

An aerial photograph of an industrial facility, likely a wastewater treatment plant, situated along a large body of water. The facility consists of several large, interconnected buildings with dark roofs and various structures. The water is a deep blue, and there are some green areas and smaller structures in the distance. The text is overlaid on the top half of the image.

Stewardship Permits: The Next Best Thing to Completion

Diane Duva and Lauren Kostiuk
Connecticut Department of Environmental Protection

CT RCRA Facilities Owner's Group ("CTOG")
June 10, 2009



Goals of RCRA Stewardship Permits

Protect human health and the environment

Remove cleanup uncertainty so that we can restore and revitalize our urban centers

Guide growth to preserve open land

Preserve cultural & historic resources

Promote and maintain a sustainable economy

Let's answer your questions



Why am I here?

Now that I know what I must do,
why am I still here?



How do I get out of RCRA?



What if I can't get out?

Why are you here?

[How did you get into this?]

- Somebody filed a Part A application to be a Treatment, Storage, or Disposal Facility
- So the facility is committed to either:
 - cleaning up by the time the permit is issued, or
 - committing to a **schedule** to clean up and assuring financial responsibility.
- Cleaning up means addressing past releases, even if they occurred prior to RCRA

A black and white photograph showing a person and a child standing on a grassy hill in the foreground, looking out over a vast industrial landscape. In the distance, a large factory complex is visible, with a prominent smokestack emitting a plume of dark smoke that rises into the sky. The sky is filled with heavy, grey clouds, creating a somber and overcast atmosphere. The overall scene suggests a juxtaposition of nature and industry, likely related to environmental cleanup or pollution.

**Now that you know that you must complete
sitewide cleanup...**

Are you thinking...



How do I get OUT?

- To exit RCRA interim status without a permit, you must complete unit closure *and* sitewide corrective action
- State/EPA can concurrently terminate RCRA interim status and approve remediation when endpoints achieved--so get the regulators to be clear about your endpoints

How?

- Understand existing environmental conditions
- Share with DEP/EPA your business needs:
 - your timing constraints,
 - ownership transfer plans,
 - plans to separate or combine parcels, etc.
- Propose schedule
- Set clear expectations
- Document decisions so that they don't have to be revisited if cleanup process outlasts the regulator
- Revise schedule as needed
- Stay focused on results, not process

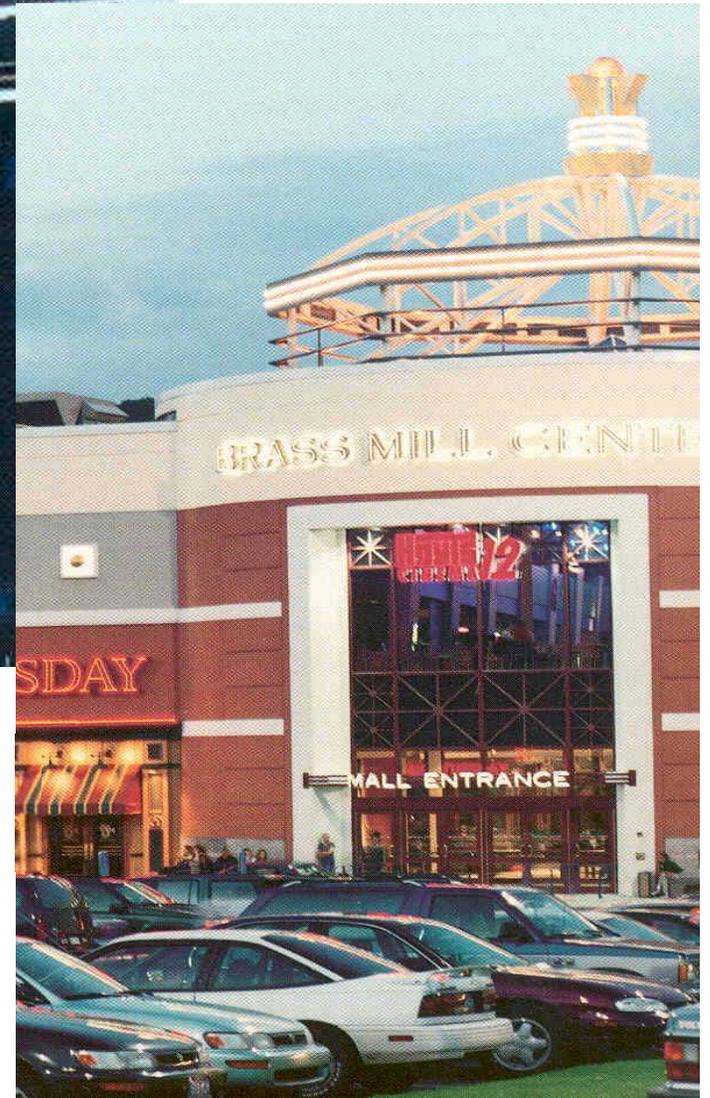


Now that you know what you must do,
why are you **still** here? Are you...?

- Committed to cleaning up
- Motivated to resolve uncertainty
- Clear on your responsibility for long-term stewardship



Sometimes it is easy to see when cleanup is done...



If you're really done, get out

- Ensure public participation in proposed remedial action and proposed completion
- Document completion of cleanup
- Memorialize that remediation is complete
- If not yet permitted, get DEP to terminate your interim status

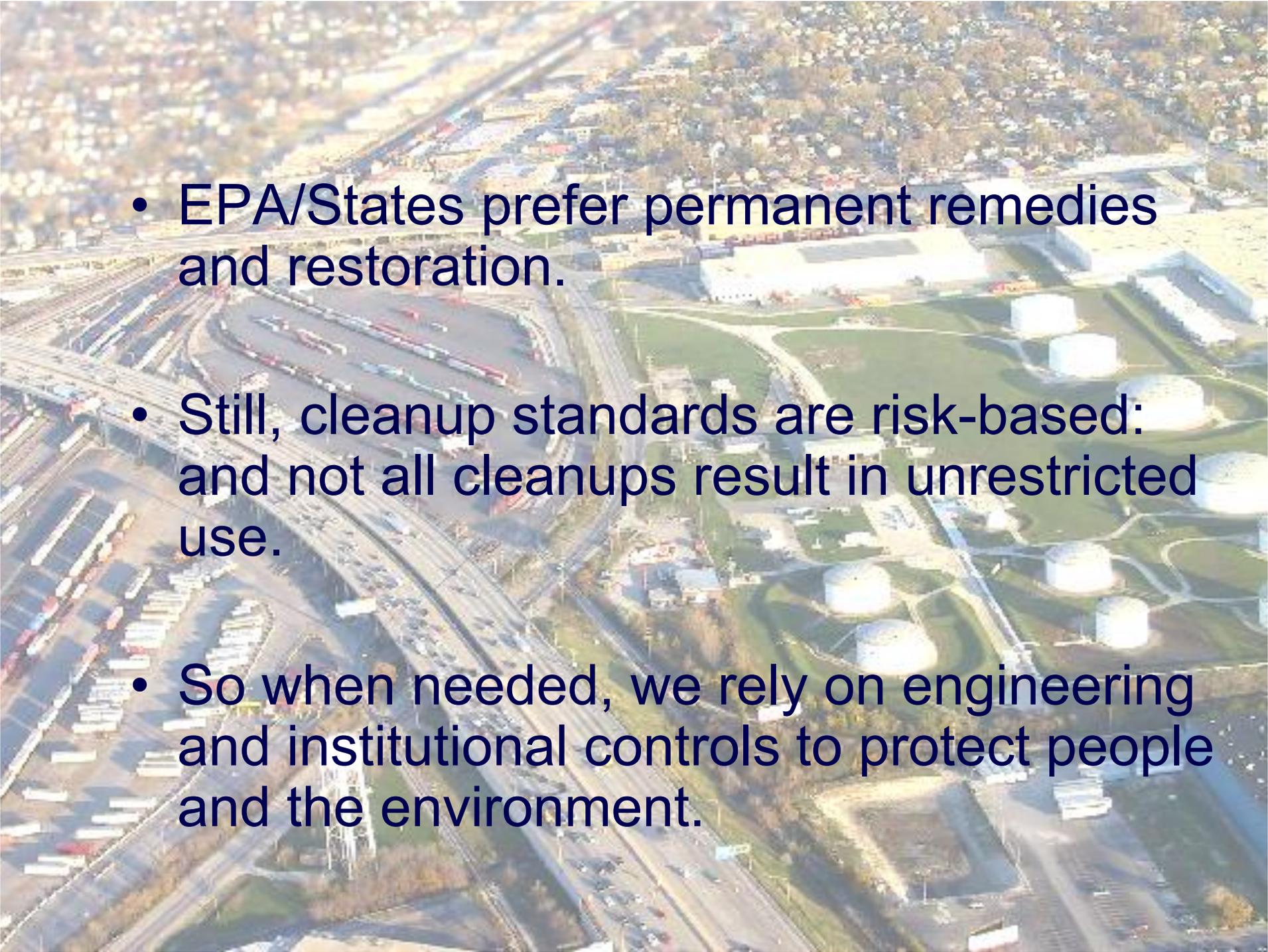


What if I can't get out?

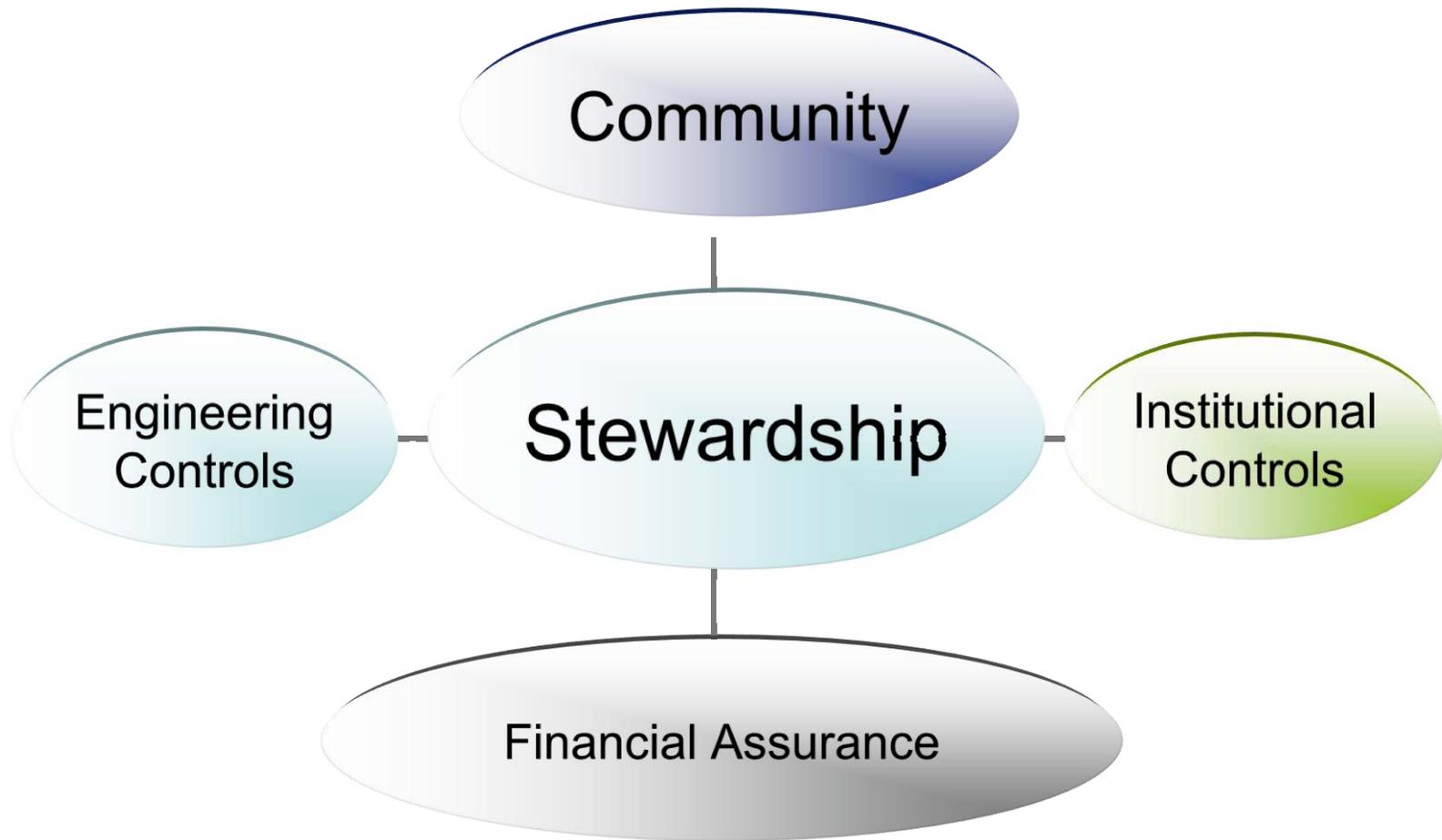
An aerial photograph of an industrial complex, likely a refinery or chemical plant. The facility is situated next to a major multi-lane highway interchange. The industrial area includes several large white cylindrical storage tanks, various processing buildings, and a network of pipes and roads. The surrounding area shows some residential or commercial buildings and green spaces. The text is overlaid on the image in a dark blue, sans-serif font.

**Sometimes it's not so clear
when things are
really done.**

**And it's hard to keep track
of what needs long-term
monitoring.**

- 
- An aerial photograph showing an industrial site with several large white cylindrical storage tanks. The site is adjacent to a residential neighborhood with many houses and trees. A multi-lane highway with traffic is visible in the foreground, separating the industrial area from the residential area. The text is overlaid on the image in a dark blue font.
- EPA/States prefer permanent remedies and restoration.
 - Still, cleanup standards are risk-based: and not all cleanups result in unrestricted use.
 - So when needed, we rely on engineering and institutional controls to protect people and the environment.

Long-Term Stewardship



Completion vs. The Next Best Thing

- When Cleanup is Complete, exit RCRA facility status by determining remediation is complete and no permit is needed.
- When there is still cleanup work ahead, move from interim status to permitted status—to reduce future permitting or enforcement uncertainty
- Or, if a permitted facility, use permit to document stewardship obligations in a schedule that makes sense

Why do we need Stewardship Permits?



Because not all sites will be cleaned up in the very near future.

The Next Best Thing to Completion: A Permit with a Schedule

- Can communicate the facility's status to banks and insurance underwriters
- Can balance current cleanup costs with phased-in financial assurance obligations
- Can spell out long-term obligations
- *Keeps you and the regulators focused on results instead of process*



CERTIFICATE OF STEWARDSHIP

The Commissioner of Environmental Protection has made a final administrative decision to issue
Stewardship Permit DEP/HWM/CS-061-002 to
Connecticut Yankee Atomic Power Co. ("CYAPCO"), Haddam Neck Plant
EPA ID No. CTD042306720, located at 362 Injun Hollow Road, Haddam, Connecticut.

This certificate confirms CYAPCO's completion of corrective action measures, including environmental investigation and remediation activities, with the exception of post-remediation groundwater monitoring. Upon issuance of this permit, CYAPCO's Interim Status granted under RCRA is hereby terminated.

This action is based on environmental clean-up work required by federal and state laws and regulations, including RCRA Corrective Action and Closure, and represents compliance with Connecticut's Hazardous Waste Management Regulations and Remediation Standard Regulations. Consistent with federal and state regulations and guidance, upon the Commissioner's determination that CYAPCO has satisfied the requirements of this permit, CYAPCO may receive a Certificate of Completion.

October 23, 2007

/signed/

Gina McCarthy
Commissioner

Stewardship Permit

Defines long-term obligations of permit holder

Provides public participation in cleanup

Documents cleanup as it is completed

Phases in financial assurance obligations



Final Guidance on Completion of Corrective Action Activities at RCRA Facilities

- 02-25-03 Federal Register
[68 FR 8757]

- [http://www.epa.gov/epaoswer/
hazwaste/ca/resource/guidance/gen_ca/compfedr.pdf](http://www.epa.gov/epaoswer/hazwaste/ca/resource/guidance/gen_ca/compfedr.pdf)





CT Department of Environmental Protection
Bureau of Materials Management and Compliance Assurance
Waste Engineering and Enforcement Division

79 Elm Street
Hartford, CT 06106-5127

Robert Isner, Division Director
Robert.Isner@ct.gov

Diane Duva, Assistant Division Director
Diane.Duva@ct.gov

Gabrielle Frigon, Supervising Environmental Analyst
Gabrielle.Frigon@ct.gov

Lauren Kostiuk, Sanitary Engineer II
Lauren.Kostiuk@ct.gov (860) 424-3155

7.11.200

Information Resources

- EPA National Corrective Action Website
- <http://www.epa.gov/correctiveaction/>
- CT DEP Stewardship Permit fact sheet
http://www.ct.gov/dep/cwp/view.asp?a=2709&q=324196&depNav_GID=1643
- CT DEP Financial Assurance links
<http://www.ct.gov/dep/cwp/view.asp?A=2718&Q=325458>
- EPA Corrective Action Guidance
<http://www.epa.gov/epaoswer/hazwaste/ca/guidance.htm>
<http://www.epa.gov/epaoswer/hazwaste/ca/backgnd.htm>
- EPA RCRA Regulations, Corrective Action documents
<http://www.epa.gov/correctiveaction/resource/rules.htm>

Looking to the Future: *2020 Vision*

- **Revitalization**
<http://www.epa.gov/swerrims/landrevitalization/index.htm>
- **Long-Term Stewardship**
http://www.epa.gov/cleanup/pdfs/lts_fact_sheet_1006.pdf
- **One Cleanup Program**
<http://www.epa.gov/swerrims/onecleanupprogram/index.htm>
- **Universe of Corrective Action Facilities
2020 Cleanup Baseline**
<http://www.epa.gov/epaoswer/hazwaste/ca/facility.htm#2020>
- **Corrective Action Training**
<http://www.epa.gov/epaoswer/hazwaste/ca/training.htm>
- **EPA's Handbook of Groundwater Protection & Cleanup Policies**
<http://www.epa.gov/correctiveaction/resource/guidance/gw/gwhandbk/gwhndbk.htm>
- **Interstate Technology & Regulatory Council**
<http://www.itrcweb.org>

EPA Likes Stewardship Permits too!



*Outstanding Use of Innovative Approaches [State Team]
RCRA Corrective Action*

**EPA National Notable Achievement Awards
May 20, 2008**