

**Cleanup Standards Scientific Advisory Board  
Meeting Minutes  
September 1, 2009**

**CSSAB Members Present:**

Ronald Buchanan  
Ronald Neufeld  
Craig Robertson  
Annette Guiseppi-Elie  
Mark Urbassik  
Christopher McCue  
Timothy Hennessey  
Mike Meloy  
Tina Serafini  
Kathy Zvarick  
Donald Wagner

**Environmental Protection Staff Present:**

Troy Conrad  
David Crownover  
Samuel Fang  
James Shaw  
Daniel Lapato  
Kurt Klappkowski  
Mike Maddigan  
Mike Buchwach

**Guests Present:**

Chuck Campbell - Science Applications International Corp.

**Call to Order**

Chairman Ronald Buchanan called the Cleanup Standards Scientific Advisory Board (CSSAB) meeting to order.

The minutes from the April 22, 2009 meeting were approved.

The board currently has two vacant seats.

## **LRP Program Update**

Troy Conrad briefed the board on DEP and LRP program status.

- State budget stalemate.
- Continued staff hiring freeze with many vacant positions.
- Expect LRP program funding through 2010-2011 fiscal year.
- Executive staff changes

## **Land Recycling Program Chapter 250 Rulemaking**

The board raised the following substantive issues:

- Explain changes in the Preamble. [General language included in Preamble.]
- Develop a separate spreadsheet for RASC reference that shows underlying cause of changes for each substance, which will be posted on-line. [Spreadsheet developed and posted on DEP web site.]
- Revise proposed language for section 250.704. Recommended that groundwater characterization samples should be acceptable even if some exceed standard as long as they collectively meet the 75%-10X statistical test. [Done]
- Review Table 2. Manganese listed as both HAL and Secondary Contaminant. [Addressed]
- Revise section 250.605 list of sources. [Done]
- Add definition of "environmental covenant". [Done]

The Board voted to concur with the proposed Chapter 250 regulations with the condition that the issues raised by the Board would be addressed by DEP.

## **Uniform Environmental Covenants Act (UECA) Rulemaking**

The board raised the following substantive issues:

- Review requirements for submission of draft covenants, in section 253.5. Recommended that draft covenants should not be required before final report.
- Commented that prior practice did not require institutional control for Statewide Health Nonresidential remedies or Site Specific remedies based on nonresidential exposure assumptions. Recommended that requirement for environmental covenants for Statewide Health-Nonresidential remedies or Site Specific remedies based on nonresidential

exposure assumptions should be included explicitly in the promulgated regulation, rather than just including the requirement only in guidance.

The Board lacked a quorum and did not officially vote to concur with the proposed UECA regulation.

**Meeting Adjourned.**