

# Streamlining LUST Cleanups: Tools of the Trade

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# Background/Intro

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- ❑ OUST has proposed LUST cleanup goals for states in hopes of accelerating cleanups and reducing the backlog of 129,000 sites.
- ❑ However, with state budget and resource constraints, staff are required to do “more with less”....
- ❑ How can OUST help the states meet the cleanup goals and do “more with less?” The tools outlined here will provide options to answer this question.

# The Veteran: PFP Contracting

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- Sets a firm, fixed price for LUST cleanups.
- Contractor is paid incrementally based on contamination reduction goals.
- Terms of contract are agreed upon before cleanup begins
  - Guaranteed environmental results
  - Less administrative overhead
  - Used on new or existing releases

# Pay for Performance (cont.)

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- Benefits of PFP

- Regulators

- Minimizes paperwork, administrative costs, and delays.

- Contractors

- Allows for less oversight by regulatory agency and more control over cleanup.

- Responsible parties

- Encourages faster, more efficient, competitively priced cleanups.

# Pay for Performance (cont.)

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- States report results (for state-lead cleanups)
  - California: significant time savings – claim processed in 1 to 3 days, rather than 75
  - Florida: 28% overall cost savings, 57% average staff time savings
  - Nebraska: 50% reduction in staff time needed for cleanup project oversight

# Pay for Performance (cont.)

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- States report results (cont.)
  - Vermont: over 22 cleanups performed, saving between \$100 to \$200 K per cleanup
  - South Carolina: Saves on average \$215K per site; almost \$9 million total savings in 2003 alone
  - Georgia: Saves on average \$181K per site; reports reduction in staff oversight time by 50%

# An Innovative Concept: the Multi-site Approach

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- Reduce LUST cleanup backlog by clustering or grouping cleanups into one approach
  - Reduces reporting requirements for state staff
  - Provides public with a single regulatory point of contact
  - Possibility of using one cleanup contractor for a cluster of sites

# Multi-site Approach (cont.)

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- Examples of multi-site approaches
  - Clustering of sites by site ownership
    - Gas station owner/operators
    - Federal facilities
    - Tribal lands
  - Clustering of sites by geographic area
    - Environmental justice areas
    - Environmentally sensitive areas
    - Abandoned tank sites

# Multi-site Approach (cont.)

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## □ Benefits

### ■ Regulated community

- Reduced reporting and regulatory interface
- Remediated sites can be reused or resold
- Remediated sites reduce liability

### ■ Regulators

- Increased cleanups and site closures
- Reduced costs through consolidated site management and report review

# Multi-site Approach (cont.)

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## □ Challenges

### ■ Regulated community

- Possible increased initial investment to accelerate cleanups
- May reduce options for site-specific risk-management decisions

### ■ Regulators

- Initial time investment in negotiating agreement
- May require additional inter-agency agreements
- May reduce options for site-specific risk management decisions

# Multi-site Approach (cont.)

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- States report results
  - Idaho negotiated a consent order with a responsible party – properties remediated on an agreed upon schedule
  - Pennsylvania negotiated a multi-site agreement with an owner/operator and addressed 177 sites in one agreement
  - South Dakota accomplished tank decommissioning, tank removal and soil excavation by awarding bid packages with

# A New Idea: Streamlined RSEs

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- ❑ OUST is currently funding a pilot study using Streamlined Remediation System Evaluations (RSEs) at LUST sites
- ❑ An approach to cleaning up difficult LUST sites or those that have been in the backlog for too long
- ❑ Four sites in three states (NY, NJ, and TX) part of the pilot study

# Streamlined RSEs

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- Concept developed by the U.S. Army Corps of Engineers
- Involves an independent team of expert hydrogeologists and engineers conducting a third-party review of site operations
- Considers remedy goals, site conceptual model, above ground and subsurface performance, site exit strategy

# Streamlined RSEs

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- Process involves detailed site document review, one or more conference calls with site team, summary report
  - Summary report includes recommendations on the following:
    - Improvements in remedy effectiveness
    - Reductions in operation and maintenance costs
    - Technical improvements
    - Gaining site closure

# Streamlined RSEs

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- Pilot study involves two sites in NJ, one in NY, one in TX
- Draft summary reports have been prepared for all sites
  - Reports provide information to optimize sampling efforts and get sites to closure faster
  - Site exit strategies also provided
- Final lessons learned report will be given to OUST by the end of March

# Streamlining LUST Cleanups

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- In conclusion...
  - PFP contracting has been shown to save an average of \$150K per site cleanup
  - Multi-site approaches show promise: with reduced oversight and administrative duties, staff may be able to do “more with less”
  - Streamlined RSEs could be the future solution to difficult LUST cleanups and getting lingering LUST sites out of the backlog and into productive