
Appendix U

Resource Conservation and Recovery Act (RCRA) Documents

RCRA documents are often included in the CERCLA Administrative Record Files, Site Files and Post Decision Files. The EPA guidance states:

Memorandum: Revised Guidance on Compiling Administrative Records for CERCLA Response Actions, September 2010, Part II., Contents of the Administrative Record, B. Documents that Form the Basis for the Selection of a Response Action, #5. Other Information Resource Conservation and Recovery Act (RCRA) Documents:

“...If an action is taken under CERCLA at a site with a history of RCRA activities, much of the information relating to the RCRA activities (e.g., information relating to waste management or corrective action at a site) may be considered or relied upon in making the CERCLA response action decision, and if so, should be included in the administrative record. Such information may include information on types of wastes, quantity of wastes, observations of potential threats gathered during RCRA investigations, and documents such as permit applications, inspection reports, RCRA Facility Investigation reports, and Corrective Measures Studies...”

COMPARISON

| RCRA CORRECTIVE ACTION | CERCLA REMEDIAL ACTION |
|-----------------------------------|----------------------------------|
| §§ 3004(u),(v)3008(h) | 40 C.F.R. Part 300 (RCRA/CERCLA) |
| RCRA Facility Investigation (RFI) | Remedial Investigation (RI) |
| Corrective Measures Study (CMS) | Feasibility Study (FS) |
| Corrective Measures Plan (CMP) | Remedial Action Plan (RAP) |
| Corrective Measures Design (CMD) | Remedial Design (RD) |

TERMINOLOGY

Corrective Action

RCRA term for all activities conducted under either § 3004(u) and (v) or § 3008(h) or both.

Closure

A RCRA term for requirements of Subpart G of 40 C.F.R. Parts 264 and 265 for RCRA regulated TSD units only.

Site

CERCLA term as defined in National Contingency Plan and IAG.

Solid Waste Management Unit (SWMU)

RCRA term as defined in RCRA permit.

Interim Measure

A RCRA term for a short-term action taken to mitigate the actual release or the threat of a potential release of hazardous waste or hazardous waste constituents from a facility.

Interim measures are usually conducted while developing a long-term comprehensive corrective action strategy. They may encompass a wide range of possible actions, including:

- actions to control the source or potential source of a release
- actions to control the migration of a release
- actions to minimize exposure to a release

Corrective Measures Study (CMS)

A CMS is analogous to a feasibility study conducted for remedial actions under CERCLA. The procedural and substantive regulatory requirements associated with the performance of a CMS are in 40 CFR 264.520-264.524.

The objective of a CMS is to identify and evaluate alternative corrective measures and to recommend a corrective measure(s) for remediation of the contaminated site. To achieve this objective, the CMS should consider all of the necessary data and information to evaluate the proposed alternatives.

Corrective Measure Objective (CMO)

A RCRA document describing CMOs established in the initial phase of a Corrective Measures Study. Focuses on the development of alternative technologies that can achieve the established objectives; this limits the number of alternatives considered during detailed analysis/remedy selection.

RCRA Facility Assessment (RFA)

This RCRA document is the equivalent of a CERCLA Preliminary Assessment or Site Inspection

RCRA Facility Investigation (RFI)

This RCRA corrective action document is the equivalent of a CERCLA Remedial Investigation.

Statement of Basis

A RCRA document prepared for every draft NPDES permit for which a fact sheet is not required. A statement of basis briefly describes how permit conditions were derived and the reasons the conditions are necessary for the permit.

Statement of Basis Decision

A RCRA corrective action decision document that:

- Identifies the proposed remedy for a corrective action at a facility and explains the reasons for the proposal
- Describes all remedies that were considered in the RCRA Facility Investigation (RFI) and Corrective Measures Study (CMS) reports
- Solicits public review and comments on the remedies considered in the RFI and CMS reports
- Provides information on how the public can be involved in the remedy selection process.

The Statement of Basis Decision is designed to serve as a companion to the RFI/CMS and the administrative record file. The remedy proposed in the SB is only an initial recommendation. Public comment and/or additional information may result in changes to the proposed remedy or in the choice of another remedy.

A written statement used during RCRA corrective actions, to solicit public comments on the proposed corrective measures.

Corrective Measures Implementation (CMI)

The Corrective Measures Implementation is the stage of corrective action where the actual cleanup of a facility takes place.

CMI is the process of designing, constructing, operating, maintaining, and monitoring the corrective remedy approved by the regulator on the basis of the information presented in the CMS.

The owner/operator is responsible for the performance of CMI while the regulator is responsible for CMI oversight.

The three objectives of CMI are:

- Compliance with media cleanup standards (MCSs)
- Completion of all source control measures
- Removal and/or decontamination of all equipment, devices, or structures used in conducting the corrective measure.

Corrective Measure Completion (CMC)

The CMC specifies the criteria in a RCRA permit, order, or Federal Facilities Compliance Agreement to ensure completion of a corrective measure