

Templates for:

Site Management Plan (SMP)

Final Engineering Report (FER)



Purpose

- Provide framework for site-specific plans and reports
 - Shorten development & review times
- Reflect DEC's experience in all remedial programs
- Standard language acceptable to DEC



Using the Templates

- Not all sections are applicable to all sites
- Not all sections are applicable to all sites
- Not all sections are applicable to all sites
- You may use your own format
 - Use the checklists
 - Use template language for best results



Site Management Plan

- Approval required before Final Engineering Report
- Referenced in Environmental Easement
- Violation of SMP is violation of easement, BCA, ECL
 - Grounds for COC revocation



SMP Components

- Background and Remedial Program
 - Summary of previous work
 - Description of remaining contamination
- Engineering / Institutional Control Plan
 - Excavation Work Plan
- Monitoring Plan (Media & Cover)
- Operation & Maintenance Plan
- Periodic Reporting & Certifications



Institutional & Engineering Control (IC/EC) Plans

- Excavation Work Plan
- Soil vapor intrusion evaluations
- Criteria for terminating treatment systems
- Description of ICs
- Notifications



Notifications: Changes in Site Use

- Defined in legal agreement (BCA), 6NYCRR Part 375, and ECL, including:
 - Transfer of Title
 - Erection of structure
 - Creation of park, etc.
 - Activity that may increase potential exposure or interfere w/ remedial program



SMP Notifications

- Changes in site use – 60 days advance
 - Includes certification of disclosure to prospective owner
- Confirmation of new owner – 15 days after
- Ground-intrusive activities – 7 days advance
- Emergency conditions – Noon the following day (verbal), 7 days (written)



Excavation Work Plan (SMP Appendix A)

- Comprehensive Template
 - May not apply to all sites or all post-remediation construction
 - 7-day notification identifies applicable sections
- Can be drawn from Remedial Action Work Plan (RAWP)





Notification of Intrusive Activity

- Description of work
 - Location & nature of work
 - Volume of soil
 - Schedule
- Expected environmental conditions
- Disposal facilities
- Backfill documentation
- Health & safety plan



Monitoring Plan

- Cover System Monitoring & Maintenance
- Media Monitoring
 - Groundwater
 - Soil
 - Sediments
 - Biota



Operation & Maintenance Plan

- Chapter may be omitted for simple sites
- Includes monitoring of active treatment systems
- May be very detailed for complex sites
 - Stand-alone appendices



SMP Reporting

- Periodic Review Reports
 - 1, 3, 5, or 10 year frequency
- Begins 15 months after COC issued
- Frequency of general site inspection
 - Inspection schedules for each EC
- Frequency of inspection/monitoring may be different than reporting frequency



Periodic Review Reporting

- One PRR per site, even if subdivided & parcels sold
- Evaluate media monitoring trends
- Evaluate overall protectiveness
- Recommend changes to remedy or monitoring
- Certifications



Other SMP Concepts

- Interim Site Management Plan
 - Post-remedial management of IRMs, operable units or partial remediation
- Process for Future SMP Revisions
 - Propose to DEC Project Manager
 - DEC issues notice of approval and appends to SMP
 - Cover of SMP tracks revisions



[Site Name]

[COUNTY], NEW YORK

Site Management Plan

NYSDEC Site Number: xxxxxxxx

Prepared for:

[Remedial Party Name]

[Address]

Prepared by:

[Name]

[Address]

[Phone]

Revisions to Final Approved Site Management Plan:

Revision #	Submitted Date	Summary of Revision	DEC Approval Date

[MONTH YEAR]



tion

Final Engineering Report (FER) Template

- Streamlined revision of pre-2009 version
- Background chapter omitted
- Number of certifications reduced
 - Certifications for BCP sites specified in ECL
- New certification for submittal of all data in Electronic Data Deliverable format



New FER Template Concepts

- Serves as template for preparing Construction Completion Reports (CCRs)
 - IRMs, operable units, partial remedies
- FER “relies upon” prior CCRs to certify that remediation requirements are met



CERTIFICATIONS

I, _____, am currently a registered professional engineer licensed by the State of New York, I had primary direct responsibility for implementation of the remedial program activities, and I certify that the [Remedial Action Work Plan or Remedial Design] was implemented and that all construction activities were completed in substantial conformance with the Department-approved [Remedial Action Work Plan or Remedial Design].

The following certifications are only required for Final Engineering Reports, and are not applicable to Construction Completion Reports

I certify that the data submitted to the Department with this Final Engineering Report demonstrates that the remediation requirements set forth in the [Remedial Action Work Plan or Remedial Design] and in all applicable statutes and regulations have been or will be achieved in accordance with the time frames, if any, established in for the remedy.

I certify that all use restrictions, Institutional Controls, Engineering Controls, and/or any operation and maintenance requirements applicable to the Site are contained in an environmental easement created and recorded pursuant ECL 71-3605 and that all affected local governments, as defined in ECL 71-3603, have been notified that such easement has been recorded.

I certify that a Site Management Plan has been submitted for the continual and proper operation, maintenance, and monitoring of all Engineering Controls employed at the Site, including the proper maintenance of all remaining monitoring wells, and that such plan has been approved by Department.

If financial assurance is required, also include the following sentence:

I certify that any financial assurance mechanisms required by the Department pursuant to Environmental Conservation Law have been executed.

For all certifications, both CCRs and FERs, include the following:

I certify that all information and statements in this certification form are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law. I, [name], of [business address], am



If You Use Your Own FER Format

- Use the FER checklist
- Do not change the certification language

