
FACT SHEET #2

EXPECTATIONS FOR FINAL REMEDIES AT RCRA CORRECTIVE ACTION FACILITIES



Congress, the general public, EPA, and State agencies believe the rate and pace of RCRA cleanups should be increased. Tim Fields, Assistant Administrator of the Office of Solid Waste and Emergency Response, recently indicated that Corrective Action was the RCRA program's highest priority. One of the efforts designed to improve Corrective Action progress is a new workshop titled, "RCRA Corrective Action Workshop on Results-Based Project Management." This is the second in a series of fact sheets supporting the Workshop.

WHAT IS THE PURPOSE OF THIS FACT SHEET?

This fact sheet^{1,2} conveys the Agency's general expectations for final remedies at RCRA Corrective Action facilities. EPA believes that an awareness of these expectations will help focus facility investigations as well as the evaluation and selection of remedial alternatives.

WHAT ARE THE AGENCY'S EXPECTATIONS FOR FINAL CORRECTIVE ACTION REMEDIES?

Final remedies for RCRA Corrective Action facilities should be protective of human health and the environment, and maintain protection over time. In meeting this remedial goal, EPA has learned that certain combinations of facility-specific circumstances are often addressed by similar approaches. Based on this experience, the Agency has developed certain general expectations³ for remedies. Remedy expectations are not binding requirements; rather, they should be used to focus program implementors and facility owner/operators on remedial alternatives that have the greatest likelihood of fulfilling the statutory and regulatory intent of RCRA Corrective Action. Currently, EPA has the following remedial expectations for implementing final remedies at RCRA Corrective Action facilities:

- EPA expects to use treatment to address the principal threats posed by a site whenever practicable and cost-effective. Contamination that represents principal threats for which treatment is most likely to be appropriate includes contamination that is highly toxic, highly mobile, or cannot be reliably contained, and that would present a significant risk to human health and the environment should exposure occur.

- EPA expects to return usable groundwaters to their maximum beneficial uses wherever practicable, within a time frame that is reasonable given the particular circumstances of the site. When restoration of groundwater is not practicable, EPA expects to prevent or minimize further migration of the plume, prevent exposure to the contaminated groundwater and evaluate further risk reduction. EPA also expects to control or eliminate surface and subsurface sources of groundwater contamination.
- EPA expects to use engineering controls, such as containment, for wastes and contaminated media which can be reliably contained, pose relatively low long-term threats, or for which treatment is impracticable.
- EPA expects to use a combination of methods (e.g., treatment, engineering and institutional controls), as appropriate, to achieve protection of human health and the environment.
- EPA expects to use institutional controls such as water and land use restrictions primarily to supplement engineering controls as appropriate for short- and long-term management to prevent or limit exposure to hazardous wastes and constituents. EPA does not expect that institutional controls will often be the sole remedial action.
- EPA expects to consider using innovative technology when such technology offers the potential for comparable or superior treatment performance or implementability, less adverse impact, or lower costs for acceptable levels of performance when compared to more conventional technologies.
- EPA expects to remediate contaminated soils as necessary to prevent or limit direct exposure of human and environmental receptors and prevent the transfer of unacceptable concentrations of contaminants (e.g., via leaching, runoff or air borne emissions) from soils, including subsurface soils, to other media..

WHERE DO I GET MORE INFORMATION?

For more information about RCRA Corrective Action and the Results Based Site Management Workshop, visit the Corrective Action Internet Home Page at <http://www.epa.gov/correctiveaction>.

Notes:

1. This document provides guidance to the public and the regulated community on how EPA intends to exercise its discretion in implementing its regulations. The document does not, however, substitute for EPA's regulations, nor is it regulation itself. Thus, it cannot impose legally-binding requirements on EPA, States, or the regulated community, and may not apply to a particular situation based upon the circumstances. EPA may change this guidance in the future as appropriate.
2. These expectations were taken from the May 1, 1996 Advance Notice of Proposed Rulemaking (ANPR) for RCRA Corrective Action Facilities (61 FR 19432). Many of these expectations were first articulated in the discussion of remedy selection at CERCLA sites in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) (40 CFR 430(a)(1)).