

Hazardous Waste Section  
File Room Document Transmittal Sheet

Your Name: Mary Siedlecki  
EPA ID: NCD981863012  
Facility Name: Transco Station 150  
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Document Type: Other (O)  
Description: Teleconference Notes Related to Risk-Remediation for Station 150  
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NCD981863012

Date Recieved by File Room:

Month	Day	Year

Date Scanned:

Scanner's Initials:

Transco Station 150 and 155  
Conference Call  
November 17, 2015

866-608-9455  
713 215 4563

Participants:

- ⇒ Katherine O'Neal
- ⇒ Mark Nelson
- ⇒ Rich Lutz
- ⇒ Brad Devore
- ⇒ Mary Siedlecki

House Bill 765

- ⇒ DEQ is currently working on guidance documents and checklists
- ⇒ DEQ envisions the process as a three-tiered approach
  1. Notification of intent
  2. Public Notice
  3. Fee/RAP/Financial Assurance

Notification

- ⇒ Guidance document and checklist in draft
- ⇒ Facilities do not need to wait for guidance documents/checklists to be finalized prior to notifying the HWS of their intent to remediate to risk-based remediation goals
- ⇒ Station 150 and 155 are both eligible under House Bill 765 because
  1. Sites are subject to remediation pursuant to the Hazardous Waste Management Program administered by the State pursuant to the federal Resource Conservation and Recovery Act of 1976 (§130A-310.67(a)(2))
  2. Site is not subject to remediation pursuant to any of programs cited under §130A-310.67(b)
- ⇒ Remedial Investigation is complete and report has been submitted to DEQ (§130A-310.68(a)). Contamination must be delineated to unrestricted use levels to be able to plan where and what type of land use restrictions will be required.
- ⇒ All media must be characterized. Contamination from one contaminated media may not impact another (e.g., contaminated soil may not impact uncontaminated

groundwater; contaminated groundwater may not impact surface water; contaminated soil may not impact indoor air quality).

- ⇒ Sensitive environments and receptors and any ecological risks must be identified and assessed.
- ⇒ Site has documented groundwater contamination exceeding 15A NCAC Subtitle 2L Groundwater Standards.
- ⇒ No contamination will migrate to offsite properties at levels above unrestricted use, except as may remain pursuant to a cleanup conducted pursuant to §130A-310.73A(a)(2). (Contamination may have migrated off-site, however, that contaminant plume may not be expanding to impact uncontaminated media).
- ⇒ Groundwater contaminant plume must be stable or retreating. Fate and transport modeling is not required in all cases to document stable or retreating plumes. Site-specific groundwater monitoring data may be sufficient.

## Public Notice

- ⇒ IF there is offsite groundwater contamination, facility must provide the offsite property owner with:
  1. A copy of House Bill 765,
  2. A copy of "Contaminated Property: Issues and Liabilities" to provide information on the nature of risk-based remediation and how it differs from remediation to unrestricted-use standards, potential health impacts that may arise, as well as identification of liabilities that arise from contaminated property and associated issues.
- ⇒ IF there is offsite groundwater contamination, facility must obtain written permission from ALL offsite property owners where contamination has migrated (a form will be developed to document permissions) (this requires that the contaminant concentrations on offsite property will not increase above levels present on the date of the written consent form).
- ⇒ Notice of "Intent to Remediate" has been reviewed and approved by DEQ. The Notice of "Intent to Remediate" has been sent certified mail, return receipt, to ALL adjoining land owners and to ALL local governments having taxing or land-use jurisdiction.
- ⇒ Facility must conduct a public meeting in connection with an appropriate public participation period.
- ⇒ Any comments received during the public participation period must be compiled and submitted to DEQ.

## FEE/Financial Assurance/Remedial Action Plan

- ⇒ A fee is required (§130A-310.76). The fee is based on total acreage of area covering (1) current extent of contamination, and (2) areas to where contamination is predicted to migrate for all media onsite.
- ⇒ This fee includes
  1. Application Fee: \$5000 per acre of contaminated property (application fee is due upon submittal of Remedial Action Plan)
    - Applicant may subtract \$500 per acre IF contamination has not migrated beyond site boundaries.
    - Applicant may subtract \$500 per acre if active remediation is not anticipated following notification of intent to remediate to risk-based remediation goals.
  2. Oversight Fee: \$500 per acre of contaminated property (oversight fee is due upon DEQ approval of Remedial Action Plan)
- ⇒ A worksheet will be developed and available to facilitate fee calculations.
- ⇒ Financial Assurance
- ⇒ Remedial Action Plan