

**MANAGEMENT MEMO****Management Memo #92-4**

Program Management Manual Volume:

**Title:** Approval of a Partial Site Cleanup**Affected Programs:** Site Mitigation, Toxics Legal Office

**Background:** Developers and lending institutions frequently desire to develop properties that have experienced various levels of contamination by hazardous substances. In some cases the groundwater beneath a property may also have become contaminated and will require treatment. In most cases, the presence of contaminated groundwater will not adversely impact development of the surface of the property provided that surface and subsurface soils have been remediated. However, in cases where the groundwater must be treated in order to complete an entire cleanup to state standards, those systems need to be designed and any easements necessary for their construction and operation must be provided for prior to surface property development. Developers and lending institutions usually want to have some written documentation that the partial cleanup actions have resulted in adequate cleanup of surface and subsurface soils and that adequate provisions have been made for the installation of any necessary groundwater treatment systems before proceeding with development.

**Action:** In order to facilitate the redevelopment of land where surface and subsurface soils have been adequately remediated but where full cleanup of contaminated groundwater has not occurred, a letter modeled on the attached standard letter may be issued at the discretion of the Regional Administrator. In cases where there has been no groundwater contamination or where the department has determined that groundwater cleanup is unnecessary, the Regional Administrators are to continue to issue the standard site certification letter following adequate cleanup of surface and subsurface soils.

**Attachment:** Model "Approval of Partial Remediation" Letter**CONTACTS:**

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April 23, 1992  
Date

William F. Soo Hoo  
William F. Soo Hoo, Director

**Model "Approval of Partial Remediation" Letter**

XYZ Corporation  
XYZ Street  
Sacramento, California

Approval of Partial Remediation for XYZ Parcel

Dear

The Department of Toxic Substances Control (Department) has reviewed your consultant's soil remediation report and finds that it meets all of the conditions of the approved Remedial Action Plan (RAP) developed pursuant to Health and Safety Code Section 25356.1 for the contaminated soil remediation. Therefore, no further surface or near surface remediation is necessary for this site. Based on this information, we have no further requirements for soil investigation and/or cleanup at this time.

The groundwater under the site, however, is still contaminated and must ultimately be remediated according to the conditions in the approved RAP. These conditions are summarized as follows:

1. The groundwater pump and treatment system must be designed before development plans are finalized, so that:
  - a. Dedicated easements will be made for the groundwater pump and treatment facility wells and appurtenances.
  - b. Adequate access will be provided to the system for operation and maintenance activities.
2. XYZ Corporation must agree to provide for operation and maintenance of the pump and treatment facility according to an executed Operation and Maintenance Agreement. XYZ Corporation must agree to operate the facility until the groundwater meets the standards defined in the approved RAP.

Upon meeting the above conditions, single family or any other commercial or business development can be constructed.

The Department will certify the site as adequately remediated upon completion of the pump and treatment system and demonstration by the RP to the satisfaction of the Department that it is operating in a manner consistent with the approved RAP. The site will then be transferred to the Department's Certified List with Operation and Maintenance requirements.

**Model "Approval of Partial Remediation" Letter**

XYZ Corporation

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As with any real property, additional or previously unidentified contamination at the site may require additional investigation and cleanup. Thank you for your diligence in protecting public health and the environment at this site. If there are any questions, please contact me at

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Sincerely,

Regional Administrator