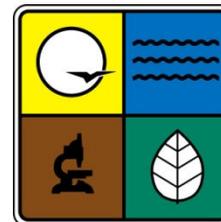


What Do We Mean When We Say VCP?

Brian McCurren
**Brownfields/Voluntary Cleanup
Program**



MISSOURI
DEPARTMENT OF
NATURAL RESOURCES

What is the Voluntary Cleanup Program?



BROWNFIELDS/VOLUNTARY CLEANUP PROGRAM

- **Phase I & II discover contamination or if spill occurs**
- **Technical assistance and oversight for investigation and cleanup of contaminated properties**
- **Fee-for-service program**
- **You choose your consultant and the cleanup method**
- **Closure - Certificate of Completion**
- **Missouri Risk-Based Corrective Action (MRBCA)**



Missouri Risk-Based Corrective Action (MRBCA)

- **Allows for site-specific cleanup based on current and future use, not generic cleanup numbers or cleanup to pristine conditions**
- **Default Target Levels – Lowest numbers below which no further action is necessary**
- **Tier I Risk-Based Target Levels –**
 - **Site-specific routes of exposure (air, subsurface soil, surficial soil, soil vapor, groundwater)**
 - **Site-specific site uses (residential, non-residential, construction worker)**
 - **Site-specific soil types**
- **Tier II and III - allows choice of doing a more detailed risk assessment to develop cleanup targets specific to your property**

Who Enrolls?

Voluntary Cleanup Program

- **Active businesses - to correct problems**
- **Sellers of properties needing cleanup**
- **Buyers of properties needing cleanup**



BVCP ELIGIBILITY EXCEPTIONS

- **Petroleum Storage Tank Insurance Fund (PSTIF) eligible sites**
- **Hazardous material spill sites while still an emergency**
- **Superfund sites that are under consideration for or on the National Priority List**
- **RCRA (Resource Conservation and Recovery Act) Treatment, Storage, and Disposal (TSD) sites**

The application process includes screening by other programs



Working the Site

- Review existing reports
- Comment letters
- Request & approve work plans
- Approve Remedial Action Plan (RAP)
- Approve Quality Assurance Project Plan (QAPP)
- Cleanup
- Execute institutional controls
- Certificate of Completion (CoC)
- Average of 2 years for CoC (But development can proceed!)



Long-Term Stewardship

- **Environmental covenant according to Missouri Environmental Covenants Act**
- **Covenant filed in chain of title of property**
- **BVCP conducts inspections to make sure restrictions still in place**
- **Monitoring fee: Up to \$15,000**

Long-Term Stewardship

Activity and Use Limitations:

- **No Residential Land Use**
- **Restricted Residential Land Use**
- **No Drilling or Use of Groundwater**
- **No Disturbance of Soil/Construction Worker Notice**
- **Engineered Controls for Soil**
- **Engineered Controls for Groundwater**
- **No Construction Worker Exposure to Groundwater/Construction Worker Notice**
- **No Construction of Buildings**

Long-Term Stewardship

Restricted Residential:



Engineered Controls for Soil:



Long-Term Stewardship

No Residential Land Use:

Based on reports on file at the Department's offices in Jefferson City, Missouri, the Property currently meets the Department's standards for non-residential use. Therefore, contaminants of concern remaining at the Property do not pose a significant current or future risk to human health or the environment so long as the restrictions below remain in place.

The Property shall not be used for residential purposes, which for purposes of this Covenant include but are not limited to: single family homes, duplexes, multi-plexes, apartments, condominiums, schools, retirement or senior/child-care facilities, or any land use where persons can be expected to reside.

Construction Worker Notice:

In the event that construction or excavation work is to be performed that may expose workers to contaminated soil on the Property [*this may be limited to areas and depths shown on the map attached hereto as Exhibit ____, which is hereby incorporated by reference*], Owner/Transferee shall ensure that actual notice is provided in advance, both verbally and in writing, to any person or entity performing any work that will or is likely to result in exposure to such soil, so that appropriate protective measures are taken to protect such workers' health and safety in accordance with applicable health and safety laws and regulations. Such notice shall include, but not be limited to, providing a copy of this Covenant [*and Soil Management Plan, if applicable*] to any individuals conducting or otherwise responsible for the work. Owner/Transferee shall maintain copies of any such written notice for a period of at least three years, and shall provide copies of such records to the Department and/or Holder upon request.

The Benefits of BVCP



Stevenson 9-17-91 CWS



Brownfields Law Reduces Liability

The Small Business Liability Relief and Brownfields Revitalization Act, (Law 107- 118)

- **Provides liability relief for owners and prospective owners of properties cleaned up through state/tribal programs**

Cooperative Program

- **Non-enforcement, non-litigating**
- **Must still follow other applicable regulations**



BVCP Provides Oversight For Your Cleanup

- **Site assessment, Risk assessment, Risk Management**
- **Risk-based: Not required to cleanup to background**
- **MRBCA: Flexible framework which can be tailored to local needs**
- **Long-Term Stewardship**
- **Redevelopment Can Proceed**

Low Costs

- **Application fee is \$200**
- **Deposit of \$1,000 to \$5,000 (max) required**
- **If client withdraws, deposit balance is refunded**
- **If deposit is exhausted, hourly charge is billed**
- **Charges are for site-specific activities**
- **Average project cost is \$3,500**

Financial Incentives

State assistance programs require BVCP enrollment:

- **Brownfields Remediation State Tax Credits - Missouri Dept. of Economic Development**
- **Revolving Loan Funds - Cleanup Loans and Grants through the Environmental Improvement and Energy Resources Authority (EI ERA)**

USEPA Competitive Grants competition values BVCP enrollment and may require it in the future.

Certificate of Completion – Definitive Closure

- **Protects human health and the environment**
- **Current with state and federal standards**
- **Clarity**

Certificate of Completion

“This letter is to certify that, based upon these and other submittals provided, the Department has determined that the site is safe for all reasonably anticipated land use.”

“The Department has determined that no remedial action was necessary to address risks at the site to levels acceptable for unrestricted use of the of the property.”

“The Department has determined that the remedial actions taken were adequate to remove chemicals of concern to risk levels acceptable for non-residential (i.e., commercial and industrial) use of the property.”

“The Department has determined that this site does not pose any unacceptable risks to human health or the environment, assuming that appropriate land uses are ensured and that AULs are in place and implemented. For this site, the appropriate AULs are:

**Environmental Covenant filed in the property chain of title with following provisions:
Soil Management Plan, Non-Residential Use.**

These AULs are an integral part of the remedial actions taken at the site and of the department’s approval of the remedial actions. The Department will make occasional inspections to verify that the AULs are upheld.”

**BVCP
Project
Managers
Help
In Many
Ways**



Availability

- **Questions about prospective sites**
- **Pre-application and pre-work plan meetings to discuss issues beforehand**
- **Public meetings**
- **City and council meetings**
- **Door-to-door visits**
- **Meetings in our offices or conference calls**
- **Site visits and on-site meetings**
- **Questions by phone or email – including when you're out in the field and work plan changes are needed**

Flexibility

- **Work with you to meet your schedule**
- **Suggest quick, efficient, and cost-saving improvements when applicable**
- **Work with you to utilize new or innovative methods of investigation and remediation**
- **Provide comfort/status letters**

Flexibility

- **Busy Bee Laundry, Rolla**
- **Solar-Powered groundwater treatment System**
- **In conjunction with Missouri University of Science & Technology**
- **Lower electricity use, emissions**
- **Passive system ideal for long-term cleanups or at operating businesses**



Assistance

- **Aid in finding financial assistance and incentives**
- **Aid in finding technical guidance**
- **Help you remain aware of other DNR regulatory requirements and find guidance.**
- **Aid in communications with the various regulatory programs (Water Pollution, DNR Regional Office, EPA, Local, etc.)**
- **Make sure paperwork is handled properly**
- **Explain things in layman's terms**

Guidance

- **Objective reviewer on investigation and remediation plans**
- **Explaining and clarifying BVCP rules, policies, and procedures**
- **Review work plans and provide guidance on what is required in final report**
- **Provide guidance for using MRBCA and the flexibility that MRBCA allows**
- **Ensure that the site investigation covers all potentially contaminated areas and environmental conditions**

Guidance

- **Make sure that the investigation and monitoring you're doing will be usable, especially in the MRBCA process and State and Federal requirements**
- **Review reports and make sure you're aware of any errors in data reporting and interpretation**
- **Help with proper implementation of institutional controls**

Certificate of Completion

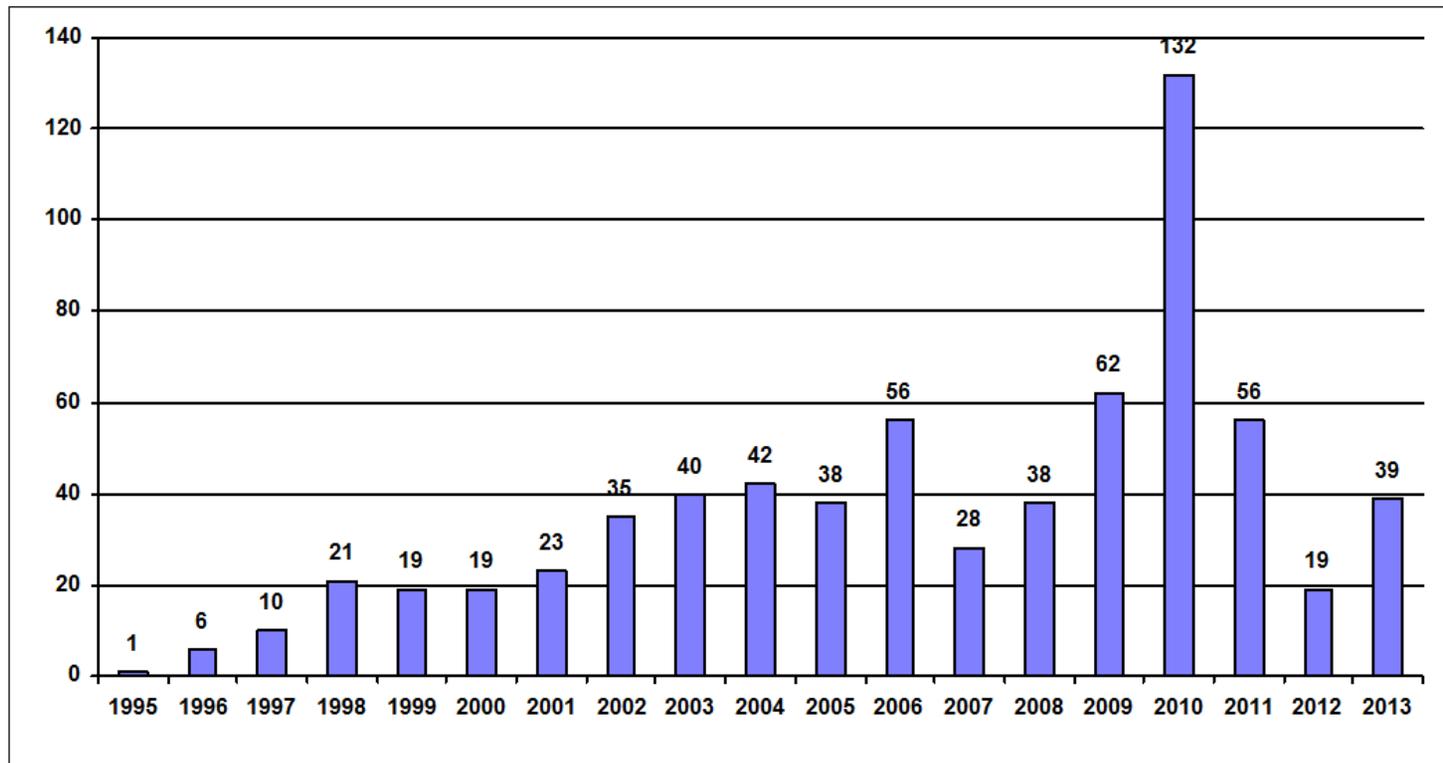
**Most important way in which BVCP
project managers help:**

**Issuing the Certificate of
Completion!**

Certificates Issued: 692

Certificate of Completion

BVCP Completions By Fiscal Year
1995-2013



BVCP Project Managers

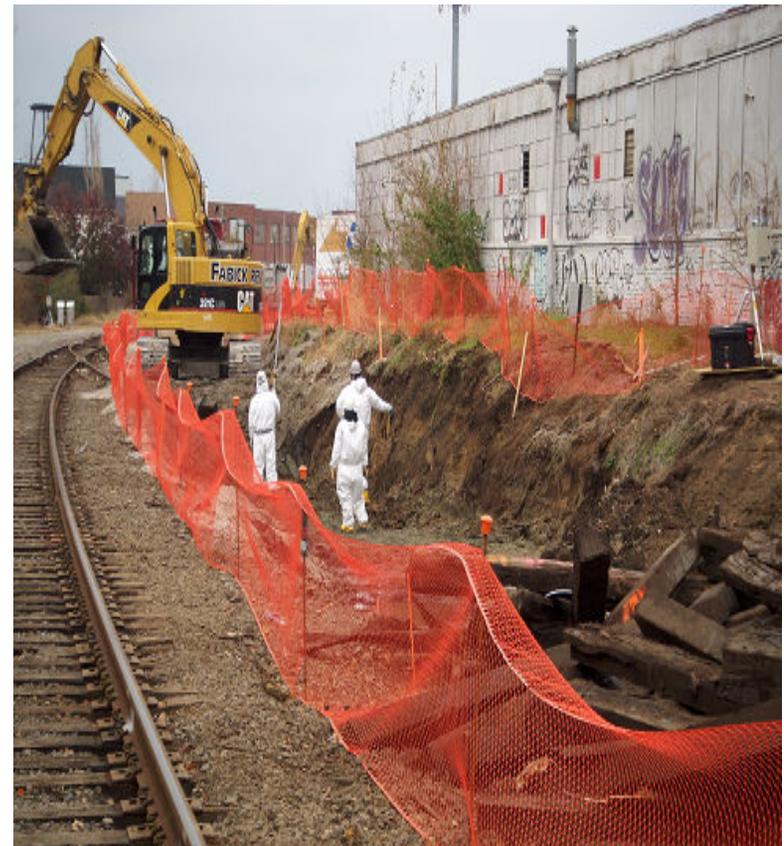


Education/Certification

- **Geology/Geochemistry**
- **Environmental Chemistry**
- **Biology**
- **Geological Engineering**
- **Fish & Wildlife Science**
- **Forestry**
- **Environmental Science**
- **Asbestos/Lead-Based Paint Inspection**
- **Professional Engineer**

Experience/Expertise

- **Geology/Geochemistry**
- **Long-Term Stewardship**
- **Environmental Chemistry**
- **Former Manufactured Gas Plants**
- **Drycleaners/Chlorinated Solvents**
- **Water Quality/Wastewater**
- **Geographic Information Systems**
- **Tanks/Petroleum Contamination**
- **Field Sampling**
- **Vapor Intrusion**
- **Monitored Natural Attenuation**
- **Hazardous Waste Management**
- **Asbestos/Lead-Based Paint**



BVCP Project Managers



Scott Huckstep
BVCP/DERT Unit Chief

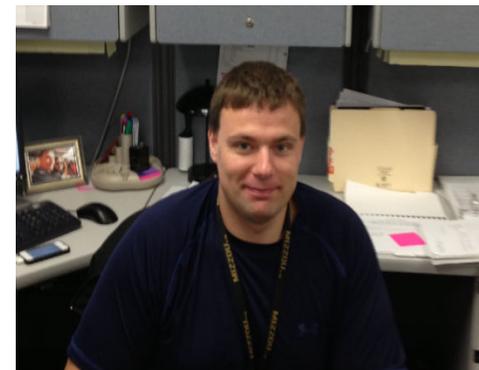
BVCP Project Managers



Brian McCurren, PE



Jennifer Surber



Wes March



Bobbie Pennington

BVCP Project Managers



Christine O'Keefe



Chris Cady, PhD



Mike Washburn

Questions?

Brian McCurren

Brownfields/Voluntary Cleanup Section

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