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GRC Environmental Programs Manual—Chapter 15

CERCLA Environmental Remedial Activities

Approved by: Energy and Environmental Management Office Chief

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Change Record

Revision	Effective Date	Expiration Date	C-25, Change Request #	Description
A	4/2015	4/2020		Section 1.0 (pg.4) – Changed Chapter 23 to Chapter 20 Section 8.0 (pg.6) – Changed Chapter 23 to Chapter 20 Updated links and corrected form names.

***Include all information for each revision. Do not remove old revision data. Add new rows to table when space runs out by pressing the tab key in the last row, far right column.*

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Chapter 15.—CERCLA Environmental Remedial Activities

NOTE: This chapter is maintained and approved by the Energy and Environmental Management Office (EEMO). The last revision date of this chapter was March 2015. The current version is located on the Glenn Research Center intranet at <http://www.grc.nasa.gov/WWW/FTD/EEMO/index.html> Approved by: Chief of Energy and Environmental Management Office.

1.0 PURPOSE

This chapter establishes policy, procedures, and responsibilities for the investigation and remediation of uncontrolled releases of hazardous substances, as defined by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), into the environment from past operations at NASA Glenn Research Center (GRC). It conforms to the GRC Environmental Management System (EMS) as defined in Glenn Procedural Requirement (GLPR) **8553.1**, and supports GRC environmental policy, which promotes pollution prevention, regulatory compliance, and continuous improvement. GRC employees and contractors at all levels who in any way participate in the development and execution of GRC action involving the handling, excavation, storage, transportation, and/or disposal of soils must follow the established policies, procedures, and guidelines outlined in this manual, Chapter **20**, Handling, Reuse, and Disposal of Soil. Following the guidelines in this chapter will help achieve the GRC regulatory compliance objectives and targets. Achievement of these objectives and targets can be tracked through the audit results and Corrective and Preventive Action Report (CPAR) records.

2.0 APPLICABILITY

This chapter applies to all civil servant employees and onsite support service contractors within GRC and the Energy and Environmental Management Office (EEMO) who are responsible for implementation of CERCLA activities. It also applies to all civil servant employees and onsite support service contractors within GRC who assist the EEMO in implementing CERCLA activities through resource management, procurement, and funding.

3.0 BACKGROUND

Contamination of the environment by hazardous substances has been recognized as having the potential to negatively impact human health and the environment on a national level. To address this issue, Congress passed CERCLA (Public Law 96–510), commonly known as Superfund, in 1980. The primary goal of the act is to encourage the identification and remediation of sites contaminated with hazardous substances. Many states, including Ohio, have passed their own laws and regulations and established programs for ensuring conformance with these laws and regulations. CERCLA contains other provisions that extend beyond environmental remedial activities. However, the GRC CERCLA Environmental Remedial Activities Program, and therefore this chapter, addresses only the sections of CERCLA that apply to the investigation and remediation of uncontrolled releases of hazardous substances into the environment from past operations.

4.0 POLICY

It is GRC policy to

- Comply with state and Federal CERCLA requirements and the Ohio Environmental Protection Agency (OEPA) Director’s Findings and Orders
- Identify and remediate CERCLA sites as rapidly as funds permit, in accordance with the terms and schedules noted in the OEPA Director’s Findings and Orders, in a manner that is protective of human health and the environment
- Establish and maintain an interactive, mutually cooperative relationship with regulatory agencies
- Establish and maintain a positive reputation with the public

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5.0 RESPONSIBILITIES

5.1 Energy and Environmental Management Office (EEMO)

EEMO Shall

- Provide program management and be responsible for the technical success of the program
- Provide project management, including determination of budgetary requirements, requests for funding, tracking of schedules and expenditures, and contractor oversight
- Provide technical evaluation and direction and be responsible for the technical success of the projects
- Negotiate and coordinate technical plans and operational matters with regulatory agencies and serve as the point of contact with these regulatory agencies
- Provide evaluation and comment on safety aspects of contractor Health and Safety Plans and monitor contractor compliance with GRC safety requirements during onsite field operations

5.2 Facilities Division (FD)

Facilities Division (FD) shall

- Provide contractor services such as surveying and utility clearances, as requested by the EEMO and may provide other services at the request of the EEMO
- The Project Management Branch shall provide coordination of the project with GRC organizations and oversee field operations at GRC

6.0 REQUIREMENTS

6.1 Federal Requirements

CERCLA provides the requirements and basic framework for CERCLA remedial activities. The Superfund Amendments and Reauthorization Act (SARA) (Public Law 99-499) amended CERCLA in 1986 and added provisions to specify that Federal departments, agencies, and instrumentalities must comply with CERCLA in the same manner and to the same extent as nongovernmental entities. This includes all guidelines, rules, regulations, and criteria applicable to preliminary assessments (PAs), National Contingency Plan (NCP) evaluations, inclusion on the National Priorities List (NPL), and the conduct of remedial action (Sections 120(a)(2), (3), and (4)). The United States Environmental Protection Agency (USEPA) is required to compile information about contaminated sites at Federal facilities and to enter the information into the Federal Agency Hazardous Waste Compliance Docket. GRC is included on this docket.

6.2 State Requirements

The OEPA has a Memorandum of Agreement with USEPA that specifies the roles, responsibilities, and coordination of CERCLA responses in the state of Ohio. For sites that fail to be listed on the NPL (all sites scoring less than 28.5 on the hazard ranking scoring system), Ohio maintains authority and oversees all remedial actions. Since GRC site scores were well below 28.5, OEPA has authority and provides oversight at GRC.

6.3 Agreement Between OEPA and GRC

NASA and OEPA signed an agreement that was documented in the OEPA Director's Findings and Orders dated September 20, 1996. This agreement provides for investigation and cleanup of CERCLA sites at GRC at Lewis Field and payment of oversight costs to the state of Ohio. The agreement includes a generic statement of work that provides a detailed description of the required activities. All CERCLA remedial activities at GRC are being conducted in accordance with this agreement.

NASA and OEPA also signed an agreement that was documented in the OEPA Director's Findings and Orders dated November 6, 1997. This agreement provides a general framework for CERCLA activities at Plum Brook Station and payment of oversight costs to the state of Ohio. The agreement requires NASA to submit previous investigation reports to OEPA and states that OEPA will evaluate the reports and inform NASA of additional requirements, if any are determined to be necessary.

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6.4 Procedural Requirements

The procedures required at GRC are complex and beyond the scope of this document. The state of Ohio has developed generic procedure documents. These procedure documents are referenced in the OEPA Director's Findings and Orders. They consist of the following:

- OEPA Generic Statement of Work Remedial Investigation/Feasibility Study (This is included in the Findings and Orders as Attachment A.)
- Model Statement of Work for the Remedial Design and Remedial Action (This is included in the Findings and Orders as Attachment B.)
- OEPA and USEPA Guidance Documents (This is included in the Findings and Orders as Attachment C.)
- Preferred Plans and Decision Documents (This is included in the Findings and Orders as Attachment D.)

In addition to the generic procedures, the USEPA and the OEPA have developed numerous policies and guidance documents covering many of the critical elements of CERCLA environmental remedial activities. Attachment C of the OEPA Director's Findings and Orders lists 60 state and Federal policies and guidance documents that the OEPA accepts and/or prefers.

7.0 RECORDS

The following records are all maintained by the EEMO.

- Work plans, sampling and analysis plans, health and safety plans, and quality assurance plans
- All engineering reports pertaining to work completed
- Monthly progress reports
- Original laboratory analysis and quality assurance data
- Background sampling reports referenced in CERCLA engineering plans and reports

8.0 REFERENCES

Document number	Document Name
GLM-FE-8500.1-20	Environmental Programs Manual, Chapter 20, Handling, Reuse, and Disposal of Soil
N/A	OEPA's Directors Final Findings and Orders, November 6, 1997
OAC 3745	Ohio Administrative Code
ORC 3734	Ohio Revised Code
Public Law 96-510	Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980
Public Law 99-499	Superfund Amendments and Reauthorization Act (SARA) of 1986

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APPENDIX A.—DEFINITIONS AND ACRONYMS

CERCLA site/facility.—Any site where an uncontrolled release of a hazardous substance, pollutant, or contaminant exists or is threatened. Any building, structure, installation, equipment, pipe, well, pit, pond, impoundment, ditch, landfill, storage container, rolling stock, or any site or area where a hazardous substance has been deposited, stored, disposed of, or placed can be defined as a CERCLA site.

CERCLA.—Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (Public Law 96–510), commonly known as Superfund.

Corrective and Preventive Action Report (CPAR)

Energy and Environmental Management Office (EEMO)

Environmental Management System (EMS)

Facilities Division (FD)

Glenn Procedural Requirement (GLPR)

Glenn Research Center (GRC)

Hazardous substances.—Defined in Section 101(14) of CERCLA, as amended, United States Code (U.S.C.) 9601.

National Contingency Plan (NCP)

National Priorities List (NPL)

Ohio Administrative Code (OAC)

Ohio Environmental Protection Agency (OEPA)

Ohio Revised Code (ORC)

Preliminary assessment (PA)

Remedial activities.—All environmental activities undertaken at a CERCLA site including planning, reporting, investigation, remediation, and monitoring.

Remediation.—Any remedial activity directly related to the cleanup or control of hazardous substances in a manner that protects human health and the environment.

Superfund Amendments and Reauthorization Act (SARA)

United States Code (U.S.C.)

United States Environmental Protection Agency (USEPA)

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