PDF 3.43 MB)

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September 21, 2023 Meeting Discussion Items

September 21, 2023 meeting of the Waste Site Cleanup Advisory Committee.
9:00 am - 11:00 pm, Virtual Meeting


AGENDA

Agenda:

- Program updates
- Brownfields updates
- Overview - 2024 MCP final amendments
- Other MCP updates
- Q&A

Additional Resources

Meeting Videos ==> Exit to MassDEP YouTube Channel

 Slides from September 21, 2023 WSCAC meeting (English, PDF 3.43 MB)



2024 MCP Amendments Implementation

<https://www.mass.gov/lists/mcp-amendments#final-2024-mcp-revisions>

OFFERED BY Massachusetts Department of Environmental Protection

MCP Amendments

This page contains information on final 2024 revisions to the Massachusetts Contingency Plan.

2024 Revisions to the Massachusetts Contingency Plan (310 CMR 40.0000)

REGULATORY DOCUMENTS PUBLISHED SEPTEMBER 1, 2023; EFFECTIVE MARCH 1, 2024

MassDEP has filed final 2024 revisions to the Massachusetts Contingency Plan (MCP) with the Secretary of State for final promulgation and publication in the *Massachusetts Register*.

On September 1, 2023, a notice was published in the Massachusetts Register with a link to this page. The 2024 revisions will take effect on **March 1, 2024**, on which date the revised MCP will be published in full in the *Massachusetts Register*.

Included below are: a "clean" version of the 2024 revised MCP; a redline version of the 2024 revised MCP showing changes from the current (2019) regulations; and a redline version of the 2024 revised MCP showing changes that were made from the 2019 public hearing draft. These documents are unofficial versions of the amendments made available until the official version of the 2024 MCP is published in the *Massachusetts Register*.

In anticipation of the March 1, 2024 effective date, MassDEP staff will be conducting outreach and training to our staff, LSPs, and the regulated community and posting guidance and supporting materials as they become available.

TABLE OF CONTENTS

- Final 2024 MCP Revisions - Clean Version
- Redline/Strikeout Comparisons
- Summary of Changes Adopted in the Final 2024 MCP Revisions
- Related Information



2024 MCP Amendments Implementation

<https://www.mass.gov/lists/mcp-amendments#final-2024-mcp-revisions>

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Related Information

- Summary of Numerical Standard Changes

The document below summarizes changes to MCP numerical standards that take effect on March 1, 2024. Prior to March 1, 2024, the revised Method 1 Groundwater and Soil Standards (Tables 1 through 4) and the revised Method 2 Soil Standards (Table 5) may be used as part of an MCP Risk Characterization pursuant to 310 CMR 40.0982(7).

Summary of Changes to MCP Numerical Standards

- Updated Shortforms

The Method 3 Human Health Risk Assessment shortforms have been updated and are available for use at <https://www.mass.gov/lists/risk-assessment-information#shortforms:-method-3-human-health-risk-assessment->. These updates incorporate updated toxicity information and risk assessment practices consistent with the 2024 MCP amendments.

- Activity and Use Limitation Forms

The document below contains the Activity and Use Limitation forms that must be used to implement an Activity and Use Limitation on or after March 1, 2024.

AUL Forms



AUL Form Changes

All AUL Forms

- Added bracketed text to be included if documentation of signatory authority is attached as an Exhibit
- Added bracketed test for AULs that support “Remedy Operation Status and maintaining a Condition of No Substantial Hazard”

Form 1075

- Added Standardized Obligations and Conditions where an AUL is required as part of a Permanent Solution at a sites with an Active Exposure Pathway Mitigation Measure on a private water supply

Notice of Immediate Response Actions (BWSC124) Form Revision - discussion

Notice of Immediate Response Actions (BWSC124)

- Notice of Immediate Response Action to address an Imminent Hazard or Critical Exposure Pathway (40.1403(11))
 - must be provided to owners/operators and Affected Individuals within 3 business days of confirming that the condition exists.
 - for multi-unit commercial buildings, owner/operator of building must ensure that the notice is posted at a location(s) proximate to where the potential for OHM exposure is most likely for the duration of the Immediate Response Action

<https://www.mass.gov/guides/site-cleanup-transmittal-forms#-bwsc124:-notice-about-iras->





INFORMATIONAL NOTICE ABOUT IMMEDIATE RESPONSE ACTIONS

As required by 310 CMR 40.1403(11) of the Massachusetts Contingency Plan

-

A. The address of the disposal site related to this Notice and Release Tracking Number (provided above):

1. Street Address:
City/Town: Zip Code:

B. This Notice is being provided to the following party:

1. Name:
2. Street Address:
City/Town: Zip Code:

C. This notice is being given to notify the party listed in Section B that:

- ☐ 1. Immediate Response Actions are to be/have been taken at the disposal site identified in Section A.
- ☐ 2. Immediate Response Actions taken at the disposal site identified in Section A have been completed. For notices given upon completion of Immediate Response Actions, attach a copy of the Immediate Response Action Completion Statement with the Notice.
- ☐ Check here if an Immediate Response Action Completion Statement is attached.

D. Description of purpose, nature and expected duration of the Immediate Response Actions:

1. Describe the conditions that are to be/have been addressed by the Immediate Response Actions (i.e., Imminent Hazard, Critical Exposure Pathway), including any potential risks to human health or safety:

2. Describe the activities that are to be/have been conducted as Immediate Response Actions, including any excavation, removal and/or management of contaminated media, monitoring, use of respirators or other protective equipment:

3. Describe the specific location(s) where the Immediate Response Actions are to be/have been taken (attach map, as appropriate):

4. Provide the approximate start date and completion date for the Immediate Response Actions:

E. Contact information related to the party providing this notice:

1. Contact Name:
Street Address:
City/Town: Zip Code:
Telephone: Email:



INFORMATIONAL NOTICE ABOUT IMMEDIATE RESPONSE ACTIONS

As required by 310 CMR 40.1403(11) of the Massachusetts Contingency Plan

-

MASSACHUSETTS REGULATIONS THAT REQUIRE THIS NOTICE

This notice is being provided pursuant to the Massachusetts Contingency Plan and the notification requirement at 310 CMR 40.1403(11). The Massachusetts Contingency Plan is a state regulation that specifies requirements for parties who are taking actions to address releases of chemicals (oil or hazardous material) to the environment.

THE PERSON(S) PROVIDING THIS NOTICE

This notice has been sent to you by the person who is addressing a release of oil or hazardous material to the environment at the location listed in **Section A** on the reverse side of this form. (The regulations refer to the area where the oil or hazardous material is present as the "disposal site".)

PURPOSE OF THIS NOTICE

Parties who are taking an Immediate Response Action to assess, and eliminate or mitigate conditions that could pose a risk to human health or safety or the environment, if unaddressed in the short-term, are required by state regulations to notify persons who are in close proximity to the area where the Immediate Response Action is occurring (i.e., "Affected Individuals"). The purpose of the notice is to inform its recipient (identified in **Section B** on the reverse side of this notice) of the purpose, scope and nature of the Immediate Response Action and how to obtain more information.

The regulations also required that the same "Affected Individuals" receive notice upon the completion of the Immediate Response Action. **Section C** on the reverse side of this form indicates the circumstance under which you are receiving this notice at this time. If you are receiving this notice upon completion of the Immediate Response Action, you should also be receiving a copy of the Immediate Response Action Completion Statement that summarizes the work that has been done.

Section D on the reverse side of this form provides specific information about the conditions that are to be/have been addressed by the Immediate Response Action, the types of activities that are to be/have been conducted (e.g., excavation of contaminated soil) and the expected start date and completion date for these activities.

POSTING THIS NOTICE

Recipients of this notice who own or operate a multi-unit or commercial or industrial building at which or near the location where the Immediate Response Action is occurring should post a copy of **both sides** of this notice at a central bulletin board, sign in area or other location where it will be visible to people who are routinely present in the building (e.g., residents, workers). The purpose of this posting is to inform these people of the purpose, scope and nature of the Immediate Response Action that they may be observing and/or about which they may wish to obtain more information.

FOR MORE INFORMATION

Information about the general process for addressing releases of oil or hazardous material under the Massachusetts Contingency Plan and related public involvement opportunities may be found at <http://www.mass.gov/eea/agencies/massdep/cleanup>. For more information regarding this notice, you may contact the party listed in **Section E** on the reverse side of this form. Information about the disposal site identified in Section A is also available in files at the Massachusetts Department of Environmental Protection. See <http://public.dep.state.ma.us/SearchableSites2/Search.aspx> to view site-specific files on-line or <http://www.mass.gov/eea/agencies/massdep/about/contacts/conduct-a-file-review.html> if you would like to make an appointment to see these files in person. Please reference the **Release Tracking Number** listed in the upper right hand corner on the reverse side of this form when making file review appointments.

PURPOSE OF THIS NOTICE

Parties who are taking an Immediate Response Action to assess, and eliminate or mitigate conditions that could pose a risk to human health or safety or the environment, if unaddressed in the short-term, are required by state regulations to notify persons who are in close proximity to the area where the Immediate Response Action is occurring (i.e., "Affected Individuals"). The purpose of the notice is to inform its recipient (identified in **Section B** on the reverse side of this notice) of the purpose, scope and nature of the Immediate Response Action and how to obtain more information.

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POSTING THIS NOTICE

Recipients of this notice who own or operate a multi-unit or commercial or industrial building at ~~which~~ or near the location where the Immediate Response Action is occurring ~~or will occur should must~~ ensure that ~~post a copy of both sides~~ of this notice ~~are posted. The notice must be posted at~~ a central bulletin board, sign-in area, or other location ~~close to where the Immediate Response Action is being performed and~~ where ~~it the notice~~ will be visible to people who are ~~routinely~~ present in ~~that area of~~ the building (e.g., residents, workers). The purpose of this posting is to inform ~~these such~~ people of the purpose, scope and nature of the Immediate Response Action that they may be observing and/or about which they may wish to obtain more information.

FOR MORE INFORMATION

Information about the general process for addressing releases of oil or hazardous material under the Massachusetts Contingency Plan and related public involvement opportunities may be found at <http://www.mass.gov/eea/agencies/massdep/cleanup>. ~~[MassDEP to update link and content related to public involvement and this type of notice]~~. For more information regarding this notice, you may contact the party listed in **Section E** on the reverse side of this form. Information about the disposal site identified in Section A is also available in ~~files at the~~ Massachusetts Department of Environmental Protection's ~~online files~~. ~~You may search at See~~ <https://www.mass.gov/find-out-about-a-contaminated-property> ~~to view the for information related to this disposal site using the Release Tracking Number listed in the upper right hand corner on the reverse site of this form. site-specific files on line or~~ ~~review.html~~ if you would like to make an appointment to see these files in person. Please reference the **Release Tracking Number** listed in the upper right hand corner on the reverse side of this form when making file review appointments.

Compendium of Analytical Methods (CAM) Updates & BWSC Yearly Statistics

Ken Marra, PE

Acting Director – Policy & Program Development
Bureau of Waste Site Cleanup

November 16, 2023



Metals Methods











There are four CAM protocols developed for metals analysis:

- WSC-CAM-III A - Trace Metals by Inductively Coupled Plasma-Atomic Emission Spectrometry (ICP-AES), based on USEPA Method SW846 6010C,
- WSC-CAM-III B - Mercury by Cold Vapor Atomic Absorption (CVAA) Spectrometry, based on USEPA Method SW-846 7470A & 7471B,
- WSC-CAM-III C - Trace Metals by Graphite Furnace Atomic Absorption (GFAA) Spectrometry, based on USEPA Method SW-846 7010,
- and
- WSC-CAM-III D - Trace Metals by Inductively Couple Plasma-Mass Spectrometry (ICP-MS), based on USEPA Method SW-846 6020A.

NOTE : On and after January 15, 2024, any laboratory that is certifying compliance with MassDEP's CAM protocols WSC-CAM-III A (6010D) and WSC-CAM-III D (6020B) must comply with the updated protocols that take effect on January 15, 2024. These updated protocols may be used prior to the effective date.

NOTE : On and after February 15, 2024, any laboratory that is certifying compliance with MassDEP's CAM protocols WSC-CAM-III B (7470A & 7471B) must comply with the updated protocol that takes effect on February 15, 2024. This updated protocol may be used prior to the effective date.

Additional Resources

-  CAM-III A - Trace Metals by ICP-AES (English, PDF 785.53 KB)
-  CAM-III A - Trace Metals by ICP-OES (Effective January 15, 2024) (English, PDF 661.44 KB)
-  Summary of Significant Changes to CAM-III A-Trace Metals by ICP-OES (English, PDF 143.07 KB)
-  CAM-III B - Mercury by CVAA Spectrometry (English, PDF 704.58 KB)
-  CAM-III B - Mercury by CVAA Spectrometry (Effective February 15, 2024) (English, PDF 504.28 KB)
-  Summary of Significant Changes to CAM-III B-Mercury by CVAA Spectrometry (English, PDF 131.58 KB)
-  CAM-III C - Trace Metals by GFAA Spectrometry (English, PDF 753.54 KB)
-  CAM-III D - Trace Metals by ICP-MS (English, PDF 720.76 KB)
-  CAM-III D - Trace Metals by ICP-MS (Effective January 15, 2024) (English, PDF 611.99 KB)
-  Summary of Significant Changes to CAM-III D-Trace Metals by ICP-MS (English, PDF 142.77 KB)

Compendium of Analytical Methods (CAM) Updates

<https://www.mass.gov/info-details/compendium-of-analytical-methods-cam>

- New QC & performance standard protocols posted for trace metal methods 6010D (CAM-III A) and 6020B (CAM-III D), and mercury 7470A and 7471B (CAM-III B)
- Also posted, summaries of significant changes
- Trace metal protocols effective 1/15/24; Mercury protocol effective 2/15/24. May be used now.
- Coming next – PCBs 8082A (CAM V A)

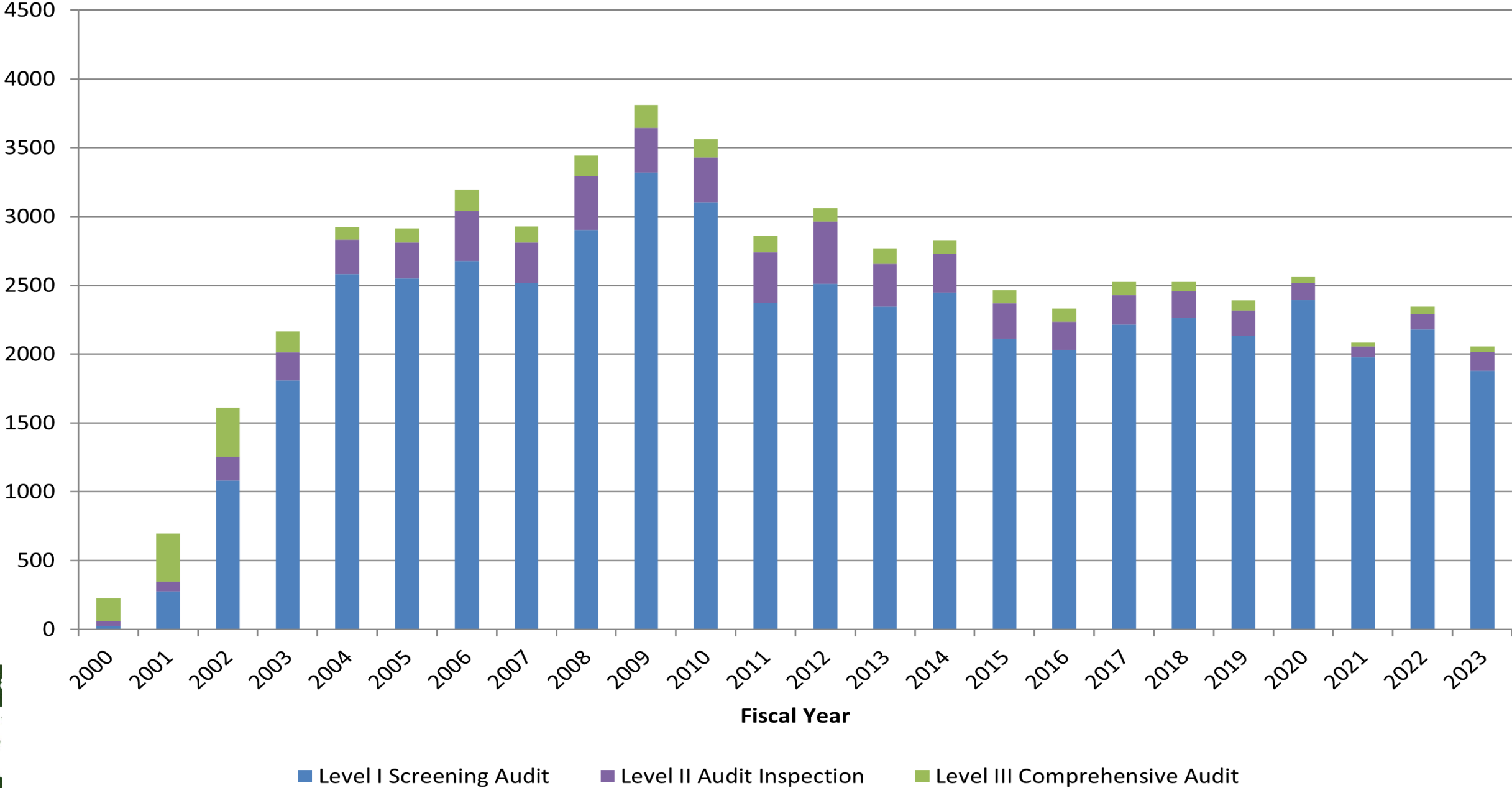


BWSC Yearly Statistics

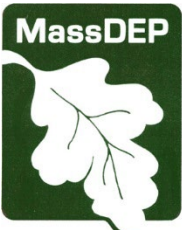
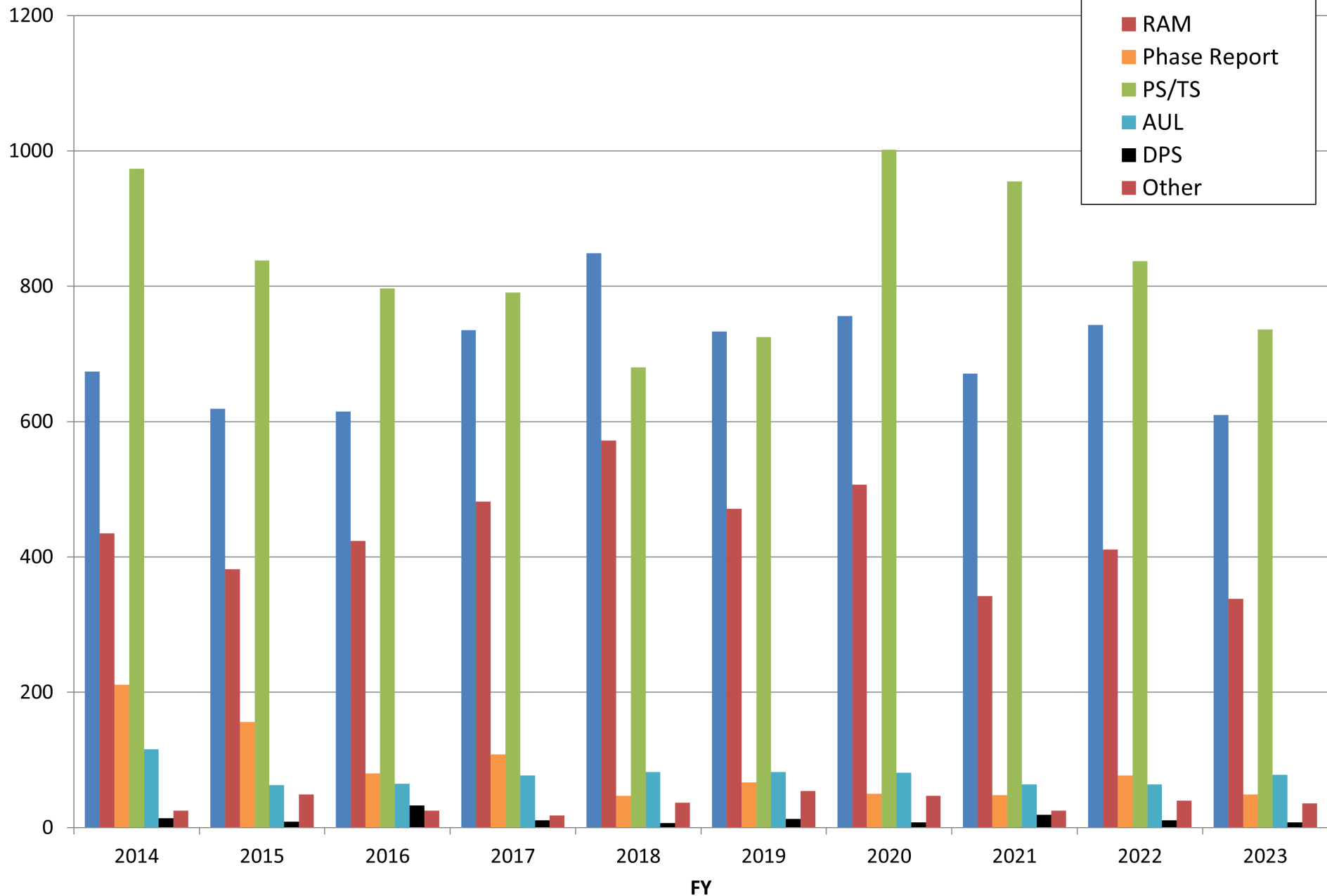
Audits

Audit Type	2019	2020	2021	2022	2023
Level I -- technical screening audit	2144	2436	2087	2062	1877
Level II – site inspection audit	186	123	78	113	138
Level III – comprehensive audit	72	46	31	51	39
Total Audits	2402	2605	2196	2226	2054

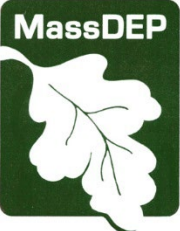
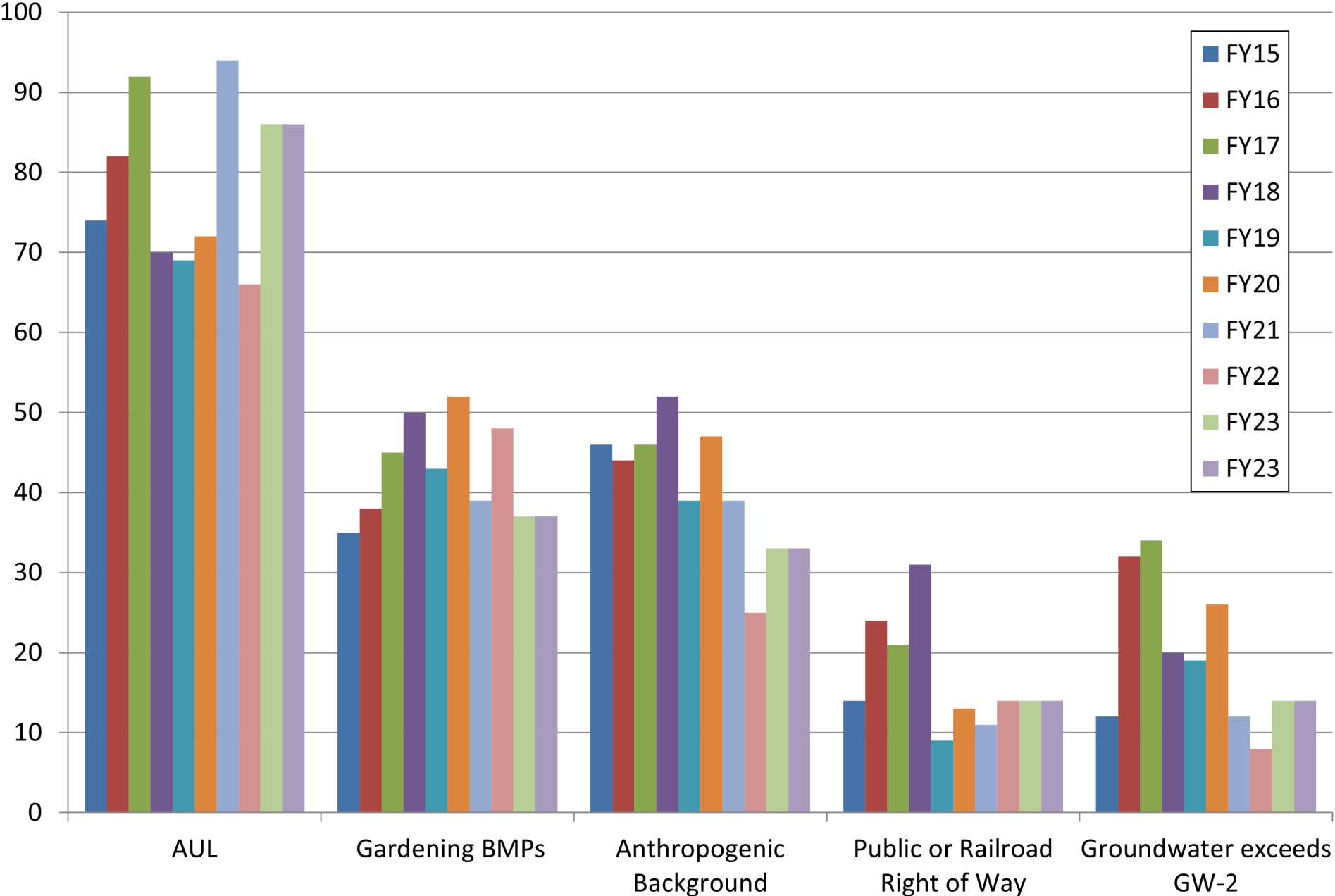
MassDEP Audits Complete by FY



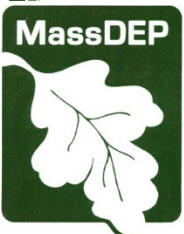
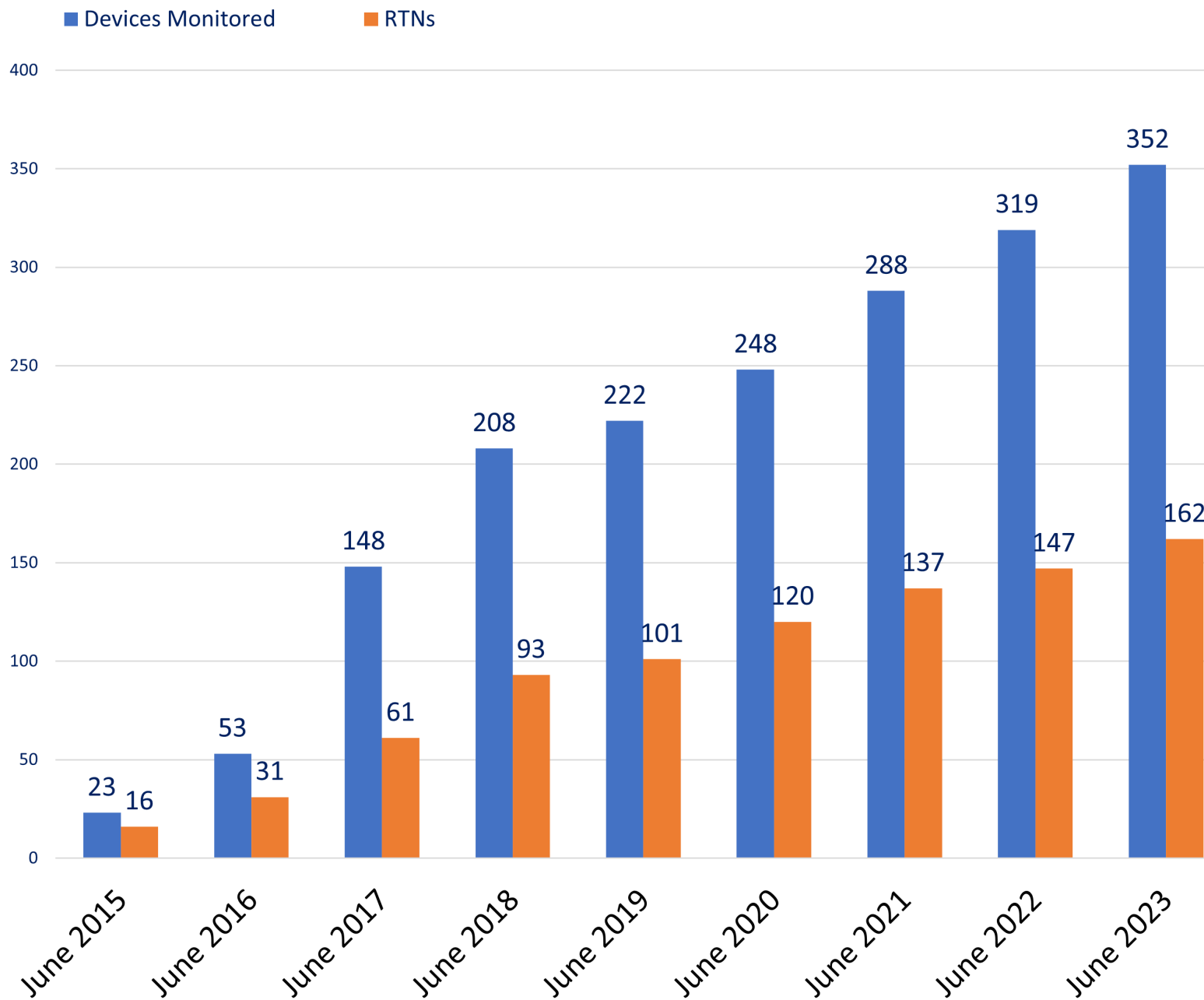
MassDEP L1 Audits Complete by FY



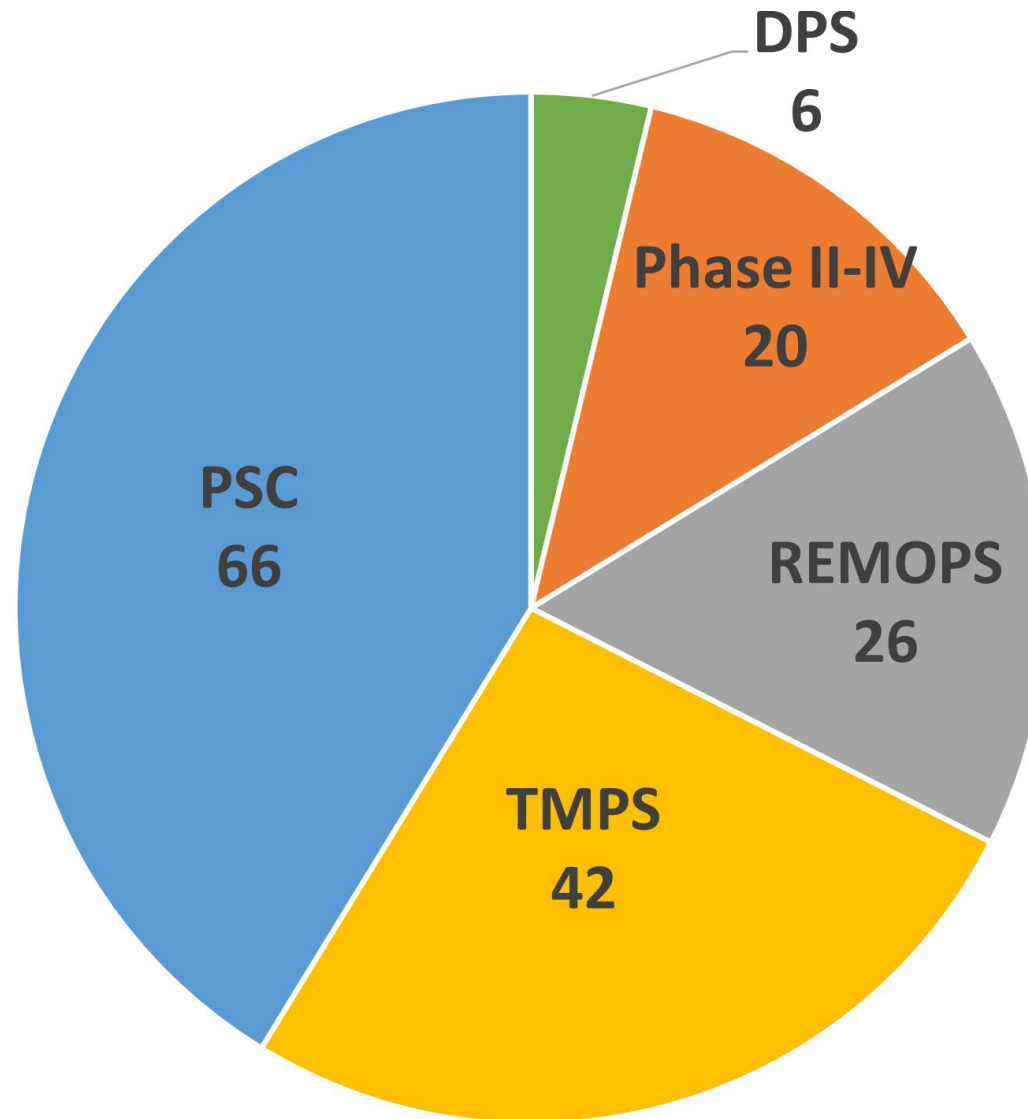
Permanent Solution with Conditions (July 2014 - June 2023)



AEPMMs Registrations Over Time



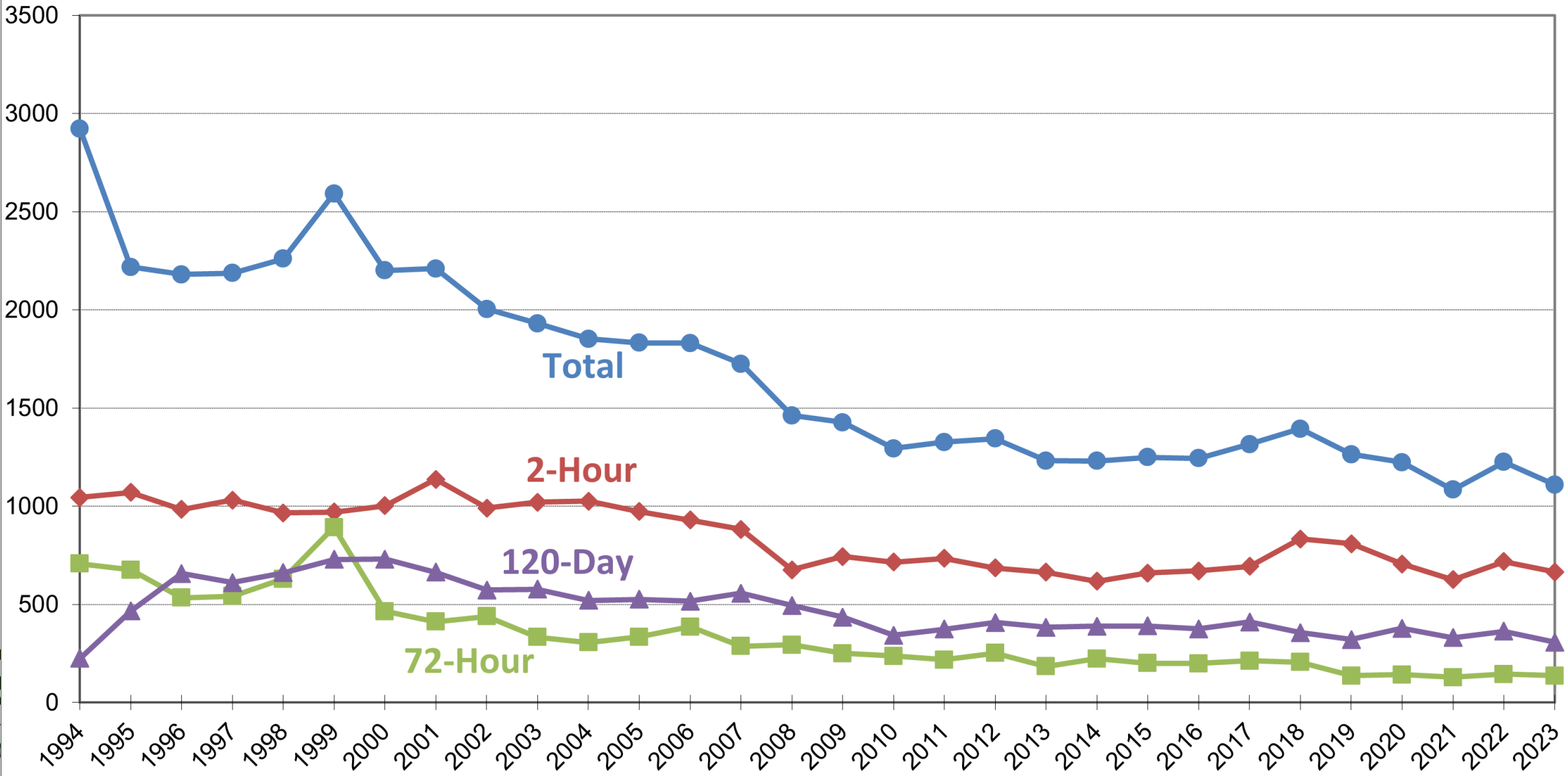
AEPMR RTNs Status



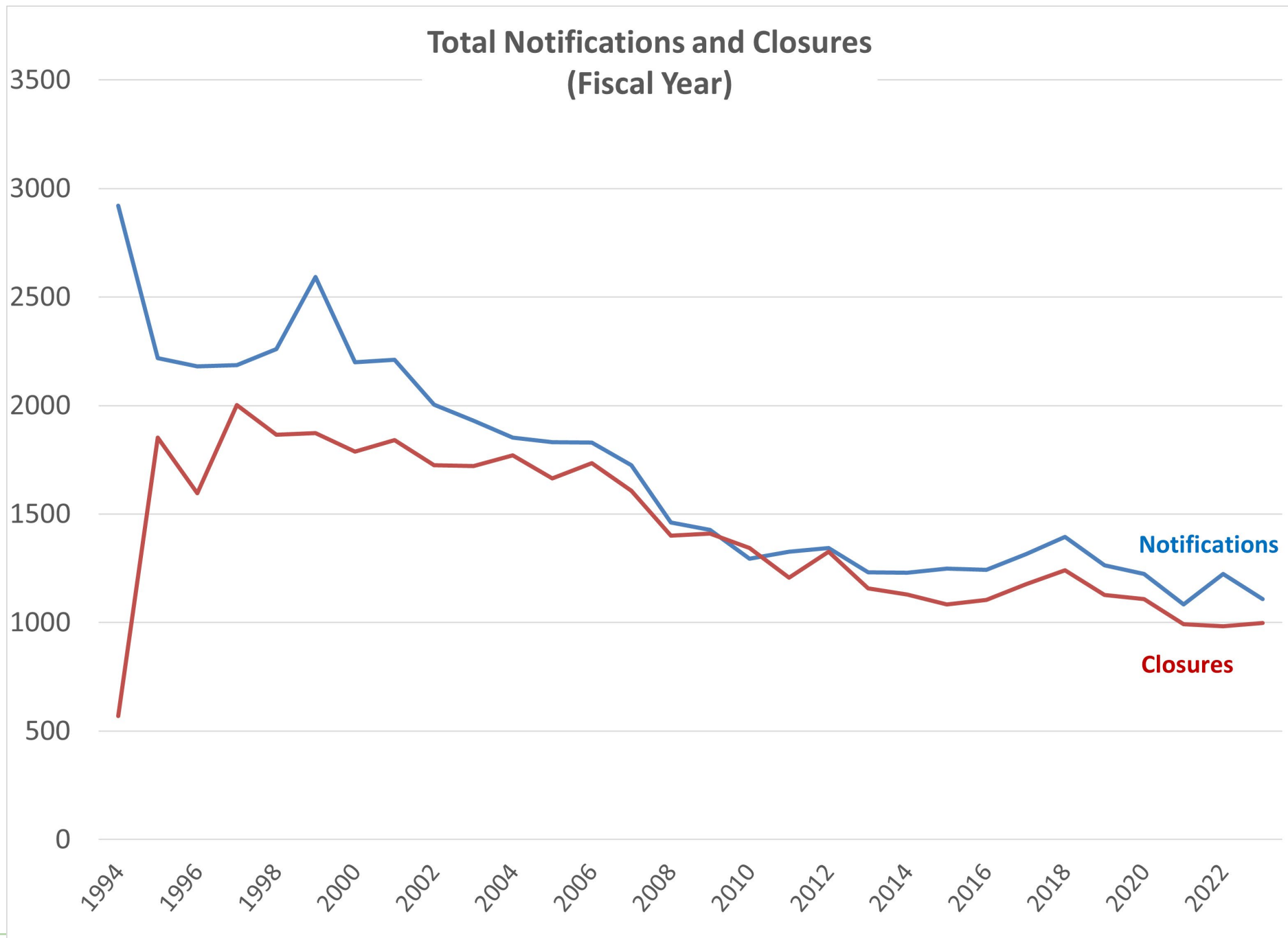
Some Other Program #s

Releases by Notification Category

(Fiscal Year)

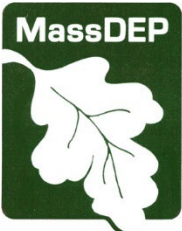
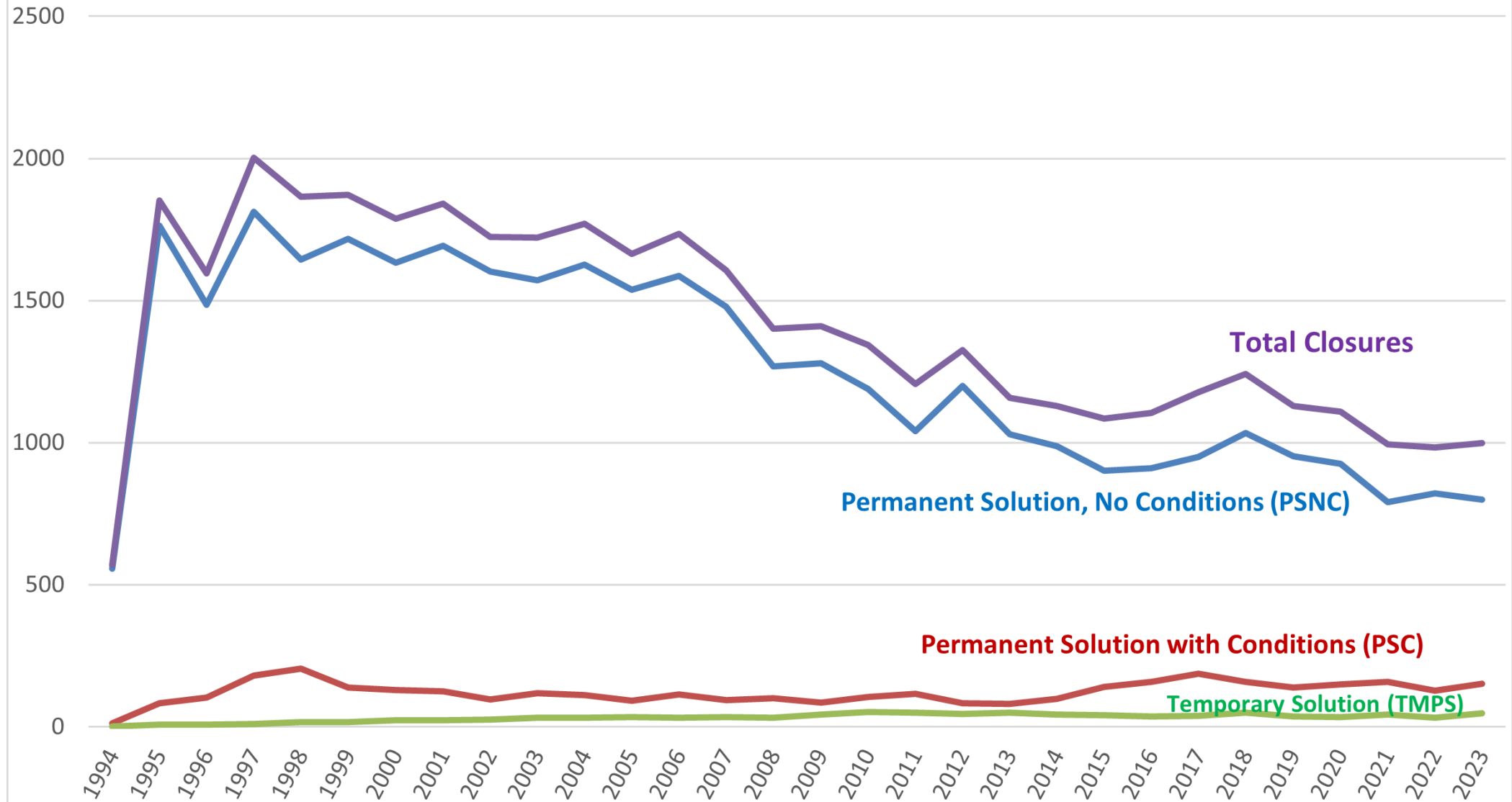


**Total Notifications and Closures
(Fiscal Year)**

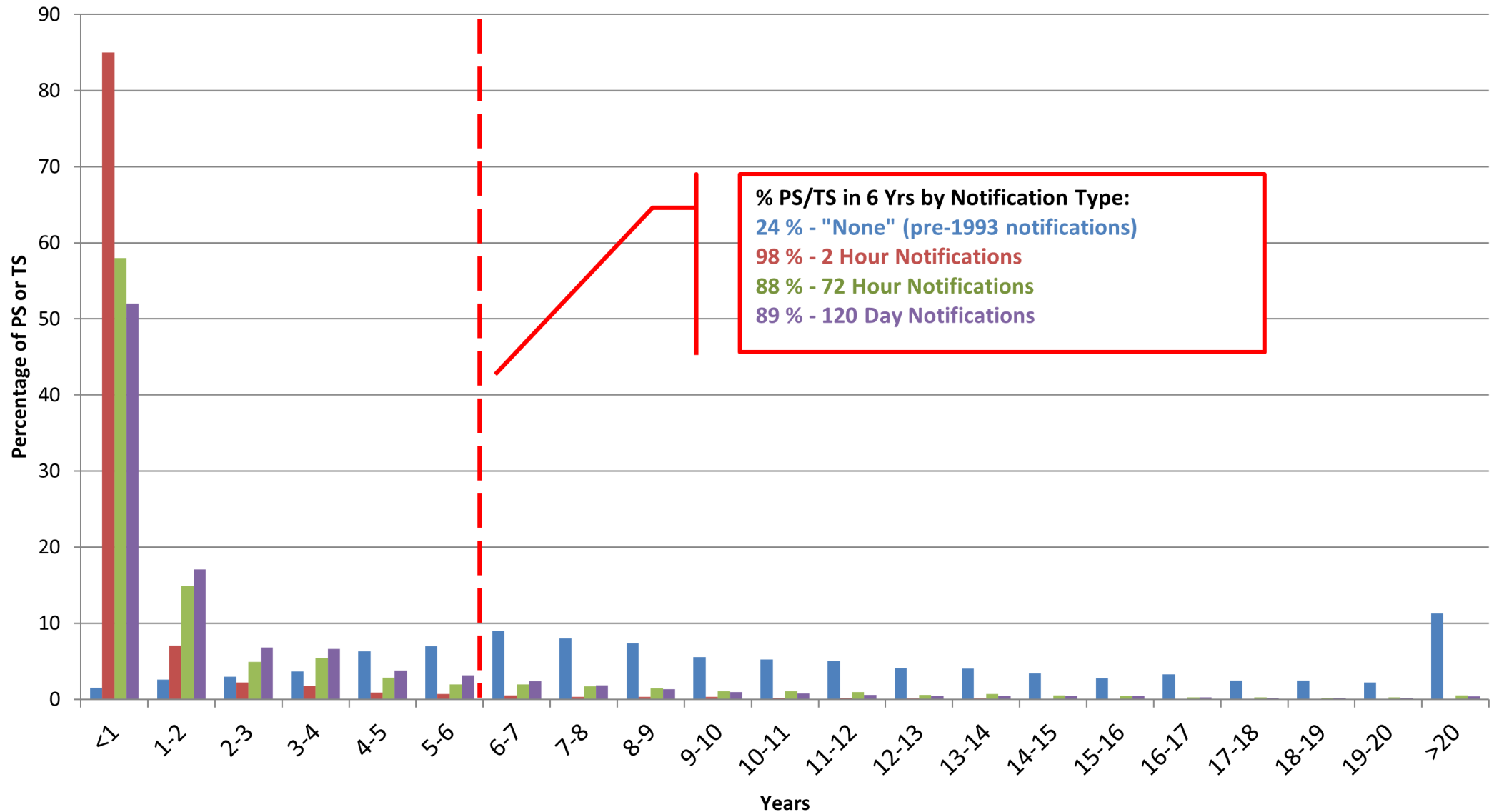


Site Cleanup & Closures by Category

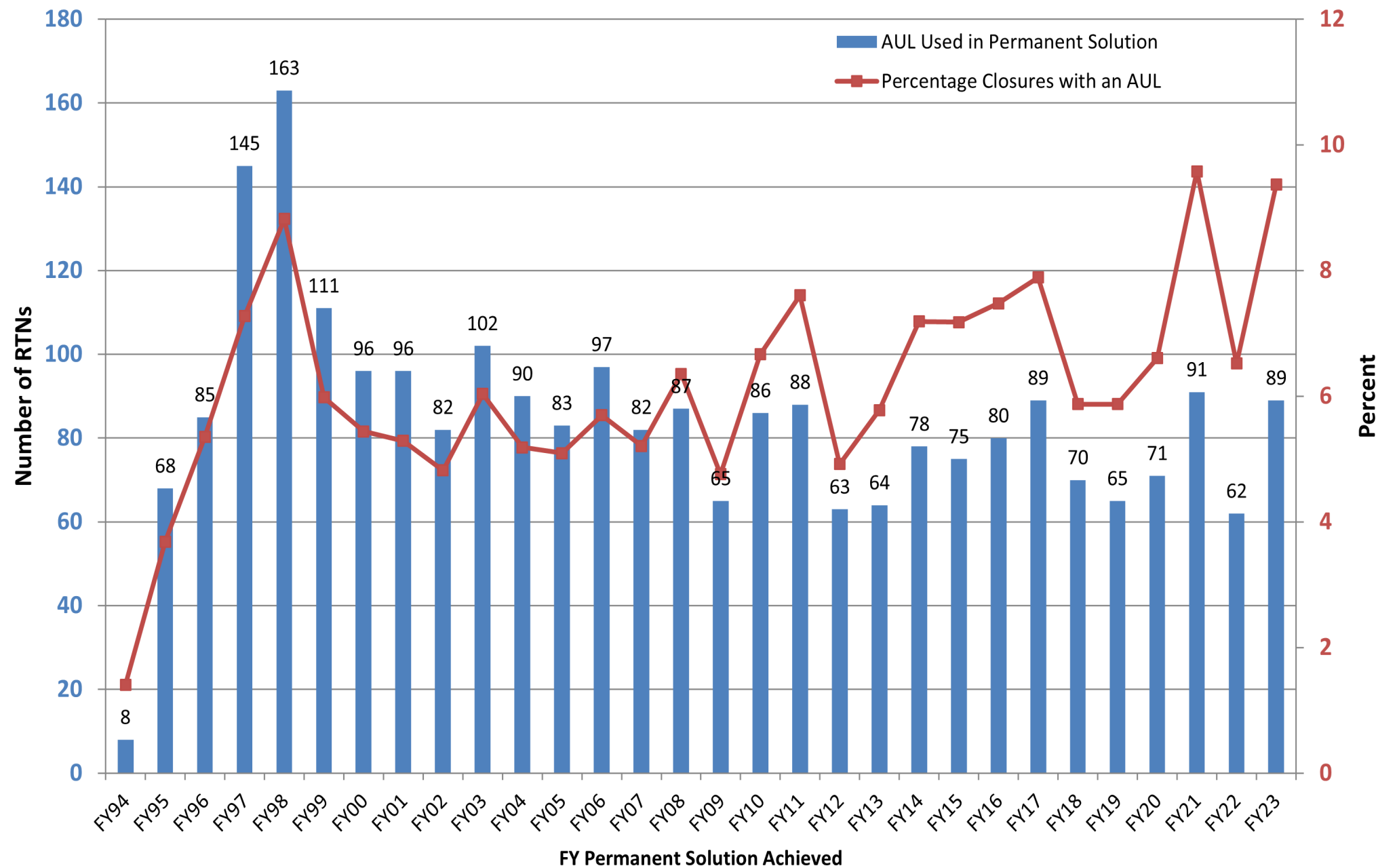
(Fiscal Year)



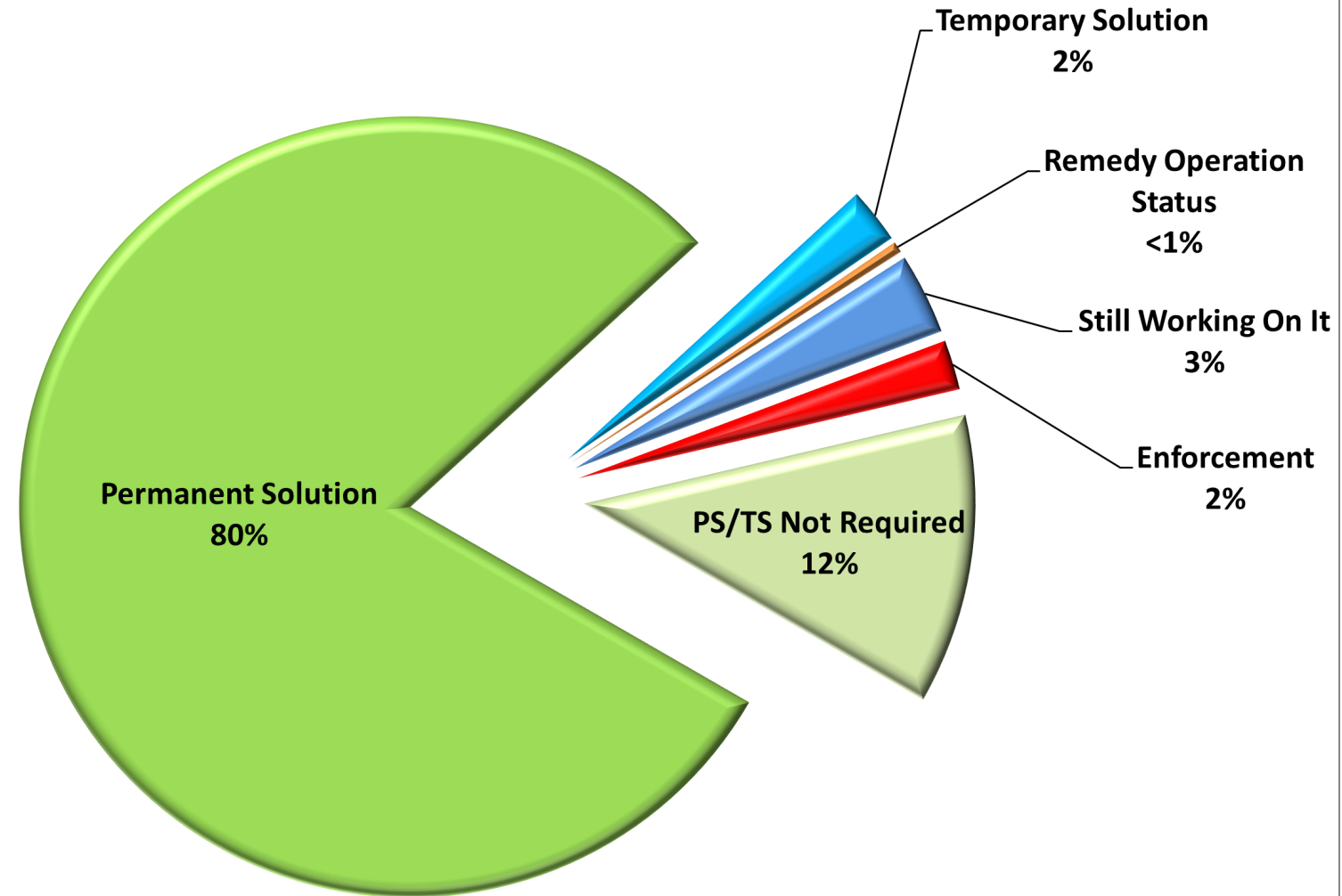
Time-to-Permanent or Temporary Solution, by Notification Category (through 6/30/2023)



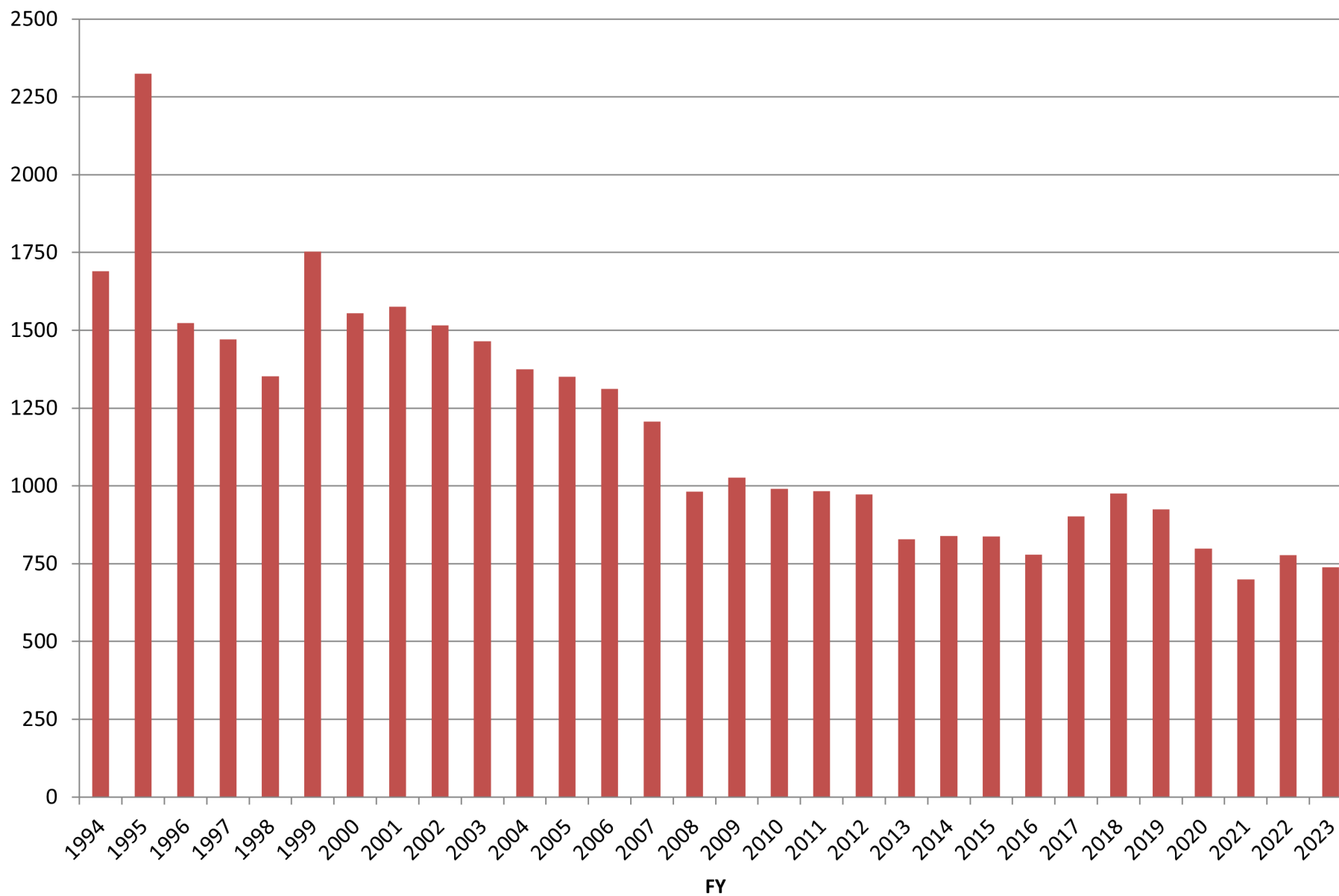
Trend in the Use of AULs



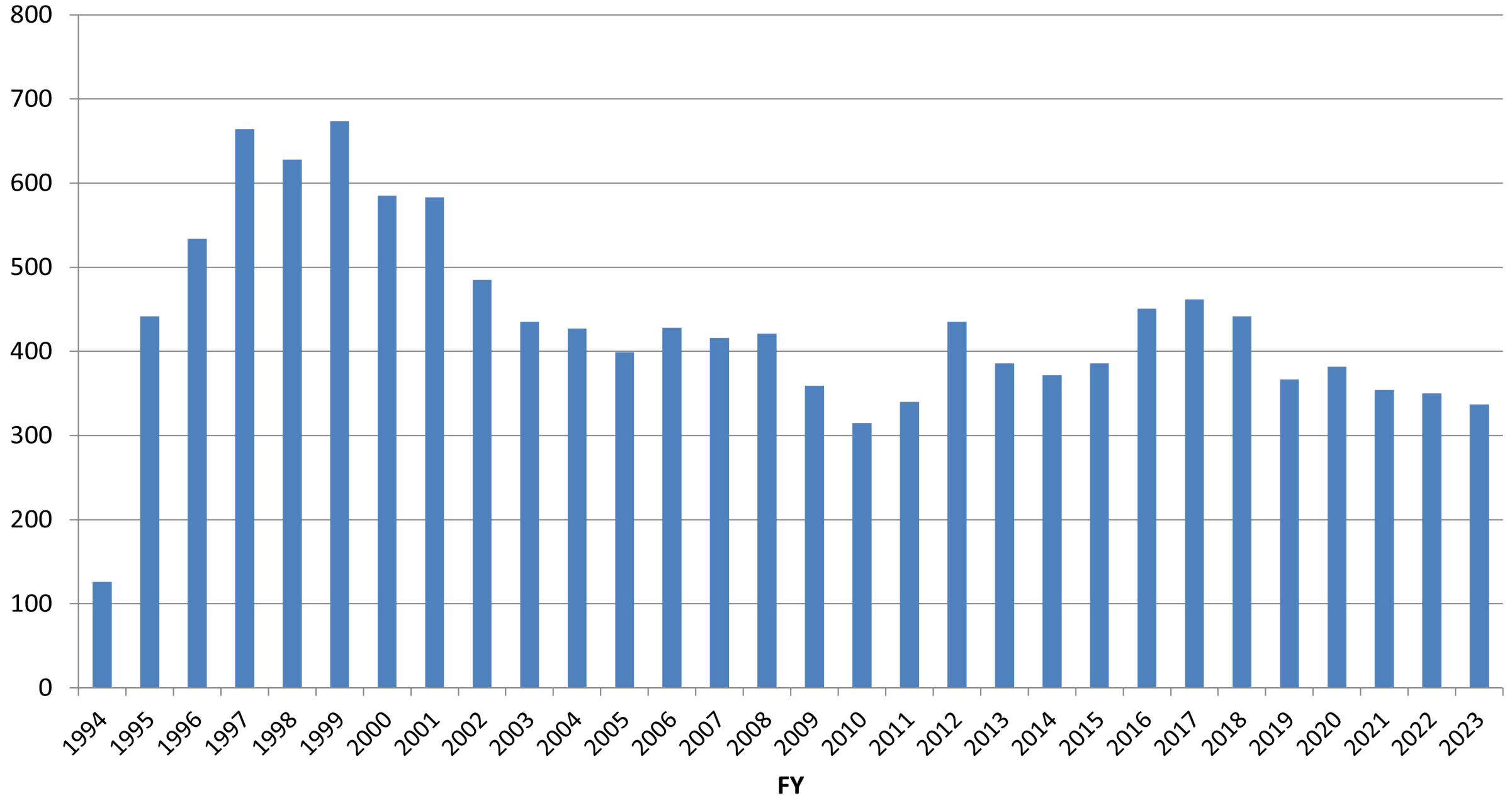
FY17 Notifications (most recent 6-yr period): Where Are They Now?



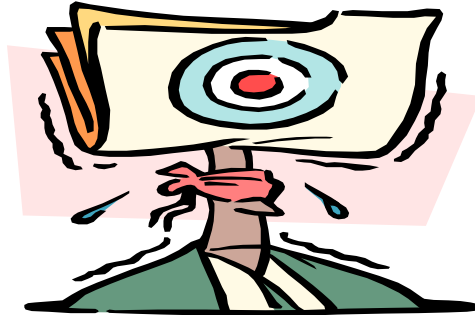
Immediate Response Action Approvals by Fiscal Year



Release Abatement Measure Plans Received by FY



Questions?



Ken Marra, PE

kendall.marra@mass.gov

Acting Director – Policy & Program Development
Bureau of Waste Site Cleanup