

7TH ANNUAL GEORGIA ENVIRONMENTAL
CONFERENCE
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GEORGIA'S VOLUNTARY REMEDIATION
PROGRAM – THE THIRD YEAR

presented by

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The VRP Act of 2009

- **Streamlined, privatized path for voluntarily remediating sites through the use of Registered Professionals.**
- **Incorporates RBCA principles which decrease site costs while still protecting human health and the environment.**
- **EPD cost recovery.**

VRP Basics

Qualifying Property (Sec. 105)

- 1. Listed on the Georgia HSI.**
- 2. A Georgia Brownfields site.**
- 3. Otherwise have a release of regulated substances into the environment.**

VRP Basics

Participant Criteria (Sec. 106)

- 1. Property owner of the VRP property.**
- 2. Have written permission to enter to perform corrective action or implement controls.**
- 3. Not be in violation of any Georgia environmental law.**

VRP Basics

Enrolling (Sec. 107)

- \$5,000 application fee.**
- VIRP prepared by RP engineer or geologist who has experience in responsible charge of the investigation and remediation of such releases.**
- Upon EPD approval property enrolled and applicant a participant.**

VRP Basics

Implementation (Sec. 107)

- ❑ **RP oversees plan implementation in accordance with VRP.**
- ❑ **RP submits semi-annual status reports.**
- ❑ **Upon completion, CSR confirming consistency of the corrective action with VRP and certifying compliance with cleanup standards.**
- ❑ **CSR public participation requirements.**

VRP Basics

Delisting (Sec. 107)

- **Upon receipt of CSR, a decision of concurrence with the report and certification shall be issued on evidence satisfactory to the Director that it is consistent with the provisions, purposes, standards, and policies of the VRP.**
- **Within 90 days of concurrence, listed property removed from HSI.**

VRP Basics

Termination (Sec. 107)

- Participant may terminate at any time.**
- Director may terminate prior to CSR approval, if:**
- Participant has failed to implement the plan in accordance with the VIRP; or**
- Continued enrollment would result in a condition which poses an imminent or substantial danger to human health and the environment.**

Simple Sites (Sec. 107)

- **Immediate rescoring and delisting opportunity for simple sites.**
- **Director shall remove the VRP property from HSI if participant demonstrates at time of enrollment that a release exceeding RQ did not exist at property.**

Simple Sites (cont.)

- ❑ **Soil-only cleanups for sites not listed for groundwater.**
- ❑ **If VRP property listed for soil but not groundwater, and demonstration made at enrollment that groundwater release exceeding RQ does not exist, the participant is not required to perform corrective action or to certify compliance for groundwater.**

Legal Rights

- ❑ **Restoration of full legal rights to appeal adverse agency decisions.**
- ❑ **Sec. 107 (Purpose) . . . that provisions of this part shall take precedence over any conflicting provisions, regulations, or policies.**

More Information

http://www.gaepd.org/Documents/epdforms_hwb.html#voluntary

<http://www.gaepd.org/Documents/vrp.html>

Legislative Purpose (Sec. 101)

- **To encourage the voluntary and timely investigation and remediation of properties for the purpose of reducing human and environmental exposure to safe levels, to protect current and likely future use of groundwater, to ensure the cost-effective allocation of limited resources.**

VRP RBCA Standards

- ❑ **Delineation to cleanup standards, not background.**
- ❑ **Fate and transport modeling to support real-world cleanup standards.**
- ❑ **Wider use of E&I controls.**
- ❑ **POE for groundwater based on use.**
- ❑ **Exposure domain averaging for soils.**
- ❑ **Stabilization of source materials.**

VRP RBCA (cont.)

- ❑ **Immediate rescoring and delisting opportunity for simple sites.**
- ❑ **Soil-only cleanups for sites not listed for groundwater.**
- ❑ **Remediation not required beyond the point of technical impracticability.**