Welcome to the CLU-IN Internet Seminar

Close Out Procedures for NPL Sites Training

Sponsored by: OSRTI - Construction and Post Construction Management Branch

Delivered: April 24, 2012, 1:00 PM - 4:00 PM, EDT (17:00-20:00 GMT)

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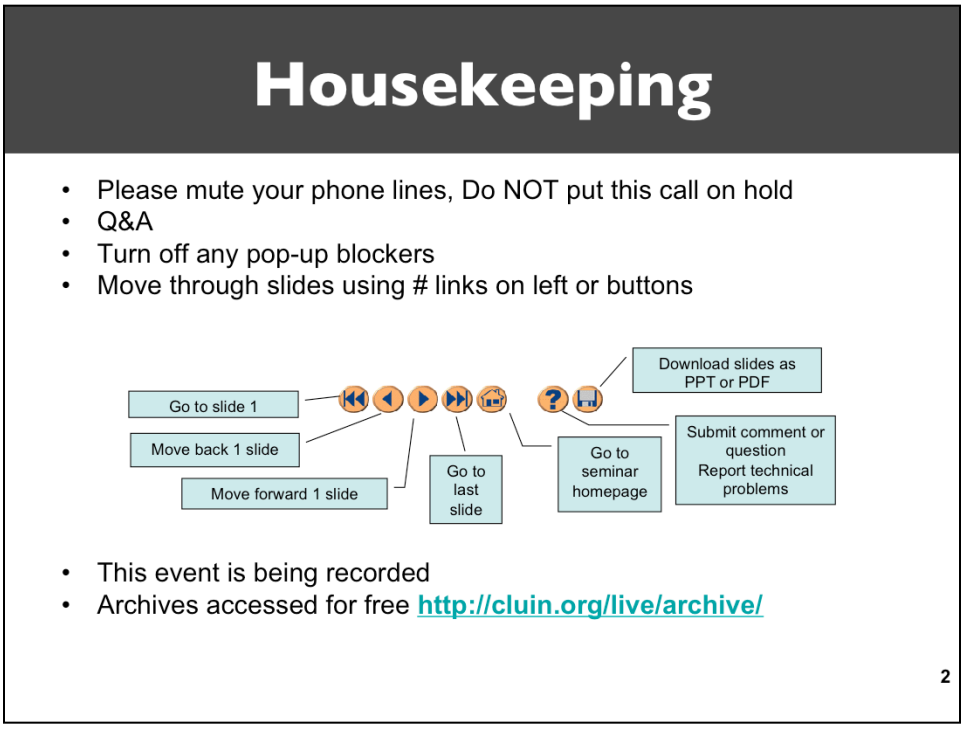


Although I'm sure that some of you have these rules memorized from previous CLU-IN events, let's run through them quickly for our new participants.

Please mute your phone lines during the seminar to minimize disruption and background noise. If you do not have a mute button, press *6 to mute #6 to unmute your lines at anytime. Also, please do NOT put this call on hold as this may bring delightful, but unwanted background music over the lines and interupt the seminar.

You should note that throughout the seminar, we will ask for your feedback. You do not need to wait for Q&A breaks to ask questions or provide comments. To submit comments/questions and report technical problems, please use the ? Icon at the top of your screen. You can move forward/backward in the slides by using the single arrow buttons (left moves back 1 slide, right moves advances 1 slide). The double arrowed buttons will take you to 1st and last slides respectively. You may also advance to any slide using the numbered links that appear on the left side of your screen. The button with a house icon will take you back to main seminar page which displays our agenda, speaker information, links to the slides and additional resources. Lastly, the button with a computer disc can be used to download and save today's presentation materials.

With that, please move to slide 3.

Close Out Procedures for National Priorities List Sites

Training on Revised Guidance

February 2012

Close Out Procedures Guidance Outline

- Chapter 1: Introduction
- Chapter 2: Remedial Action Completion
- Chapter 3: Construction Completion
- Chapter 4: Site Completion
- Chapter 5: Site Deletion and Partial Deletion

http://www.epa.gov/superfund/programs/npl_hrs/closeout/pdf/2011guidance.pdf

Chapter 2:

Remedial Action Completion

CONTENTS

Remedial Action Completion

- **RA Project Completion**
- **RA Report**

Construction Completion

- Site-wide physical construction complete
- Preliminary Close Out Report

Site Completion

- Site-side determination that no further response is anticipated
- Final Close Out Report

Site Deletion and Partial Deletion

- Deletion regulatory and policy requirements
- Two-step/Direct Federal Register process

What's new about the 2011 guidance?

- New guidance on the use of multiple RA projects for a single site
  - Primarily to facilitate implementation of the new RA Project Completion program measure
- Specific completion guidelines for multiple types of remedies
- No longer distinguishes between the Interim and Final RA Report

What is a Remedial Action?

Actual construction or implementation of a discrete scope of activities supporting a Superfund site cleanup

Operable Unit vs. RA Project

- **OU** may be a geographical area, contaminated medium, or chronological phase of a cleanup
- **RA Project** refers to the physical work carried out to address a particular OU
  - "RA" and "RA Project" are synonymous terms that refer to the specific action implemented
- Site may have one or more OUs, each of which may be addressed by one or more RA projects

Multiple RA Projects at a Site

- Division of a site into OUs and RA projects is at the discretion of the Region
  - Based on best professional judgment
  - Dependent on size, complexity
- Each RA project should consist of an appropriate scope of activities which contribute to efficient & effective achievement of overall site cleanup
- Some factors to consider:
  - Multiple parties conducting work in different areas, access, non-contiguous areas, contracting structure

Consider the following scenario…

- A single, site-wide ROD
- OU1: Soil
  - Excavation and offsite disposal
- OU2: Groundwater
  - In situ chemical oxidation for on-site plume
  - MNA for dissolved phase, off-site plume
  - Institutional controls to limit well drilling

RA Completion

- RA Completion is achieved when the designated Regional official (Branch Chief or above) approves the RA Report
  - The determination that work is complete and the timing of the RA Report will depend on the type of remedy that was implemented.

RA completion signifies that cleanup levels have been achieved for a given project, *except in the case of groundwater or surface water restoration!*

How is RA Completion Related to…?

- Operational and Functional (O&F)
- Long Term Response Action (LTRA)
- PRP Long Term Response (PRP LR)
- Operation and Maintenance (O&M)

Operational & Functional (O&F)

- A remedy becomes O&F either:
  - one year after construction is complete, or
  - when the remedy is determined concurrently by EPA and the state to be functioning properly and performing as designed, *whichever is earlier*.
- At Fund-lead sites, the O&F determination sets the schedule for the State to take responsibility for O&M
- O&F should be well documented
- SSC should outline expectations for O&F

Long Term Response Action (LTRA)

- LTRA refers to Fund-financed groundwater and surface water *restoration* remedies
- Ten-year period between O&F and O&M, considered an extension of the remedial action
  - EPA funds 90% of LTRA while the State funds 10%
- PRP-lead *restoration* remedies are referred to as "PRP LR" for tracking purposes
  - Ten-year time frame does not apply

Operation & Maintenance (O&M)

- O&M refers to the activities necessary to maintain the effectiveness and integrity of a remedy
- For *restoration* remedies, O&M refers to the continued operation of a remedy after LTRA
- O&M is conducted by States or PRPs, *not EPA!*

RA Completion Categories

Source Remediation Actions

Source and Groundwater Containment Actions

Groundwater and Surface Water Restoration Actions

Institutional Control Actions

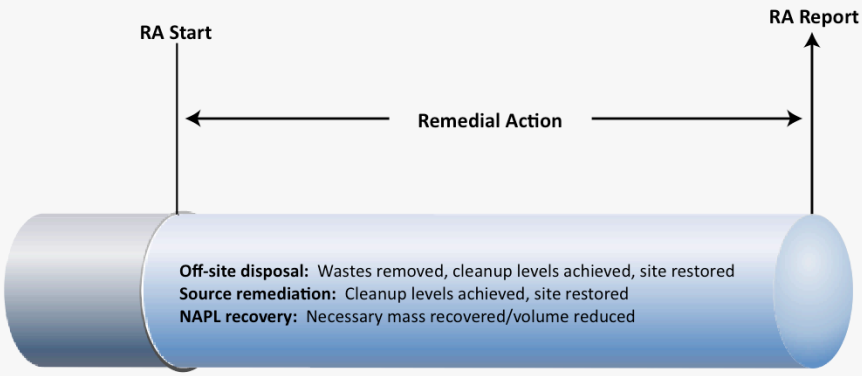
Source Remediation

- Refers to actions taken to reduce or eliminate the toxicity, mobility or volume of contaminated source material
  - Typically occurs through on-site treatment or by physically removing waste from site
- Ex: Excavation, soil vapor extraction, dredging of contaminated sediments, stabilization/solidification

Source Remediation

- RA Completion occurs after the following:
  (1) All construction activities are complete, including site restoration and demobilization,
  (2) All RAOs and cleanup levels have been achieved,
  (3) A successful contract final inspection has been conducted, and
  (4) The RA Report is consistent with the guidance and has been approved by the designated regional official.

Source Remediation Pipeline



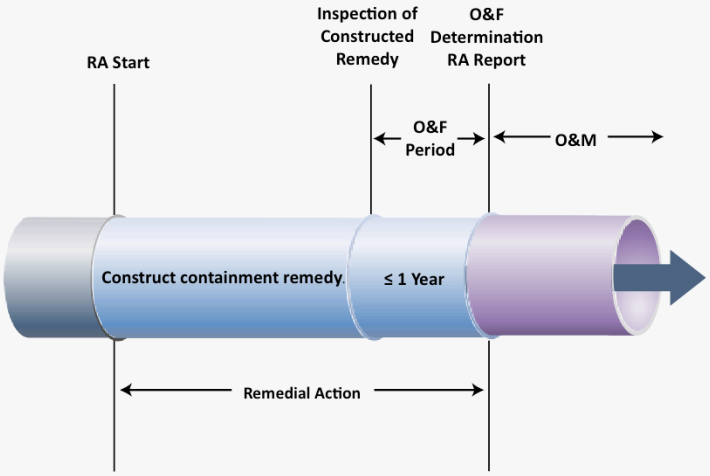
Source and Groundwater Containment

- Containment remedies may include permanent source control, landfill cap, or physical measures to control migration of contaminated groundwater.

Source and Groundwater Containment

- RA Completion occurs after the following:
  (1) All construction activities are complete, including site restoration and demobilization,
  (2) All RAOs have been achieved,
  (3) Data indicate containment has been achieved and the O&F determination has been made,
  (4) A successful contract final inspection has been conducted, and
  (5) The RA Report is consistent with the guidance and has been approved by the designated regional official.

Source and GW Containment Pipeline



U.S. Environmental Protection Agency 23

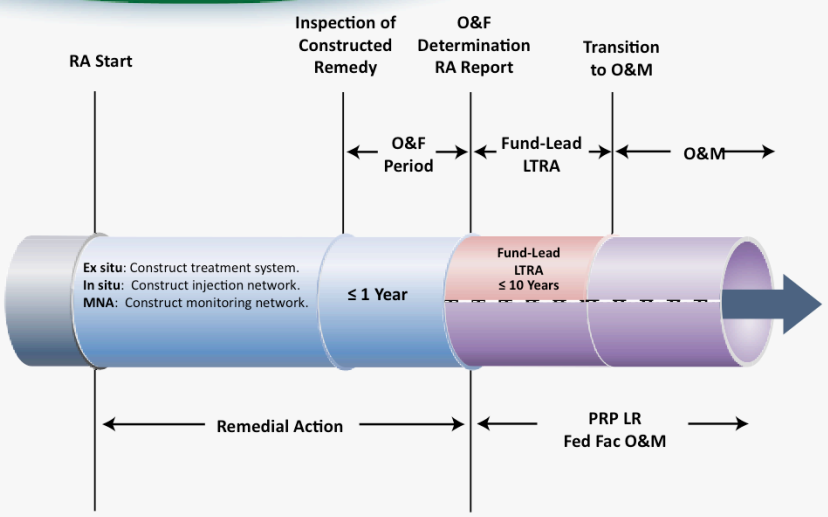
Groundwater & Surface Water Restoration

- Refers to remedies with the objective of returning all or part of a surface water body or groundwater aquifer to the beneficial use specified in the ROD.
- For current or potential drinking water aquifers, this most commonly refers to restoring the plume to drinking water quality (MCLs).
- Timing for the RA Report is unique
  - RA completion occurs shortly after O&F, likely well before cleanup levels have been achieved

Groundwater & Surface Water Restoration

- RA Completion occurs after the following:
  (1) Construction of the treatment system is complete,
  (2) For in situ remedies, delivery of the appropriate reagent is underway,
  (3) Monitoring network is installed,
  (4) Remedy is operating as intended (O&F),
  (5) A successful contract final inspection has been conducted, and
  (6) The RA Report complies with the guidance and has been approved by the designated regional official.

GW & SW Restoration Pipeline



What Happened to Interim RA Reports?

- In previous guidance, Interim RA Reports were used to document RA completion at *restoration* remedies.
  - The Final RA Report would be issued years later when cleanup goals were achieved.
- In practice, the "Interim" label was used inconsistently and caused confusion.
- Revised guidance refers only to one "RA Report" per project; the timing of the report has not changed.
  - In lieu of a Final RA Report, monitoring data can be referenced in the Final Close Out Report.

Institutional Controls

- ICs are non-engineered instruments, such as administrative and legal controls, that minimize potential for human exposure to contamination and/or protect the integrity of a response action.
- Ex: Zoning restrictions, excavation permits, well drilling prohibitions, easements, covenants.

Institutional Controls

- RA completion may depend upon how the RA project is defined and how ICs relate to engineered components
- Three primary scenarios:
  (1) IC implementation party is different from the party constructing the engineered remedy (e.g., the State and EPA's contractor, respectively)
  (2) ICs are fully integrated with engineered components in a single RA project
  (3) ICs are the sole remedy in a decision document, referred to as a 'limited remedial action'

Inspections

- EPA conducts contract pre-final & final inspections to determine whether construction was completed in accordance with contract design and specifications
- Pre-final inspection may generate a punch list of items to complete prior to a final inspection
- Fund-lead projects = joint EPA/State inspection to initiate the O&F period
- PRP and Federal Facility projects = see consent decrees, orders and FFAs for specifics

RA Report


Preparation
Generally prepared by construction or oversight contractor
Goal is to submit within 90 days of contract final inspection
Approval
No EPA HQ review or concurrence
Written approval by designated Regional EPA official
Distribution
Retain original in site file, submit copies to stakeholders
Notify Natural Resource Trustees, send RA Report within one week of approval

RA Report Contents

I. Background
II. Construction Activities
III. Chronology of Events
IV. Performance Standards & Construction Quality Control
V. Final Inspection and Certifications
VI. O&M Activities
VII. Contact Information

Appendices

Let's revisit our training scenario…

- A single, site-wide ROD
- OU1: Soil
  - Excavation and offsite disposal
- OU2: Groundwater
  - In situ chemical oxidation for on-site plume
  - MNA for dissolved phase, off-site plume
  - Institutional controls to limit well drilling

Questions?

Chapter 3:

Construction Completion

CONTENTS

Remedial Action Completion

- RA Project Completion
- RA Report

Construction Completion

- **Site-wide physical construction complete**
- **Preliminary Close Out Report**

Site Completion

- Site-side determination that no further response is anticipated
- Final Close Out Report

Site Deletion

- Deletion regulatory and policy requirements
- Two-step/Direct Federal Register process

What's new about the 2011 guidance?

- Additional details on criteria for in situ remedies
- Clarified distinction between routine, anticipated adjustments and significant additional work
- Removed requirement for cost information in the PCOR

What is Construction Completion?

A Construction Completion site is a CERCLA site where physical construction of all cleanup actions is complete, including actions to address all immediate threats and to bring all long-term threats under control.

Background

- Intended to demonstrate progress that is made at sites well before deletion from NPL
- CC is an internal EPA milestone, which has no legal, financial, or contractual significance
- Site-wide measure
  - CC eligibility determined by last response action at a site

As of the end of FY2011, the Superfund Program completed construction at 1,120 NPL sites.

Construction Completion Process

- Conduct pre-final inspection of the last RA constructed at the site
- Review “punch list” items
  - Minor modifications that do not affect functionality
- Review considerations for specific remedial technologies addressed by guidance
- Prepare Preliminary Close Out Report (PCOR)
  - Final Close Out Report (FCOR) may be appropriate in some limited circumstances

Technology Considerations

- Guidelines for achieving CC vary according to the last remedy implemented at a site.
- Guidance specifically addresses:
  - Groundwater treatment
  - Soil vapor extraction
  - In-situ remedies for groundwater or soil
  - Monitoring
  - Institutional Controls
  - Interim remedies
  - Contingency remedies

Groundwater Treatment Remedies

- Physical construction of treatment plant, pumps, extraction wells complete,
- Initial monitoring network complete for MNA
- Pre-final inspection conducted
- Treatment system is operational
- Expected future adjustments likely to be minimal
- PCOR identifies anticipated date of O&F determination and estimated timeframe to achieve cleanup goals

Soil Vapor Extraction (SVE)

- Extraction network and treatment unit have been constructed
- Pre-final inspection conducted
- Treatment system is operational
- Expected future adjustments likely to be minimal
- PCOR identifies anticipated date of O&F determination and estimated timeframe to achieve cleanup goals

In-situ Remedies for GW or Soil

- Full-scale remedy underway (i.e., pilots complete)
  - If phased implementation, CC criteria generally apply to 1st phase
- Physical construction of at least the first phase of the full-scale remedy is complete
  - Injection wells, metering systems, etc.
- At least one round of treatment/agent addition has been initiated for the full-scale remedy, and
- Pre-final inspection indicates remedy will perform as designed and future adjustments will be minimal

Groundwater Monitoring

- Need for monitoring does not preclude considering a site as CC if the site qualifies otherwise
- For MNA remedies, the initial network of monitoring wells should be in place prior to CC
- Due to the dynamic nature of groundwater remedies, installation of additional monitoring wells may continue after CC determination

Institutional Controls

- Since ICs require no physical construction, CC can be achieved before ICs are in place
- ICs should be documented in a decision document
- PCOR details future implementation of ICs
- ICs need to be implemented in order to achieve *site completion!*

Interim Remedies

- Commonly used to institute temporary measures while a final remedial solution is developed
- Generally limited in scope and will be subsequently addressed by a final ROD
- Should be followed by final ROD and implementation of final remedy before the site qualifies as CC

Contingency Remedies

- Sites with contingency remedies may be considered CC when:
  - Region has information to determine that use of the contingency remedy is not anticipated
  - PCOR documents that contingency remedy is not anticipated
- CC determination does not preclude invoking the contingency later, if required

Lead and Authority Considerations

- PRP Lead Sites
  - CC determination should not affect any enforcement agreement or other obligations of PRPs
  - CC criteria for PRP-lead identical to criteria for Fund-lead
- Federal Facilities
  - CC procedures identical to Fund- and PRP-leads
  - EPA RPM develops PCOR

Lead and Authority Considerations

- State Lead Site
  - In most cases, State prepares PCOR and EPA concurs
  - If State does not prepare PCOR, then EPA RPM should
- NPL Sites Addressed by Removal
  - If site addressed entirely by removal, CC is documented in an FCOR after the final POLREP
  - If addressed by removal & remedial actions, no changes to process
- Multiple authorities
  - CC criteria apply only to CERCLA response actions

Achieving CC at Deleted Sites

- Under certain circumstances, sites may be deleted from the NPL based upon deferral to RCRA
  - Physical construction is not likely complete at the time of deletion
- Deleted/deferred sites are eligible for CC when all physical construction under all authorities is complete
- As a result, CC may follow deletion at a small number of sites

Additional Work at CC Sites

- Routine adjustments are expected and do not preclude CC
  - Ex: repairs, cap maintenance, new monitoring wells
- However, CC is premature if substantial construction may be needed in the future
  - Ex: evaluating potential new exposure pathway/source area, or new ROD/ROD amendment anticipated
- Unforeseen circumstances may trigger new work after CC
  - EPA HQ will decide, in consultation with Regions, if site retains its CC status

What did you know, and when did you know it?

Preliminary Close Out Report

Preparation	Approval	Distribution
Typically prepared by EPA RPM	EPA HQ Regional Coordinator will help assess CC eligibility and review draft	Signed copy to HQ for final concurrence and CERCLIS tracking
7-9 pages for private sites, up to 20 pages for Federal Facilities	HQ concurrence on final draft should be obtained prior to Regional signature	Retain original in site file, submit copies to stakeholders
May be prepared prior to RA Report for final RA project	Signed by Superfund Division Director (or designee)	Notify Natural Resource Trustees, send PCOR within one week of signature

PCOR Contents

I. Introduction
II. Summary of Site Conditions
III. Demonstration of Construction QA/QC
IV. Schedule of Activities for Site Completion

Let's revisit our training scenario…

- A single, site-wide ROD
- OU1: Soil
  - Excavation and offsite disposal
- OU2: Groundwater
  - In situ chemical oxidation for on-site plume
  - MNA for dissolved phase, off-site plume
  - Institutional controls to limit well drilling

Questions?

Chapter 4:

Site Completion

CONTENTS

Remedial Action Completion
- RA Project Completion
- RA Report

Construction Completion
- Site-wide physical construction complete
- Preliminary Close Out Report

Site Completion
- **Site-side determination that no further response is anticipated**
- **Final Close Out Report**

Site Deletion
- Deletion regulatory and policy requirements
- Two-step/Direct Federal Register process

What's new about the 2011 guidance?

- More detailed site completion criteria
- FCOR section discusses confirmatory sampling results for source remediation and containment activities
- FCOR discusses data to support attainment of groundwater/surface water restoration remedial action objectives and associated cleanup levels

What is Site Completion?

The end of all response actions at a NPL site.

Site Completion Criteria

- All remedial decision documents have been completed and the selected remedy is consistent with CERCLA, the NCP, and EPA policy and guidance;
- All response actions have been completed and appropriately documented in the site file; and
- All institutional controls are in place

All remedial decision documents have been completed and the selected remedy is consistent with CERCLA, the NCP, and EPA policy and guidance

- All actions taken at a site generally documented in a remedial decision document
- All cleanup actions taken under another authority evaluated in a CERCLA decision document before completion
- Evaluate whether response actions adequately address all contamination and exposure pathways indentified during the RI/FS or any subsequent site characterization
- Remedy decisions are consistent with EPA policy and guidance
  - ex. Groundwater remedies
  - ex. Institutional controls

All response actions have been completed and appropriately documented in the site file

- Documentation containing defensible and reportable data to verify that the cleanup levels associated with the response actions have been achieved.
  - Sampling reports
  - O&M reports
- Pollution Reports for removals
- Remedial Action Reports for remedial actions

Institutional Controls are In Place

- All ICs must be implemented before site completion
- ICs should be considered for all response actions that leave waste in place
- IC requirement should be in a CERCLA decision document

Role of Operation and Maintenance Activities in Achieving Site Completion

- O&M activities that continue after the site has achieved the RAOs and cleanup levels generally relate to maintaining engineering and/or ICs at sites where waste is left in place.
- Any site with O&M activities being conducted in a continued effort to meet RAOs and cleanup levels does not qualify for site completion.

Final Close Out Report (FCOR)

I. Introduction
II. Summary of Site Conditions
III. Monitoring Results
IV. Attainment of Groundwater Restoration Cleanup Levels (if applicable)
V. Summary of Operation And Maintenance
VI. Demonstration of Cleanup Activity QA/QC
VII. Five-Year Review
VIII. Site Completion Criteria
IX. Bibliography

Final Close Out Report

Note: It is recommended that the Region work with HQ to resolve all issues in the FCOR. The FCOR generally contains the information necessary to support deletion.

Let's revisit our training scenario…

- A single, site-wide ROD
- OU1: Soil
  - Excavation and offsite disposal
- OU2: Groundwater
  - In situ chemical oxidation for on-site plume
  - MNA for dissolved phase, off-site plume
  - Institutional controls to limit well drilling

Questions?

Chapter 5:

Deletions and Partial Deletions

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Remedial Action Completion

- RA Project Completion
- RA Report

Construction Completion

- Site-wide physical construction complete
- Preliminary Close Out Report

Site Completion

- Site-side determination that no further response is anticipated
- Final Close Out Report

Site Deletion

- **Deletion regulatory and policy requirements**
- **Two-step/Direct Federal Register process**

What's new about the 2011 guidance?

- Combined deletion and partial deletion into one chapter
- Removed partial deletion GPS mapping requirement
- Discusses deletion notices and provides a link to templates
- HQ concurrence on deletions and partial deletion
- Electronic deletion docket requirements
- Outlines traditional and direct Federal Register rulemaking processes

What is a Deletion?

Removal of a site (or portion of a site) from the National Priorities List.

Deletion

- Process generally begins at most sites when the FCOR is signed
- Deletion requirements include:
  - the documentation of activities and decision making at the site is complete;
  - the activities conducted and documented are verified; and
  - the public has an opportunity for notice and comment before the site is formally deleted from the NPL

Partial Deletion

- Partial deletion rule: 11/01/1995 FR publication
- EPA may delete portions of NPL sites provided that deletion criteria are met for those portions
  - media of portions being deleted must be clearly delineated
  - deletion action does not interrupt ongoing removal and remedial activities at other portions of the site

Deletion Criteria

- The NCP states that a site may be deleted from the NPL when no response or no further response is appropriate
- EPA must consult with the state in making this determination

Deletion Criteria (continued)

- EPA must determine, in consultation with the state, that one of the following criteria have been met:
  - Responsible or other parties have implemented all appropriate response actions required;
  - All appropriate Fund-financed response under CERCLA has been implemented, and no further response action by responsible parties is appropriate; or
  - The remedial investigation has shown that the release poses no significant threat to public health or the environment, and, therefore, taking of remedial measures is not appropriate.

NPL Deletion Through RCRA Deferral

- Deletion Policy for RCRA deferral
  - Federal Register Notice dated March 20, 1995, 60 FR 14641
  - Federal Register Notice dated November 24, 1997, 62 FR 62523, amended policy to make it applicable to Federal Facility sites

NPL Deletion Through RCRA Deferral (continued)

- Criteria for deletion based on deferral to RCRA are:
  - CERCLA site currently being addressed by RCRA corrective action authorities under an existing enforceable order or permit containing corrective action provision;
  - Response under RCRA is progressing adequately; and
  - Deletion would not disrupt ongoing CERCLA response action

Deletion Document Preparation

(applicable to deletions and partial deletions)

Deletion Process

- The deletion process includes:
  - Obtaining a letter of concurrence from the State;
  - Compiling a deletion docket;
  - Preparing Deletion Notices; and
  - Obtaining Headquarters Review and Concurrence

State Concurrence

- If the State is not in agreement, deletion cannot proceed.
- State is given 30 days to comment on draft deletion notices before publication.

Deletion Docket

- Prepare a deletion docket containing all pertinent information supporting deletion recommendation
- Documents in the AR can be referenced
- Deletion docket should be available in the EPA Regional office and local repositories
- Deletion docket must be entered into the electronic Federal Docket Management System (FDMS)

Deletion Docket Requirements

- Deletion docket minimum requirements
  - Final Close Out Report
  - State concurrence letter
  - Administrative Record index
- Partial Deletion docket minimum requirements
  - No Action ROD or RA Report for the parcel(s) being proposed for deletion
  - A map clearly delineating the boundaries of the parcels
  - State concurrence letter
  - Administrative Record index referencing pertinent documents

Rulemaking Process

- Two-step Rulemaking process
- Direct Final Rulemaking process

Two-step and Direct Final Deletion Templates

- Available online for both deletions and partial deletions:

http://www.epa.gov/superfund/cleanup/postconstruction/del_templates.htm

Two-step Rulemaking Process

- NOID preparation
- Obtaining HQ concurrence
- Publishing the NOID and the local Notice
- Receiving comments and preparing a Responsiveness Summary
- Preparing and Publishing the Notice of Deletion

NOID preparation

- NOID contains:
  - EPA regional staff contacts
  - Deletion criteria
  - Site specific information
- Site specific information found in the FCOR or RA report
- NOID sent to HQ for review

HQ Concurrence

- A delegation revision, signed on August 1, 2008, requires formal Office of Solid Waste and Emergency Response concurrence for all NPL site deletion and partial deletions before a RA signs the Notice of Intent.
- September 12, 2008 OSWER memo outlines the new HQ deletion review and concurrence processes.

Obtaining HQ Concurrence

- HQ Regional coordinator and HQ deletions lead provides comments on draft NOID
- Region and HQ resolve issues
- Deletions lead completes concurrence checklist
  - Crosswalk other site measures
  - Verify state concurrence
  - Verify deletion docket is complete
- OSRTI Director signs deletion concurrence memorandum

Publishing NOID

- RA signs NOID after HQ concurs
- Deletion package prepared for FR publication
  - Original FR notice
  - Four hard copies (single sided and double spaced)
  - Federal Register Typesetting request
  - Disk of CD containing electronic version of FR notice
- Federal Register Publication typically 4 business days after receipt of the deletion packages

Publishing Local Notice

- CIC prepared and distributes a local notice regarding the NOID
- Published in local newspaper on the same day as the NOID
- RPM or CIC should notify the appropriate Trustees listed in the Regional Contingency Plans that EPA is planning to delete the site or portion of the site

Receiving Comments and Responsiveness Summary Preparation

- If comments are received on the Notice of Intent:
  - Region prepares a responsiveness summary for local and national comments
  - The responsiveness summary presents detailed responses to comments received
  - A draft is sent to HQ for review and comment
  - A copy of the responsiveness summary, approved by the RA, is added to the docket

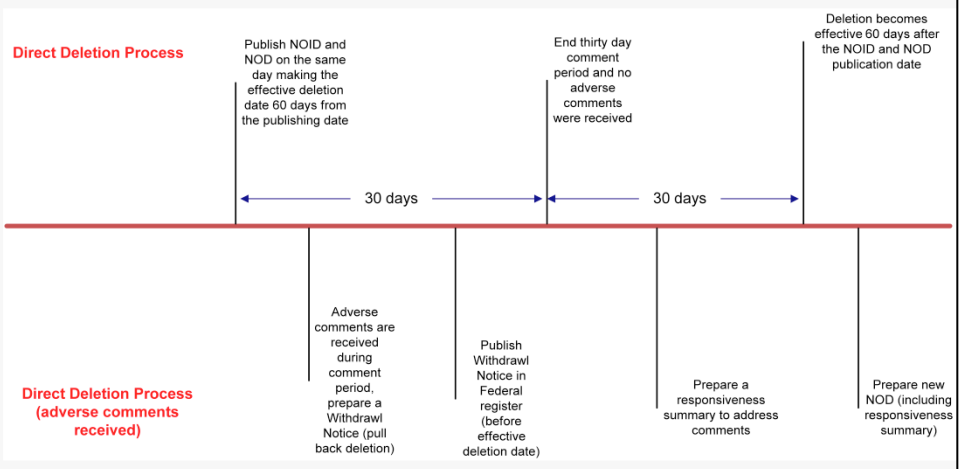
NOD Preparation and Publication

- If deletion is still appropriate, NOD is prepared
- Contains effective date of deletion action
- Document is sent to HQ for review
- NOD is signed by RA
- Sent to Federal Register for publication (same package requirements as NOID)

Direct Deletion Process

- Prepare NOID and direct NOD
- Obtain Headquarters review and concurrence
- Publishing the NOID, direct NOD and public Notice
- If adverse comments are received:
  - Preparing and publishing the Withdrawal Notice
  - Preparing the Responsiveness Summary
  - Preparing and Publishing the NOD

Direct Deletion Timeline



Prepare NOID and Direct NOD

- NOID solicits public comment
- NOD selected effective deletion date
  - Typically 60 days after publication date
- Both documents sent to HQ for review and comment
- Headquarters concurrence procedure is the same

Publication of NOID, Direct NOD and Local Notice

- RA signs both Notices
- 2 deletion packages must be prepared – one for each notice
- Notices are published on the same day in the Federal Register
- If no adverse comments are received, the deletion becomes effective on the date specified in the direct NOD

Withdrawal Notice Preparation and Publication

- Withdrawal of direct NOD required if adverse comments are received
- Template available on the templates website
- Signed by the RA
- Withdrawal Notice package contents are the same as the deletion packages
- Must be published before the effective deletion date specified in the direct NOD
- Prepare a responsiveness summary and send to HQ for review

Notice of Deletion
Preparation and Publication

- If the deletion action is still appropriate, prepare a Notice of Deletion (same template as the two-step rulemaking NOD)
- A second comment period is not necessary
- Prepare and publish NOD consistent with the two-step rulemaking process

Questions?

Helpful Web Sites

Close Out Procedures for NPL Sites (May 2011)
http://www.epa.gov/superfund/programs/npl_hrs/closeout/index.htm

Post Construction Completion Website
http://www.epa.gov/superfund/cleanup/postconstruction/index.htm

Remedial Design/Remedial Action Website
http://www.epa.gov/superfund/cleanup/rdra.htm

Contacts

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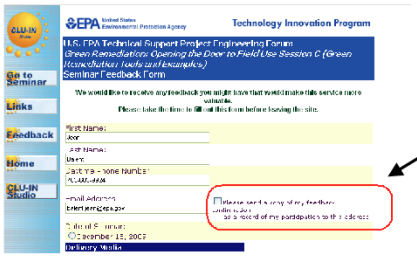
Resources & Feedback

- To view a complete list of resources for this seminar, please visit the **Additional Resources**
- Please complete the **Feedback Form** to help ensure events like this are offered in the future



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