



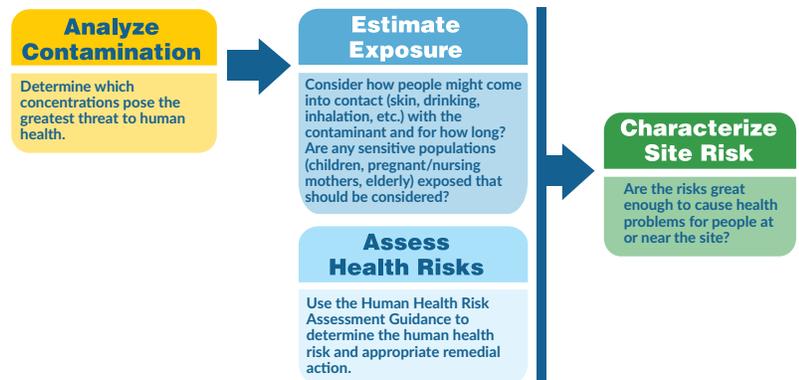
Voluntary Cleanup Program

Fact Sheet

What is the Voluntary Cleanup Program?

The Voluntary Cleanup Program (VCP) is available to all parties who may be liable for the contamination of a property, but who wish to settle their liabilities with the Department of Natural Resources and Environmental Control under the Hazardous Substance Cleanup Act (HSCA). Typical properties targeted for the VCP would be properties where financially viable responsible parties are willing to undertake the investigation/cleanup. The Voluntary Cleanup Program is designed for full cost recovery where the voluntary party pays for all VCP costs, including DNREC's oversight cost. The cleanup conducted under the VCP will meet all the requirements of HSCA and the regulations and policies.

Health Risk Assessment



What is the Cleanup Process?

Voluntary cleanup begins with an application to the DNREC Remediation Section. Applicants are required to give details of any past investigations conducted at their site. Based on the information provided, the Remediation Section will determine eligibility.

If eligible, applicants sign a Voluntary Cleanup Program Agreement that allows DNREC to oversee the investigation and clean up of the site. Applicants must also pay the cost of DNREC's oversight; typically, a \$5,000 deposit is required at the start of the project.

Applicants may end the agreement at any time during the investigation and cleanup, subject to certain conditions. Any remaining monies from the deposit will be returned at the end of the cleanup or at the time of termination of the agreement. DNREC may also end the agreement, if it determines that the applicant is not making a good-faith effort to clean up the property. If the applicant withdraws from the agreement, DNREC has the option to take enforcement actions under HSCA should the property pose a threat to public health or the environment.

What Happens Next?

The property owners hire consultants certified under the Hazardous Substance Cleanup Act (HSCA) to perform the investigation and cleanup work. Only laboratories which have been approved by DNREC through an audit process may perform analytical work at sites being investigated under HSCA, including the Voluntary Cleanup Program.

The investigation is performed to identify any contaminants that may have been released into the environment. Typically soil and groundwater samples are collected, but if a property is near or has a connection to a water body or wetland, sediment and surface water samples may also be collected. Soil-gas samples are collected to evaluate vapor intrusion potential at sites where Volatile Organic Compounds (VOCs) are likely to be

present. Once the samples have been analyzed, a consultant will perform a human health and/or ecological risk assessment to determine if the contaminants pose an unacceptable risk to people or the environment. The consultant will evaluate various remedial or cleanup alternatives to address any contamination and submit their findings and recommendations to DNREC for comment and approval.

Based upon the findings of the investigation, DNREC will publish a Proposed Plan of Remedial Action. The proposed plan describes the history of the site, the contaminants found at the site, if those contaminants pose an unacceptable risk to human health or the environment, and DNREC's approved cleanup plan.

Can the Public Participate?

YES. There is a mandatory 20-day public comment period. During this time, the public can make comments about the proposed cleanup plan or request a public hearing. If a public hearing is requested, a hearing officer will conduct the hearing and issue a Secretary's Order.

Once the public comment period expires, DNREC will notify the public of the final plan of remedial action. If no public comments are received after the proposed plan comment period, DNREC will adopt the proposed cleanup plan as the final plan. If comments were received, DNREC will address any comments in the final plan of remedial action.

Time Frame

When working with DNREC's Voluntary Cleanup Program (VCP), a cleanup may take one (1) year to complete. However, more complicated cleanups will require more time. The following is an estimated time frame of the investigation and cleanup process:

• Negotiated VCP Agreement	2 to 4 weeks
• Draft and Review of Workplan	2 to 4 weeks
• Define Contamination	2 to 4 weeks
• Lab Times (standard turnaround and data validation)	4 to 8 weeks
• Report Preparation by Consultant	2 to 4 weeks
• DNREC-RS Review	2 to 6 weeks
• Develop Proposed Plan	1 to 2 weeks
• Proposed Plan Comment Period	20 day minimum
• Develop Final Plan	1 to 2 weeks
• Implementation of the Remedial Actions (depends on the complexity)	4 to 6 weeks
• Issuance of Certification of Completion of Remedy (COCR)	4 to 6 weeks
• Long Term Stewardship (LTS)	Remedy Dependent

For more information Contact the Remediation Section at:



DNREC DIVISION OF
WASTE AND HAZARDOUS
SUBSTANCES

391 Lukens Drive
New Castle, Delaware 19720
302-395-2600

DNREC_WHS_REMEDIATIONINBOX@delaware.gov
<https://de.gov/remediation>