

Opportunities for Public Participation in the Land Recycling Program

Introduction

A goal of the Land Recycling and Environmental Remediation Standards Act is to help the public understand how cleanup standards are applied to a site. This is accomplished by requiring remediators to publicly submit a plain-language description of the contamination present on the site, the risk it poses to public health and the environment, and the proposed cleanup measures.

All reports and notices required by Act 2 must also include a summary with a plain-language description of the information included in the document. This step heightens public understanding and encourages involvement in the remediation process.

Cleanups Using Background and Statewide Health Standards

For cleanups utilizing the background and/or the statewide health standard, the remediator must notify both the municipality and the public of remediation activities. They must also submit a notice of intent to remediate (NIR) and a notice of submission of the final report to the municipality. The remediator must publish a summary of these two notices in a local newspaper. This process informs the public about the cleanup activities.

Cleanups Using Nonuse Aquifer MSCs

When a remediator applies to the Department of Environmental Protection (DEP) to use the nonuse aquifer numeric medium-specific concentrations (MSCs), the municipality and local water supplier are given notice and are provided a 45-day period to submit comments to the remediator and DEP. The comments are used by DEP to help determine if the site qualifies to use the nonuse aquifer MSCs.

Cleanups Using Site-Specific Standard

When a site-specific cleanup standard is selected, the NIR must also be submitted to the municipality and a summary of the notice is published in a local newspaper. A 30-day public and municipal comment period follows. During this time, the municipality can request to be involved in the development of the remediation and reuse plans. If a request is made by the municipality, the remediator must design and implement a public involvement plan. Those cleaning up sites are encouraged to take a proactive stance when working with the municipality.

The public involvement plan must contain measures to include the public in the development and review of the remedial investigation report, risk assessment report, cleanup plan, and final report. Measures used may include:

- Implementing a proactive community information and consultation program that includes door-step notices of meetings and remediation activities.
- Selecting convenient locations where the public can review documents and references.
- Appointing a contact person who can answer questions.
- Forming a community-based group to solicit comments and suggestions on the various reports.
- Hiring trained, independent third parties to facilitate meetings, to stimulate discussions, and to perform remediation services.

Cleanups of Special Industrial Area

Public participation requirements are the same as those for site-specific standard cleanups.

Contact Information

For information concerning this initiative and the Pennsylvania Land Recycling Program, call 717-783-1566 or visit www.dep.pa.gov, under Businesses > Land > Land Recycling. Questions and comments should be sent to landrecycling@pa.gov.

Environmental Cleanup Programs	
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