

# Division of Remediation Staff Guidelines for the Interface between Units Investigating and Remediating Contaminated Sites

## For Internal Use Only

### 1. Next Steps

- a. Completed: Review by Unit Leaders
- b. Completed: David to Brief Bureau Director
- c. Completed: David to sign & distribute to staff
- d. David to Provide to AG's office to forward to EPA Region 1
- e. David to make adjustments required by EPA.

### 2. Purpose

The purpose of this Division of Remediation (DR) guidance is to ensure legal, consistent, efficient and timely remedial decisions on sites that are subject to investigation and/or remediation for hazardous matter, hazardous waste, and/or hazardous substances (contaminants or contamination) within the four (4) Units that are in the Division of Remediation. These Units administer different sets of laws with overlapping jurisdiction, all of which have the goal of investigating and mitigating risks from potentially contaminated sites in order to protect public health and the environment and to return the property to productive use. DR Units will coordinate with each other to ensure that all Applicable or Relevant and Appropriate Requirements (ARARs) are identified and addressed no matter which DR Unit takes the lead. Further, the intent is to maximize reciprocity between Units and increase efficiency for clean-up programs conducted across the DR Units. Each of the four Units will follow the laws, rules, standards and guidance administered by the DR to mitigate the risks posed by Sites. If a Program is unable to complete a remediation project due to resource constraints, the Unit shall identify and document in writing the decision and defer attainment until a later date. This will prevent the situation where one DR Unit completes closure at a Site, only to have another Unit review the same facts and require additional work at a later date.

### 3. DR Program Units and Laws

The operating authorities of the four DR Program Units include:

1. For the Federal Facilities, Superfund, Defense Restoration and RCRA Corrective Action Unit:
  - a. [United States Resource Conservation and Recovery Act, part C, 40 CFR Part 260 - 273](#) (RCRA).
    - i. The [hazardous waste management rules, chapters 800 - 857](#)

- b. The Maine [Hazardous Waste, Septage and Solid Waste Management Act, 38 M.R.S.A. §§1301-1310-B](#).
  - c. [United States Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601-9675](#) (CERCLA or Superfund) (Administered by EPA, not delegated to the State)
    - i. National Oil and Hazardous Substance Pollution Contingency Plan, 40 CFR Part 300 (“NCP”) (Administered by EPA, not delegated to the State)
  - d. [Department of Defense Environmental Restoration Laws](#) (Administered by DoD, not delegated to the State), including:
    - i. [Title 10, U.S.C., Chapter 1 Definitions \(FY2010\) \(PDF\)](#)
    - ii. [Title 10, U.S.C., Chapter 173, Energy Security \(FY2010\) \(PDF\)](#)
    - iii. [Title 10, U.S.C., Chapter 160, Environmental Restoration \(FY2010\) \(PDF\)](#)
2. For the Uncontrolled Sites and Municipal Landfill Closure Unit:
- a. The Maine [Uncontrolled Hazardous Substance Sites](#) law, 38 M.R.S.A. §§ 1361–1371.
  - b. The Maine [Municipal Landfill Closure and Remediation Program, 38 MRSA §§1310-C – 1310-H-1](#).
    - i. [Chapter 400](#) General Provisions
    - ii. [Chapter 401](#) Landfill Siting, Design, Operation and Closure
    - iii. [Chapter 405](#) Water Quality Monitoring, Leachate Monitoring and Waste Characterization
3. For the VRAP and Brownfields Unit:
- a. [The Small Business Liability Relief and Brownfields Revitalization Act](#) (Pub. L. No. 107-118, 115 stat. 2356, "the Brownfields Law")
  - b. The Maine Voluntary Response Action Program, including:
    - i. [38 MRSA 342, Section 15, Technical Services](#) establishes the authority to administer the program
    - ii. [38 MRSA 343-E, The Voluntary Response Action Program](#) establishes the framework for participation in and certification by the VRAP Program
    - iii. [38 MRSA 343-F, Reporting & Disclosure Requirements](#) establishes the requirements for reporting to the DEP if contamination is present at a property
  - c. the [Uniform Environmental Covenants Act, 38 M.R.S.A. §§ 3001-3013](#) (UECA)
4. For the Lead and Asbestos Unit:
- a. [Title 38, Chapter 12-A: Asbestos §1271 - §1284](#)
    - i. [Chapter 425 - Asbestos Management Regulations](#)
    - ii. The Federal [Asbestos in Schools \(ASHERA\) Regulation and Information](#)
  - b. [Title 38, Chapter 12-B: Lead Abatement §1291 - §1297](#)
    - i. [Chapter 424 - Lead Management Regulations](#)
  - c. [Title 22, Chapter 252: Lead Poisoning Control Act §1314 - §1327](#) (Administered by Maine Department of Health and Human Services (DHHS))

- d. [Title 14, Chapter 710: Environmental Lead Hazards Disclosure §6030-B](#)  
(Administered by DHHS)
- e. [Federal Renovation, Repair and Painting Rule](#) – This federal rule requires contractors to do lead-safe renovations in homes and day cares built before 1978. (Administered by EPA, not delegated to the State)

#### **4. Project Review Process**

- A. **Site Assignment:** Contaminated sites that are investigated by the DR are entered into the REMO database and assigned to a primary program and a project manager. The project manager then assembles a team of specialists to investigate and if necessary mitigate risks at the Site. The majority of new sites enter into the DR through the VRAP application process. Since the DR programs have overlapping authorities, different enforcement authority, and fluctuating resources for undertaking the work, occasionally it is not clear which program should be assigned a given case. In these situations the Unit leaders will discuss with each other which program should be assigned the lead, and inform the Division Director of the decision. In all cases, when an outside party is funding a clean-up and has a preference on which program it wishes to take primary jurisdiction, the DR should take advantage of the momentum created by a cooperative PRP and consider the request. In most cases, the Uncontrolled Sites Program (USP) is the program of last resort, but when PRPs are not viable or willing to take appropriate action the USP can usually provide resources to mitigate immediate risks.
  
- B. **Project Teams:** Once a site is assigned to a program unit, a project manager from that Unit is assigned by the Unit leader, and this information is entered into the REMO database. The project manager assembles an appropriate team to undertake the work. The project team will be composed of subject experts such as geologists, engineers, chemists, attorneys, and On-Scene Coordinators. In order to identify ARARs for a site, the PM will also include regulatory subject experts from other Units in DR or DEP when necessary. The PM leads the project team in determining appropriate tasks, inappropriate tasks, the sequence of events, critical pathways, coordination of team members, timely review and approval of deliverables (including budgets), and schedules. The focus of the work is to complete clean-ups in accordance with applicable remediation statutes, rules, guidelines, and SOPs. For further details on project teams and the roles and responsibilities of its members, see Attachment 1.
  
- C. **Reciprocity & Determining ARARs.** Regardless of the program and project team that leads the clean-up, the basic approach to clean-up is the same and the results should be the same. It is important that the project manager consider the requirements of all the DR programs, and to the maximum extent practicable, incorporate those requirements. The goal is to avoid a situation where a site is investigated and mitigated under one program (e.g. the VRAP) and then reopened under another (e.g. RCRA Closure) for the same

issue. An exception is when a conscious decision is made to defer program specific requirements, as long as all interested parties are aware of the deferral and the deferral is documented in writing. For instance a VRAP applicant that is informed of the RCRA requirement to file a closure certification by a 3<sup>rd</sup> party engineer may choose not to file the certification until after the VRAP is issued. In this case, the VRAP applicant and RCRA closure program need to be aware that the closure has been deferred but is an outstanding obligation. In the same vein, the USP may mitigate known hazards at a site, but due to lack of resources not complete full RCRA closure requirements. In this instance, the USP must document that those issues are not met, and ensure that both the generator and RCRA Closure program are aware of the outstanding obligation.

To facilitate a comprehensive understanding of all program requirements, PMs will consult with subject experts from other DR programs on all applicable projects. For example, a PM assigned to a VRAP application will review the application to determine if the site may be subject to RCRA closure or corrective action. If the project is a cross program case, then the PM will consult with a RCRA program expert on whether RCRA requirements apply to the site, and what those requirements might be. The PM will relay this information to the applicant, urging them to address the closure issue. If the applicant chooses to complete the RCRA closure or corrective action, the PM will forward the additional submittals to the RCRA subject expert for review and comment, and work with the applicant to resolve issues that arise. If the VRAP applicant defers, VRAP will document this and forward to the RCRA Closure Program. Disputes among programs will be resolved using the Dispute Resolution Process on page 17. Liability releases cannot be issued to RCRA defined Responsible Parties for issues regulated by RCRA, see section 7 below.

## **5. Basic Investigation and Remediation Steps:**

All of the Units in the Division of Remediation follow the same basic steps to investigate sites, and if necessary, remediate the sites. The overall goal of this work is done to prevent public health or environmental exposure to contaminants and to allow the site to be placed back into productive use. Each of the programs has different names for these basic steps, as shown in Table 1.

**Table 1: Differing Names in Remediation Programs for the same Remedial Steps**

Remedial Step	Name of Step by Remedial Program			
	Superfund and Federal Facilities	RCRA Corrective Action	Uncontrolled Sites	VRAP / Brownfields
<b>Emergency Response/Removals</b>	Emergency Removal or Non-time-critical removals (NTPCR)	Removal	Removal	Removal
<b>Initial Investigation:</b>	Preliminary Assessment (PA) and	RCRA Facility Assessment (RFA)	Phase I Environmental Site Assessment (Phase I ESA)	Phase I ESA
<b>Screening Samples</b>	Screening Investigation (SI)		Limited Screening Sampling	Phase II ESA,
<b>Sampling Investigation &amp; Risk Evaluation</b>	Remedial Investigation (RI),	RCRA Facility Investigation (RFI)	Phase II ESA or RI	
<b>Assess Clean-up Options</b>	Feasibility Study (FS)	Corrective Measures Study (CMS)	Feasibility Study (FS)	Feasibility Study (FS) / Analysis of Brownfields Cleanup Alternatives (ABCA)
<b>Remedy Decision</b>	Record of Decision (ROD)	Compliance Order or Facility License	Decision Document or Administrative Order by Consent	No Further Action Assurance (NFAA) or No Action Assurance Letter (NAA).
<b>Remedial Action</b>	Remedial Design & Remedial Action (RD/RA).	Corrective Measures Implementation (CMI)	Remedial Design & Remedial Action (RD/RA)	Remedial Design & Remedial Action (RD/RA)
<b>Close-out</b>	Delisting / No Further Defense Action Indicated (NDAI)	Close-out	No Further Action Letter (NFA)	NFAA or Certificate of Completion (COC)
<b>Periodic Reviews / Optimization studies</b>	5-year reviews Optimization Studies	IC Inspections Optimization Studies	5-year reviews Optimization Studies	IC inspections Optimization Studies

A. **Emergency Response/Removals:** Removal or other steps to prevent exposure are immediately taken if a contaminant is found to pose imminent and substantial endangerment. Removals are also undertaken to remove contaminants if there is a high likelihood that the contaminants may rapidly spread and create a more costly clean-up, such as from tanks or drums that may fail or be subject to vandalism. Another reason for a removal is to facilitate the safe investigation of the site. If the removal needs to be undertaken immediately, such as to stop an ongoing spill or contain a spill in a waterway, it is an emergency response and usually referred to the DEP Response Program. If there is more time to plan the removal, it is a non-time critical removal (NTPCR), which are often referred to EPA’s Response Program.

- B. Initial Investigation:** A preliminary step in investigating a site is to determine if there was a potential for the release of contaminants at the site by interviewing knowledgeable people, reviewing facility documents, and documents at DEP, EPA, and by reviewing other readily available databases. This information is then summarized in a report, and includes recommendations for where samples should be taken and what Contaminants of Potential Concern (COPCs) should be analyzed. Areas that need follow-up sampling or more research are called Areas of Concern (AOCs) or Recognized Environmental Conditions (RECs). The DR goal is to have this stage meet the standards in, [ASTM E1527 - 05 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process](#).
- C. Sampling Investigation & Risk Evaluation:** In the next stage, for all AOCs/RECs, obtain site samples or otherwise determine if there has been a release at the site. Then, investigate the extent of contamination at the site, and risk to public health and the environment. “Screening” sampling events may be conducted to narrow down areas for focused investigation. Sampling and Analytical Work Plans, Health and Safety Plans, and Site Specific Quality Assurance Plans are typically developed and followed at this stage of the investigation. The Remedial Action Guidelines or a site specific Risk Assessment are used to determine whether the concentrations of site contaminants pose a risk to human health, under what conditions or scenarios, and the extent to which a site must be cleaned-up. An ecological assessment should be done if evidence indicates that a current or future potential exists for exposure to ecological receptors from contaminants at the site after the cleanup.<sup>1</sup> The results of the sampling investigation and risk evaluation are summarized in a report that includes the Conceptual Site Model<sup>2</sup> (CSM) and recommendations for the next steps. Extensive guidance is available for this stage, but at a minimum, DR sampling investigations should meet the standards in: [ASTM E1903 - 11 Standard Guide for Environmental Site Assessments: Phase II Environmental Site Assessment Process](#).
- D. Assess Clean-up Options:** If the site investigations indicate that there is a potential risk to public health or the environment above risk based guidelines, then the options for remediation are assessed. For simple or common sites, this step is streamlined and a

---

<sup>1</sup> Evidence includes visible physical evidence (sheens or neat product, etc.) or analytical data that contaminants from the site are impacting surface water, sediment, wetlands, or biota. Evidence also includes runoff or other exposure pathways that will likely result in ecological impacts. Evidence may also include data suggesting potential adverse impacts to terrestrial biota, such as contaminants that can bioaccumulate and that are within the top two (2) feet of soil.

<sup>2</sup> ASTM defines a CSM as “a written or pictorial representation of an environmental system and the biological, physical and chemical processes that determine the transport of contaminants from sources through environmental media to environmental receptors within the system.” See [ASTM E1689 - 95\(2008\) Standard Guide for Developing Conceptual Site Models for Contaminated Sites](#). The conceptual site model is refined as more information is gathered in the risk evaluation and feasibility study phases.

typical remedy is selected, sometimes referred to as a presumptive remedy. For complex situations a study report identifies potential treatment technologies to meet remedial objectives; screens the technologies down to a smaller list based on effectiveness, implementability, and cost; and in a more detailed analysis assembles the technologies into a few remedial options for the contaminated media at the site, describing the advantages and disadvantages of each.

- E. **Remedy Decision:** The Lead agency on a site investigation will usually be DEP, but maybe EPA or the Department of Defense, depending on the program that the clean-up is operating under. The lead agency on a project will select the remedy to implement at the site, and set forth the basis of the decision in a formal, written document.
  
- F. **Remedial Action & Close-out:** A remedial action work plan is developed and implemented. This phase includes removal of contaminated media. For complex situations, phased designs are developed, treatment systems are installed, tested, and then the system is declared to be operational and functional. The system is operated, maintained, and monitored for its effectiveness. This phase also includes implementing and monitoring any deed restrictions (in the form of Environmental Covenants) such as the need to limit groundwater withdrawal, soil excavation, and any restrictions on future site use. Once the remedial action is completed, the site is closed out administratively through a formal No Further Action determination, although in many programs long-term O&M, institutional control inspections, and/or monitoring may still be required. Sites may be reopened if new information comes to light.
  
- G. **Periodic Reviews / Optimization Studies:** In many instances, it is not technically feasible to remove all contaminants from the site and restore it to full, unrestricted use. When waste is left in place, the site remedy should be periodically reviewed, typically every five years, to ensure the remedy is still protective. Additionally, optimization studies should be conducted when there is a change in circumstances, such as the availability of new remedial technologies to improve or accelerate site clean-up or reduce the cost of the cleanup.

## **6. Cost Recovery & Liability Settlements Under CERCLA and USP**

At sites where state funds have been expended on a project and there is a viable PRP, the PM is responsible for ensuring that liability and cost-recovery settlements are obtained. Under CERCLA and the Uncontrolled Sites law, the definition of PRPs is broadly defined, and it is often common to give liability releases to PRPs for known conditions that have been addressed in exchange for cost recovery. Maine liability releases under CERCLA/USP are given via an Administrative Order or Consent Decree, signed by the Commissioner and Assistant Attorney General.

## **7. Cost Recovery & Liability Settlements Under VRAP and RCRA**

The VRAP program was established to encourage privately funded remediation by allowing property buyers to initiate the investigation and remediation of sites in exchange for a release of liability under certain DEP laws for known conditions that have been addressed. Under VRAP, the applicant also pays state oversight costs.

Under RCRA, RPs are more narrowly defined than under CERCLA, the Uncontrolled Sites Law, and the VRAP. Additionally, under the RCRA law, RPs cannot be given a liability release for RCRA covered issues. The conflict between the prohibition on liability release under RCRA, and the VRAP statute that authorizes releases to all PRPs, was addressed when Maine was delegated authority from EPA to administer the federal RCRA program. The issue was resolved in 1997, in a revised Attorney General Statement for Delegation<sup>3</sup>, which states in relative part:

Effective June 16, 1993, the Maine Legislature enacted the Voluntary Response Action Program Act ("VRAP") 38 M.R.S.A. § 343-E (Supp. 1994). The purpose of VRAP was to encourage the clean-up of contaminated properties with private funds by providing to potential purchasers and financiers of contaminated properties protection against the legal liability that might otherwise be imposed upon such parties. To qualify for full VRAP protections, a person otherwise subject to DEP administered laws would have to develop and implement a voluntary response action plan approved by DEP. § 343-E(1), (2), (3) & (4). Because the VRAP Act does not include the public notice and opportunity for participation requirements of RCRA, subtitle C and because the VRAP Act promises a release from liability while RCRA does not, the VRAP Act could be considered to be less stringent than RCRA if the VRAP Act was applied to RCRA clean-ups. DEP must provide liability protections to specified parties once it has approved a VRAP plan. However, all liability protections under the VRAP Act are keyed to DEP approval of a VRAP plan. The VRAP Act does not require DEP to accept or review a voluntary action plan (see 38 M.R.S.A. § 343-E(1) & (2)). Consequently, the Department can control who qualifies for the liability protections established by the VRAP Act by deciding which VRAP plans to review. The Department has used its discretion to accept VRAP plans for review so as to avoid applying the VRAP program to any RCRA site (TDS or generator) where there is a financially viable owner/operator. These sites have been and shall continue to be cleaned up in full compliance with Maine's Hazardous Waste Management Statutes and Rules which are equivalent to EPA's RCRA remediation authorities.

---

<sup>3</sup> Andrew Ketterer, Attorney General of the State of Maine, "Revision Attorney General's Statement of the State of Maine for Final Authorization for Changes to the Federal RCRA Program from July 1984 Through November 1989" dated February 24, 1997.

Therefore, any RCRA site (TDS or generator) where there is a financially viable owner and/ or operator must continue to be cleaned up in full compliance with Maine's Hazardous Waste Management Statutes and Rules. This includes the Hazardous Waste public notice and participation provisions, and provisions that prohibit a release of owners and/or operators, as defined by RCRA, for RCRA regulated liabilities. VRAP may continue on these sites for contaminants that are not subject to RCRA (e.g. combustion by-products) and for applicants other than owners/operators as defined by RCRA (e.g. prospective purchasers who will not continue operating the RCRA regulated activity). To ensure that RPs under RCRA are not inadvertently released through VRAP, VRAP completion certifications and other documents that confer VRAP liability releases will contain the following language:

The limits of liability conferred by the VRAP are not granted to or assignable to any person, entity, or government agency that caused or is otherwise responsible for a release of hazardous waste at the Site.

VRAP completion certificates are signed by the Commissioner, or when delegated, the Director of the Bureau of Remediation and Waste Management.

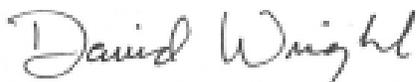
## **8. Dispute Resolution**

Any disputes regarding internal processes should be addressed at the lowest organizational level possible. The project team should first try to work-out the conflict. Staff that fail to reach agreement will present the dispute to their respective Unit leaders. If the Unit leaders cannot work out the dispute, the Director of Remediation (currently David Wright) will resolve the dispute and set forth the decision in writing.

## **9. Effective Date**

This internal policy supersedes all prior policies regarding interfaces between the programs and laws listed in section 3, including but not limited to the DR policy dated March 25, 2015.

Approved:



---

David Wright  
Director, Division of Remediation

June 22, 2016

Date

## Attachment 1: Project Specific Roles and Responsibilities Template

**Site Name & Location:**

**REMO No:**

**Revision Date:**

To ensure smooth coordination of project work, below are the primary functions of each of the team members for the above project. The purpose of this document is to specify the roles and responsibilities for the team, however, this attachment is structured so that it can be modified for a particular site that wishes to develop a site-specific Roles and Responsibilities plan. The plan should be developed at the beginning of the project, and modify as necessary. Depending on the scope of the project, not all of the below roles are necessary, or other key players may need to be added and their roles defined. The various tasks below may be move around to other team members. A single person may undertake multiple roles, provided they have adequate training for the role and the site conditions that will be encountered. The intent is to have this be a flexible approach to establishing roles and responsibilities among team members and to make it clear as to who is responsible for what. This is to avoid duplication of effort and conflicts. Ultimately, good teamwork depends on clear, timely, professional communication.

In the event of a dispute, the team shall follow the Dispute Resolution procedures below.

**Dispute Resolution Procedures:** Conflicts among team members should be resolved at the lowest possible level, but when unresolvable, referred to the next level in a timely manner. The levels for conflict resolution are:

1. Staff with the conflict resolve the conflict among themselves.
2. The Project Team resolves the conflict.
3. Relevant Unit Supervisors resolve the conflict.
4. Relevant Division Directors resolve the conflict.
5. When more than one Division is involved, the Bureau Director resolves the conflict.

Unless otherwise revised by the project team for a specific project, the roles and responsibilities for team members should be as follows:

**Project Manager:** [NAME]

PM Signature & Date:

Duties:

1. **Coordinate DEP Team:** Consult PM's Unit Supervisor and then coordinate the activities of the internal DEP team for remediation of the above site.

2. **Establish Project Goals:** Consult with the technical team, applicable laws and guidance, and unit supervisor to establish the overall project goals. Communicate these goals to the project team. Recommend changes in goals to unit supervisor as necessary, based upon input from team members & site information, and communicate any revisions to the project team.
3. **Establish Tasks and Schedules:** Consult with the technical team, and then determine the appropriate tasks, sequence, and schedule for investigating, remediating, and recovering costs at the site. Communicate these to the team. Follow-up to make sure the schedule is met or adjusted when necessary.
4. **Communication:**
  - a. Act as the point of contact for Responsible Parties at this site.
  - b. Act as the primary point of contact for contract services at the site.
  - c. Act as the primary point of contact for the public at the site.
  - d. Keep the project team updated as to information related to the site from all sources, including the above.
  - e. Critically evaluate comments developed by project team members, considering all of the site and ancillary factors before passing the comments to contractors and/or responsible parties. Before altering or withholding comments that were developed by other project team members, discuss why the comment is not being passed along to the contractor and/or responsible party.
  - f. Keep PM Supervisor generally informed of the plan of action and critical events.
  - g. In consultation with your supervisor, arrange for management review meetings at critical decision points in the project to ensure management buy-in.
  - h. Represent the Department's positions, concerns and issues in public forms related to your projects.
5. **Budget Approvals:** Consult with the technical team, and then submit budgets to the appropriate Division Director and obtain any necessary budget approvals in accordance with Bureau policy. Keep the appropriate Division Director informed of changes that will result in an increase or decrease in the project budget.
6. **Contracting:**
  - a. Consult with the project team on appropriate Scopes of Work for any contracted services. Continue to work with the project team to identify necessary changes to the SOW for the contracted services.
  - b. Obtain contractors following applicable Service Providers contracting procedures.
  - c. Issue work orders, change orders and any other necessary contract changes.
  - d. Review invoices, have corrections made, approve invoices, ensure that invoices receive other appropriate reviews and approvals, and ensure invoices are paid in a timely manner.
7. **Health and Safety:** Develop a site specific health and safety plan in accordance with DEP policy and law and with input from appropriate team members, particularly the On

Scene Coordinator (OSC). Train personnel accessing the site on the plan. Enforce the plan.

8. **Administrative Record:** Keep the central paper file and electronic file up-to-date in accordance with BRWM guidance and policies., Ensure all project team members have access to the documents that they need to perform their duties.
9. **Database Updates:**
  - a. Maintain site information in the REMO-DB related to the site.
  - b. Maintain site information in the SSTS DB related to the site.
10. **Disputes:** Ensure the project team follows the dispute resolution procedures. at the beginning of this Attachment.

**Project Geologist:** [NAME]

Geologist Signature & Date:

Duties:

1. **DEP Team:** Provide geological recommendations for the site in accordance with applicable professional standards.
2. **Conceptual Site Model:** In coordination with the project team, develop a conceptual site model to ASTM standards that incorporates all available site data to describe contaminant release, migration and transformation, and receptors. Identify critical data gaps and make recommendations to the PM for filling those data gaps.
3. **Project Goals:** Provide professional insight into the appropriateness and feasibility of obtaining the project goals in light of the geological information available on the site.
4. **Tasks and Schedules:** Provide the PM with timely input on recommended tasks, sequence, and schedule for investigating, remediating, and recovering costs at the site. Perform assigned tasks in accordance with the site schedule and in coordination with other team members.
  - a. **Work Plans:** Review work plans for site investigation and remediation and provide recommendations to the PM.
  - b. **Field Oversight:** Provide field oversight of geological activities being conducted in the field as necessary to ascertain that they are being performed as directed by the DEP. Provide recommendations that are informed by professional experience to field staff regarding investigation or remediation. Also communicate these recommendations to the PM as soon as practical.
5. **Communication:**
  - a. Act as the point of contact for technical geological questions related to investigation and remediation at the site.
  - b. Unless otherwise directed by the PM, refer contacts by Responsible Parties, contractors, and the public to the PM and inform the PM of contacts with these entities.

- c. Keep the project team updated as to geological information related to the site.
  - d. Keep geologist's Supervisor generally informed of the plan of action and critical events.
  - e. Participate in management review meetings at critical decision points in the project and explain CSM.
  - f. Represent the Department's positions, concerns and issues in public forms as requested by the PM.
- 6. Database Updates:**
- a. Maintain site information in the EGAD-DB related to the Site.
- 7. Disputes:** Follow the dispute resolution procedures at the beginning of this Attachment.

**On Scene Coordinator (OSC):** [NAME]

OSC Signature & Date:

Duties:

1. **Health and Safety:** Work with the PM to develop a site specific health and safety plan in accordance with DEP policy and law and with input from appropriate team members. Assist in the train of personnel that will be accessing the site on the plan. Enforce the plan while field activities are being undertaken. Document field adjustments to the plan and how they were needed to protect public and worker safety.
2. **DEP Team:** Direct field operations in accordance with approved work plans and health and safety standards. Ensure site conditions are appropriately monitored for worker safety. Ensure a safe work environment at the site. Secondarily, ensure that sampling/remedial work plans are followed at the site, approve field adjustments, and ensure field adjustments are documented.
3. **Sampling / Remedial Design:** In coordination with the project team, develop sample and analytical work plans, quality assurance project plans, and site safety plans.
4. **Project Goals:** Provide professional insight into the appropriateness and feasibility of obtaining the project goals in light of the working conditions on the site.
5. **Tasks and Schedules:** Provide the PM with timely input on health and safety issues and sampling protocols. Perform assigned tasks in accordance with the site schedule and in coordination with other team members.
  - a. **Work Plans:** Review work plans for site investigation and remediation and provide recommendations to the PM.
  - b. **Field Oversight:** Direct field staff at sites during investigation or remediation at the site. Communicate variations from approved work plans to the PM as soon as practical.
6. **Communication:**
  - a. Act as the Site Commanding Officer while conducting field sampling and remediation at the site.

- b. Unless otherwise directed by the PM, refer contacts by Responsible Parties, contractors, and the public to the PM and inform the PM of contacts with these entities.
  - c. Keep the project team updated as to health and safety related to the site.
  - d. Keep OSC's generally informed of the plan of action and critical events.
  - e. Participate in management review meetings at critical decision points in the project and explain health and safety / sampling issues.
  - f. Represent the Department's positions, concerns and issues in public forms as requested by the PM.
7. **Database Updates:** None
8. **Disputes:** Follow the dispute resolution procedures at the beginning of this Attachment.

**Regulatory Subject Expert:** [NAME]

Area of Subject: [CERCLA / DERP / Uncontrolled Sites / RCRA closure / VRAP / Brownfields]

Staff Signature & Date:

Duties:

1. **DEP Team:** Provide regulatory requirements for remediation of the site, per your area of expertise.
2. **Project Goals:** Provide professional insight into the appropriateness and feasibility of obtaining the project goals in light of the conditions at the site and regulatory requirements.
3. **Tasks and Schedules:** Provide the PM with timely input on recommended tasks, sequence, and schedule for investigating, remediating, and recovering costs at the site. Perform assigned tasks in accordance with the site schedule and in coordination with other team members.
  - a. **Work Plans:** Review work plans for site investigation and remediation and provide recommendations to the PM.
  - b. **Field Oversight:** Provide field visit(s) if requested by the PM as resources allow.
4. **Communication:**
  - a. Act as the point of contact for follow-up questions on your area of expertise.
  - b. Unless otherwise directed by the PM, refer contacts by Responsible Parties, contractors, and the public to the PM and inform the PM of contacts with these entities.
  - c. Keep the project team updated as to legal requirements related to the site.
  - d. Keep subject expert's Supervisor generally informed of the plan of action and critical events.
  - e. Participate in management review meetings at critical decision points in the project and explain the regulatory requirements of your area of expertise.

- f. Represent the Department's positions, concerns and issues in public forms as requested by the PM.
- 5. **Database Updates:** None
- 6. **Disputes:** Follow the dispute resolution procedures at the beginning of this Attachment.

**Project Engineer:** [NAME]

Engineer Signature & Date:

Duties:

- 7. **DEP Team:** Provide engineering recommendations for the site in accordance with applicable professional standards.
- 8. **Remedial Design:** In coordination with the project team, develop a conceptual remedial design that meets the project goals. Identify critical data gaps and make recommendations to the PM for filling those data gaps.
- 9. **Project Goals:** Provide professional insight into the appropriateness and feasibility of obtaining the project goals in light of the engineering information available on the site.
- 10. **Tasks and Schedules:** Provide the PM with timely input on recommended tasks, sequence, and schedule for investigating, remediating, and recovering costs at the site. Perform assigned tasks in accordance with the site schedule and in coordination with other team members.
  - a. **Work Plans:** Review work plans for site investigation and remediation and provide recommendations to the PM.
  - b. **Field Oversight:** Provide field oversight of engineering activities being conducted in the field as necessary to ascertain that they are being performed as directed by the DEP. Provide recommendations that are informed by professional experience to field staff regarding investigation or remediation. Also communicate these recommendations to the PM as soon as practical.
- 11. **Communication:**
  - a. Act as the point of contact for technical engineering questions related to investigation and remediation at the site.
  - b. Unless otherwise directed by the PM, refer contacts by Responsible Parties, contractors, and the public to the PM and inform the PM of contacts with these entities.
  - c. Keep the project team updated as to engineering information related to the site.
  - d. Keep Engineer's Supervisor generally informed of the plan of action and critical events.
  - e. Participate in management review meetings at critical decision points in the project and explain the remedial design.
  - f. Represent the Department's positions, concerns and issues in public forms as requested by the PM.
- 12. **Database Updates:** None

13. **Disputes:** Follow the dispute resolution procedures at the beginning of this Attachment.

**Project Chemist:** [NAME]

Chemist Signature & Date:

Duties:

1. **DEP Team:** Provide chemistry recommendations for the site in accordance with applicable professional standards.
2. **Data Quality:** Assist the PM in developing data quality objectives, for the site, sampling plans, and quality assuring environmental data obtained from laboratories.
3. **Tasks and Schedules:** Provide the PM with timely input on recommended tasks, sequence, and schedule for investigating, remediating, and recovering costs at the site. Perform assigned tasks in accordance with the site schedule and in coordination with other team members.
  - a. **Work Plans:** Review work plans for obtaining environmental data at the site and provide recommendations to the PM.
  - b. **Contracting:** Assist the PM with contracting lab services as requested.
4. **Communication:**
  - a. Act as the point of contact for technical chemistry questions related to investigation and remediation at the site.
  - b. Unless otherwise directed by the PM, refer contacts by Responsible Parties, contractors, and the public to the PM and inform the PM of contacts with these entities.
  - c. Keep the project team updated as to chemistry information related to the site.
  - d. Keep Chemist's Supervisor informed of precedent setting decisions.
5. **Database Updates:**
  - a. Assist with EGAD database updates as requested.
6. **Disputes:** Follow the dispute resolution procedures at the beginning of this Attachment.

**FIELD SUPPORT:** [Name]

Signature and Date:

Duties:

Members of the Site Assessment and Support Services Unit (SASS) may provide field support with sampling and remedial action oversight for projects. Unless specifically assigned, staff from SASS will be assigned to work on projects on an event by event basis. SASS Staff may also provide assistance with developing and/or overseeing site health and safety issues, and data collection issues.

Duties:

1. **DEP Team:** Provide field support and recommendations for the site in accordance with applicable professional standards.

2. **Project Goals:** Provide assistance to reach Project Goals through by providing general field support and oversight and requested.
3. **Tasks and Schedules:** Provide the PM with timely input on recommended tasks, sequence, and schedule for investigating, remediating, and recovering costs at the site. Perform assigned tasks in accordance with the site schedule and in coordination with other team members.
  - a. **Work Plans:** Review work plans for site investigation and remediation and provide recommendations to the PM.
  - b. **Field Oversight:** Conduct or provide oversight of investigative and remedial activities in the field as necessary. Provide recommendations that are informed by professional experience regarding these investigation or remediation activities. Also communicate these recommendations to the PM as soon as practical.
4. **Communication:**
  - a. As directed by the PM, provide onsite contact for questions related to investigation and remediation at the site.
  - b. Unless otherwise directed by the PM, refer contacts by Responsible Parties, contractors, and the public to the PM and inform the PM of contacts with these entities.
  - c. Keep the project team updated to field activities related to the site.
5. **Disputes:** Follow the dispute resolution procedures at the beginning of this Attachment.

H:\BRWM\Remediation Division\Guidance\BRWM-Program-Interfaces\Site Roles and Responsibilities Template 11-21-2014.docx