

# RCRA FIRST TOOL 6: Template Agenda for Remedy Selection Process Meeting

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## Agenda for Remedy Selection Process (RSP) Meeting

*Date:*

*Location:*

### Purpose

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The RCRAFIRST Remedy Selection Process (RSP) Meeting has two objectives:

1. The participants all must agree on a set (or sets) of Corrective Action Objectives (CAOs) that guide the proposed remedy(ies) for all contaminated media or other areas identified in the RFI and the Site Conceptual Model. These CAOs must be measurable and, when the remedy is fully implemented, provide for the appropriate level of protection for human health and the environment.
2. The participants must choose an approach to the development of the proposed remedy among the following: no CMS, modified CMS, or full CMS.

To facilitate the most effective RSP meeting possible, meeting participants exchange all relevant documents within 60 days of the RFI approval and the RSP meeting must be held within 120 days of the RFI approval. A list of potential documents for exchange follows.

While EPA expects that the regulatory authority (EPA and/or State) and facility will already have the same documentation, careful planning can help identify the most recent revisions to documents or documents missing entirely. Advance discussions between the participants can help identify other relevant information.

For more information about the RSP Meeting and the resulting RSP document (RSPD), please see the RCRA FIRST Toolbox, section IV.

### Recommended Documents From Facility:

- Proposed Corrective Action Objectives
- Stakeholder analysis with clear roles and responsibilities (e.g., facility, technical support, public facilitator, other)
- Closure information/post-closure information
- Relevant data from other programs
- RFI Report (or draft RFI)
- Interim Measures (if implemented), workplans, performance monitoring, trend analysis, or other relevant reports
- Results from pump tests
- Pilot Study data, if implemented

### Recommended Documents From Lead Agency:

- Proposed Corrective Action Objectives
- Stakeholder analysis with clear roles and responsibilities (e.g., lead agency, support agency, technical support, public, facilitator, other)
- Permit/order requirements
- Closure information/post-closure information/post remedial care
- Presumptive remedy guidance/examples

## Participants

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- Lead Agency Project Manager\*
- Lead Agency Supervisor\*
- Lead Agency Technical Support (hydrogeologist, risk assessor, etc.)
- Lead Agency Legal
- Facility Project Manager\*
- Facility Supervisor\*
- Facility Technical Support (hydrogeologist, risk assessor, etc.)
- Facility Legal
- Support Agency (state VCP/EPA)
- Support Agency (USCOE, Stormwater, Soil Conservation)

*\*Suggested minimum participants*

## Roles and Responsibilities

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**Lead Agency** – Provides legal and technical oversight of remedy selection process.

**Support Agency** – Provides technical guidance, represents support agency interests, and supports Lead Agency in formulating goals and expectations to obtain final concurrence.

**Facility** – Facilitates RSP meeting, evaluates remedy alternatives, collects and analyzes data (if necessary), recommends path forward through process.

**All Participants** – Responsible for identifying first and second level individuals for elevation.

## Topics for Discussion

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- I. Introductions
- II. Reaffirm goals and objectives for RSP meeting and remedy selection process (reach mutual understanding on approaches for selecting the final remedy)
- III. Discuss any permits or orders at the facility and remind all participants that the RSP process is not legally binding or intended to alter any legal requirements at the site unless the permit (or order, for interim status facilities) expressly incorporates the RSP.
- IV. Discuss project communication plan
- V. Identify roles and responsibilities
- VI. Summary and review and confirm the RFI, risk assessment, and the site conceptual model as it pertains to remedy selection

- VII.** Develop Corrective Action Objectives
  - a. Point of Compliance
  - b. Media Cleanup Standards (list of impacted media at the site, data averaging, background)
  - c. Aquifer use classifications
  - d. Land use/reasonably expected future use in relation to characterization and remediation
  - e. Timeframes for achieving cleanup objectives
  - f. Long-term stewardship/exit strategy
- VIII.** Remedial Strategy (including risk management approach and suite of potential remedial alternatives)
  - a. Discussion of the three required threshold criteria
    - i. Protect human health and the environment
    - ii. Attain media cleanup standards
    - iii. Control source(s) of the release
  - b. Discussion of how the seven balancing criteria are to be applied:
    - i. Long-Term Effectiveness
    - ii. Toxicity, Mobility, and Volume Reduction
    - iii. Short-Term Effectiveness
    - iv. Implementability
    - v. Cost
    - vi. Community acceptance
    - vii. State/EPA acceptance and compliance with other applicable laws
  - c. Identify alternative(s) to be considered
    - i. Current interim measures, appropriate for final remedy?
    - ii. Presumptive remedies
    - iii. Media-specific remedies
    - iv. SWMU/AOC/Unit-specific remedies
    - v. Institutional controls and their implementability
    - vi. Engineering controls and post-implementation care
  - d. Identify data gaps or needs to evaluate and/or support remedial alternatives
    - i. Pump tests
    - ii. Pilot studies/bench scale tests
    - iii. Additional investigation, delineation/characterization
    - iv. Research
- IX.** Identify Remedy Selection path
  - a. No CMS needed—Go to Statement of Basis
    - i. Will a presumptive remedy meet the CAOs?
    - ii. Is there a single dominant alternative?
    - iii. Does the single remedy achieve the three threshold criteria?
    - iv. Is remedy reasonable with regards to balancing criteria?
    - v. List documents needed (may be Region-specific) for Agency to prepare Statement of Basis
  - b. CMS needed, but not CMS workplan required; RSP document sufficient

- i. Confirm all final alternatives being considered meet the three threshold criteria
    - ii. Develop consensus on how balancing criteria will be applied.
    - iii. Determine if workplans are necessary for additional data collection
  - c. CMS needed and CMS workplan necessary
    - i. Identify why CMS workplan is necessary in addition to RSP document
    - ii. Confirm all final alternatives being considered meet the three threshold criteria
    - iii. Develop consensus on how balancing criteria will be applied
    - iv. Determine if workplans are necessary for additional data collection
- X.** Scope CMS workplan (if necessary, Agency review required)
- XI.** Scope data collection workplan (if necessary)
  - a. Determine whether Agency review and approval required
- XII.** Scope CMS Report
- XIII.** Other potential issues
  - a. Sustainability/greener cleanups
  - b. Schedule of deliverables (e.g., CMS Report)
  - c. Format for reports, data/information exchange/submissions
  - d. Interim submissions (e.g., Pilot Study Report)
  - e. Financial assurance expectations
  - f. Stakeholder considerations (if any)
  - g. Community engagement planning
- XIV.** Draft Summary of RSP meeting (brief written document by the end of the meeting)
- XV.** Preparation of final RSP document by the facility for agency and facility acceptance

#### Expected Session Outcomes

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Expected outcomes correspond with roman numerals in topic for discussion outline.

- I-V.** Common understanding of the roles and responsibilities of the regulatory authority (EPA and/or state) and facility as well as understanding the RSP process/meeting objectives
- VI.** Common understanding of current conditions and site conceptual model
- VII-VIII.** Identification and concurrence of Corrective Action Objectives for the site including point of compliance and risk based management strategy
- IX.** Common understanding of remedy selection process including need for CMS Report, CMS workplan or need for additional data collection, and identification of site-specific remedial alternatives for consideration
- X-XI.** Common understanding of scope of reports, and workplans if necessary, to be prepared with the goal of creating approvable documents with the goal of no revisions
- XII.** Summary of the RSP meeting and a finalized RSP document with a schedule of deliverables