**Contract Amendment Services**

**Enforcement**

There needs to be a way for the Tanks Modernization system to “communicate” with other environmental information systems already in existence in IDEM. The UST/LUST enforcement is done in another part of the agency and currently tracked through the Multimedia Enforcement Tracking System (METS) database.

**OLQ Sampling**

The IDEM Office of Land Quality (OLQ) or Office of Water Quality (OWQ) project manager, compliance, enforcement, or technical staff determine when sampling is required and when it must be submitted through one of these mechanisms:

* Permit condition – sites or facilities that store waste or provide water for consumption are required by federal law, state statute, or permit condition to collect samples and submit the results to IDEM and/or in some cases, EPA. These are recurring sampling events where the sample submittal is dictated by permit condition or statute.
* Corrective Action Plan – sites or facilities that have documented contamination are required to sample to determine the progress of their cleanup effort. These are recurring sampling events where the sample submittal is dictated by the Corrective Action Plan.
* Enforcement Action – IDEM or the Governor may require sampling as part of a legal action. These are recurring sampling events where the sample submittal is dictated by an Agreed Order or Commissioner’s Order.
* Site investigation – sites with suspected contamination are required to sample to determine nature and extent of the contamination. Sites proposed for landfills are also required to sample to determine site suitability and pre-waste disposal baseline values. Site investigations are not recurring sample events, but typically done 1-3 times for a site.
* Compliance action – sites where an inspector notes a contaminant release may be required to sample to determine nature and extent of contamination. Typically done once or twice to address a particular compliance issue.
* Site or spill closure confirmatory sampling – sites that wish to close must submit sampling results to confirm that any remaining contamination is below regulatory thresholds.

Sampling is required for the following purposes:

* Monitoring for contaminant releases from active and closed waste storage facilities such as landfills, storage tanks, treatment areas, and lagoons
* Delineating the nature and extent of contamination when a release of contaminants is suspected or known such as a spill or lagoon overflow
* Investigating areas of suspected contamination revealed by a complaint, reports of potential contamination-related illness, real-estate transfers, or reported negative ecological incidents such as die-offs or fish kills
* Confirming that no contaminants remain or that contamination levels are below regulatory thresholds when a source of contamination is removed or a regulated facility closes

**Voluntary Remediation Program**

The VRP provides a process for property owners, operators, potential purchasers, and third parties (participants) to voluntarily address (by investigating and, if necessary, remediating) a property that is or that may be contaminated. Participants are typically current or past property owners, current or past leassees, or prospective purchasers. Local units of government who have obtained property by default, or have an interest in developing property also may participate. VRP participants who enter into a Voluntary Remediation Agreement (VRA) with IDEM and successfully implement a Remediation Work Plan (RWP) for a project will receive a Certificate of Completion (COC) from IDEM and a Covenant Not to Sue (CNTS) from the Governor at the closure of the project site. Prior to issuing the CNTS, a site may be referred to the State Cleanup Program (SCP) if the VRP applicant does not complete the obligations of the VRA and is terminated from the VRP, or if imminent threats to human health or the environment exist. The CNTS is granted against future liability resulting from the release of a hazardous substance or petroleum, whereas the release is addressed by an RWP approved by IDEM. These documents assure that the participants and property will not become the subject of future IDEM enforcement action (subject to certain exceptions).

The VRP program has 340 active sites. The time required for VRP remediation/closure process (application approval until closure) is highly variable in that some sites close within a few years, whereas other sites have been in the program approximately 20 years.

**State Cleanup Program Remediation**

The SCP was created to manage the investigation and remediation of sites referred from a variety of IDEM programs/offices that are contaminated with hazardous substances or petroleum which are not included in the federal Superfund program. Examples of remediation projects managed under the SCP include dry cleaning facilities, manufacturingfacilities, abandoned landfills, and other industrial sites.

In an effort to streamline regulatory oversight, SCP personnel manage sites designated as high or medium priority where the potential risk drivers are non-petroleum products. SCP Responsible Parties (RPs) conduct site investigations to determine the nature and extent of contamination, and then propose and implement a Remediation Work Plan (RWP) in order to address potential exposure pathways. When the RP determines that environmental exposure has been sufficiently addressed, IDEM will evaluate the determination and then issue a No Further Action (NFA) letter at the closure of the site from SCP project oversight. Responsible parties in the SCP may choose to apply to the IDEM Voluntary Remediation Program (VRP) at any point in the SCP program, as long as there is not current or pending state or federal enforcement action against the site, or imminent and substantial threats to human health or the environment exist.

The SCP has 730 total active sites; 474 of which are sites assigned to Project Managers and 256 are Independent Closure Process sites.