

**Cleanup Standards Scientific Advisory Board
Meeting Minutes
September 1, 2009**

CSSAB Members Present:

Ronald Buchanan
Ronald Neufeld
Craig Robertson
Annette Guiseppi-Elie
Mark Urbassik
Christopher McCue
Timothy Hennessey
Mike Meloy
Tina Serafini
Kathy Zvarick
Donald Wagner

Environmental Protection Staff Present:

Troy Conrad
David Crownover
Samuel Fang
James Shaw
Daniel Lapato
Kurt Klapkowski
Mike Maddigan
Mike Buchwach

Guests Present:

Chuck Campbell - Science Applications International Corp.

Call to Order

Chairman Ronald Buchanan called the Cleanup Standards Scientific Advisory Board (CSSAB) meeting to order.

The minutes from the April 22, 2009 meeting were approved.

The board currently has two vacant seats.

LRP Program Update

Troy Conrad briefed the board on DEP and LRP program status.

- State budget stalemate.
- Continued staff hiring freeze with many vacant positions.
- Expect LRP program funding through 2010-2011 fiscal year.
- Executive staff changes

Land Recycling Program Chapter 250 Rulemaking

The board raised the following substantive issues:

- Explain changes in the Preamble. [General language included in Preamble.]
- Develop a separate spreadsheet for RASC reference that shows underlying cause of changes for each substance, which will be posted on-line. [Spreadsheet developed and posted on DEP web site.]
- Revise proposed language for section 250.704. Recommended that groundwater characterization samples should be acceptable even if some exceed standard as long as they collectively meet the 75%-10X statistical test. [Done]
- Review Table 2. Manganese listed as both HAL and Secondary Contaminant. [Addressed]
- Revise section 250.605 list of sources. [Done]
- Add definition of "environmental covenant". [Done]

The Board voted to concur with the proposed Chapter 250 regulations with the condition that the issues raised by the Board would be addressed by DEP.

Uniform Environmental Covenants Act (UECA) Rulemaking

The board raised the following substantive issues:

- Review requirements for submission of draft covenants, in section 253.5. Recommended that draft covenants should not be required before final report.
- Commented that prior practice did not require institutional control for Statewide Health Nonresidential remedies or Site Specific remedies based on nonresidential exposure assumptions. Recommended that requirement for environmental covenants for Statewide Health-Nonresidential remedies or Site Specific remedies based on nonresidential

exposure assumptions should be included explicitly in the promulgated regulation, rather than just including the requirement only in guidance.

The Board lacked a quorum and did not officially vote to concur with the proposed UECA regulation.

Meeting Adjourned.