

	<b>OFFICE OF WASTE MANAGEMENT AND RADIOLOGICAL PROTECTION POLICY AND PROCEDURE</b>		DEPARTMENT OF ENVIRONMENTAL QUALITY
Original Effective Date: April 24, 2001 Revised Date: May 6, 2016 Reformatted Date: December 19, 2012	Subject: Remediation Advisory Team (RAT)		Category:
	Program Name: OWMRP – Solid Waste Program		<input checked="" type="checkbox"/> Internal/Administrative <input type="checkbox"/> External/Non-Interpretive <input type="checkbox"/> External/Interpretive
	Number: OWMRP-111/115-15	Page: 1 of 5	Type: <input type="checkbox"/> Policy <input type="checkbox"/> Procedure <input checked="" type="checkbox"/> Policy and Procedure

*A Department of Environmental Quality (DEQ) Policy and Procedure cannot establish regulatory requirements for parties outside of the DEQ. This document provides direction to DEQ staff regarding the implementation of rules and laws administered by the DEQ. It is merely explanatory; does not affect the rights of or procedures and practices available to the public; and does not have the force and effect of law. DEQ staff shall follow the directions contained in this document.*

## INTRODUCTION:

The Remediation Advisory Team (RAT) was established in April 1993 to review proposed Remedial Action Plans (RAPs) that had been prepared pursuant to consent orders and judgements. The RAT was considered the best mechanism to promote consistency, bring together staff from the various Office of Waste Management and Radiological Protection (OWMRP) programs, ensure that cross-program issues were adequately addressed, and help OWMRP staff become familiar with the cleanup requirements to be used. With the 1995 amendments to Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 201), the RAT became involved in the review of all proposed limited RAPs prior to final approval by the OWMRP Chief.

The RAT currently provides assistance to OWMRP staff, at their request, at any point in the review of any remediation proposal. The RAT also develops guidance to aid staff in reviewing remedial investigations (RIs)/Resource Conservation and Recovery Act Facility Investigations (RFIs), RAP/Corrective Measure Implementation Plans (RAP/CMIPs), and other corrective actions. The RAT also provides input on technical issues related to remediation activities.

The RAT includes nine core members, one alternate member, and up to three project members as follows:

Core members comprise of a wide range of expertise in the fields of biology, engineering, geophysics, hydrogeology, sampling strategy, statistics, and toxicology. These members are expected to be knowledgeable of Part 201 requirements, including Remediation and Redevelopment Division (RRD) guidance documents, and their applicability to OWMRP remediation. The core members are appointed by the OWMRP Chief and at a minimum represent hazardous waste and solid waste program areas, and Lansing and District staff. The chairperson may be rotated every two years. Other DEQ staff may be consulted on an as needed basis (i.e., RRD Technical and Program Support Team or other program specialists).

OFFICE OF WASTE MANAGEMENT AND RADIOLOGICAL PROTECTION  
POLICY AND PROCEDURE

Subject: Remediation Advisory Team (RAT)

Number: OWMRP-111/115-15

Page 2 of 5

The project members are the staff who present an individual project at the RAT meeting and have knowledge of the specific site history and conditions. These staff should also be aware of the specific OWMRP program requirements for the project under review. The project members generally are limited to three people per site, including as necessary, the OWMRP's Enforcement Section staff.

The alternate member is available to fill in if one of the core members will be absent. The core member should request the alternate attend as early as possible, but no less than one week prior to a scheduled meeting. The RAT chairperson should be copied on the alternate request.

**AUTHORITY:**

Part 111, Hazardous Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 111).

Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 115).

Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 201).

**POLICY:**

The RAT is considered the best mechanism to promote consistency of response activities and remediation proposals.

**PROCEDURES:**

WHEN TO USE THE RAT:

**MANDATORY:** All RI/RFIs must be submitted to the RAT prior to final action and prior to the submittal of a RAP/CMIP.

**MANDATORY:** Due to the 2010 amendments to Part 201, all remediation proposals must be presented to the RAT prior to final action.

Due to the various amendments to Part 201 and the fact that most staff does not routinely encounter remediation proposals, it is suggested that staff bring remediation projects, remedial investigations, initial consultations, intermediate reviews, proposals involving innovative technologies, and final remediation proposals to the RAT. The RAT may also assist in the review of cleanup verification documentation and Part 201 site delisting or deleting actions.

OFFICE OF WASTE MANAGEMENT AND RADIOLOGICAL PROTECTION  
POLICY AND PROCEDURE

Subject: Remediation Advisory Team (RAT)

Number: OWMRP-111/115-15

Page 3 of 5

Subject to the mandatory review of the RI/RFI and final remediation proposal noted above, the individual staff responsible for the review determines the timing and degree of the RAT involvement in the DEQ's consideration of a proposed remediation. The applicable Section Chief or District Supervisor is responsible to see that the RAT is properly employed.

Examples of amendments that may not require the RAT review include such things as changes in monitoring parameters or frequency, abandoning wells no longer needed, updates to a Sampling and Analysis Plan, or other technical/administrative changes that are not part of the legally binding agreements for the original RAP/CMIP. Staff always has the option of requesting the RAT review for those items, if desired. Any approval of an amendment to an approved RAP/CMIP should be sent to the RAT for tracking purposes.

The RAT meets the last Wednesday of every month starting at 9:30 a.m. Three weeks prior to each meeting, the RAT Chair sends a request for projects to all supervisors. Staff wanting to present a project should contact the RAT Chair to schedule a meeting date and time. If the standard meeting date is not convenient, alternate meeting dates and times can be scheduled. Once a meeting is scheduled, the project staff should prepare a RAT Review Request – Project Summary Checklist Form, and the Remedial Action Approval and Tracking Form, if needed (this form must be signed by appropriate staff prior to final RAP/CMIP review.) These forms can be found on the OWMRP shared drive under S:\RMD\_AllActivities\Committees\Remediation Advisory Team\RAT Forms and Guidance. The project staff is responsible for keeping the administrative record (all information used in reaching the decision on the remediation selected).

The RAT Review Request form and Remedial Action Tracking Form should ideally be provided to the RAT Chair two weeks prior to the scheduled meeting date. The RAT Review Request form should provide a summary of the remediation proposed. The entire proposal should not be sent for the RAT to review. The project staff can provide additional details to those provided in the RAT Review Request form during the RAT meeting and should bring a copy of the proposal should questions arise. If there is a particular portion of the proposal for which project staff seeks input (e.g., risk assessment, modeling), the necessary data for that portion of the review should be forwarded with the RAT Review Request form. For projects that propose the use of deed restrictions that alter or deviate from the OWMRP approved restrictive covenant templates, the draft restrictive covenant should be forwarded to the RAT for review. One week prior to the meeting, the RAT Chair will send an agenda via e-mail to project staff, all OWMRP supervisors, and the RAT members, and copy the Field Operations Section Chief, and the Enforcement Section Chief.

In limited circumstances, facility representatives may present site information to the RAT. This opportunity is limited to a presentation followed by a question and answer session. The availability of this opportunity and the time allowed for each segment is to be determined by the RAT Chair in consultation with project staff. The purpose of this presentation is to assist the RAT in understanding the site, the RI/RFI, and/or the remediation proposed; it is not an opportunity for facility representatives to debate regulations or to negotiate a final decision.

OFFICE OF WASTE MANAGEMENT AND RADIOLOGICAL PROTECTION  
POLICY AND PROCEDURE

Subject: Remediation Advisory Team (RAT)

Number: OWMRP-111/115-15

Page 4 of 5

After the presentation, the facility representatives will be excused, and the RAT will formulate its recommendations to project staff.

An issue on which the RAT core members and project staff do not come to an agreement will be elevated to the OWMRP Chief for resolution. Likewise, staff submitting an issue to the RAT may elevate the issue to the OWMRP Chief if there is disagreement with the RAT recommendation.

Following the RAT meeting, the RAT members and project staff will have an opportunity to review and provide comments on the draft summary of the decisions and comments that were discussed. After consideration of the draft comments, the RAT comments will be finalized and distributed, as appropriate. Project staff may use the RAT comments either to support approval of the RI/RFI or RAP/CMIP or to work with the facility in addressing any concerns that were raised.

Once project staff believes the facility has met all the requirements for approving a remediation proposal, they will draft a RAP/CMIP approval letter for the OWMRP Chief's signature and forwarded to the RAT Chair. The draft RAP/CMIP approval letter will then be forwarded to the OWMRP Chief with the RAT Chair's recommendation to approve the remediation proposal.

DOCUMENTS FOR THE RAT REVIEW:

The RAT has developed checklists to be used in determining the necessary elements of an RI/RFI and RAP/CMIP. These checklists will indicate those component documents and supporting information that must be submitted to the RAT for its review. The RAT shall also maintain and make available template versions of component documents contained in the remediation proposal.

RAT RESOURCES:

The following documents are also available to assist in remediation reviews and may be found on the following sites:

1. RRD Resource Materials, available on the Internet at [www.michigan.gov/deq](http://www.michigan.gov/deq), Land, Remediation.
2. Groundwater Not in an Aquifer Guidance Document, available on the Internet at [http://www.michigan.gov/documents/deq/deq-whm-hwp-Groundwater-not-in-an-aquifer\\_248128\\_7.pdf](http://www.michigan.gov/documents/deq/deq-whm-hwp-Groundwater-not-in-an-aquifer_248128_7.pdf)
3. Sampling Strategies and Statistics Training Materials for Part 201 Cleanup Criteria, available on the Internet at [http://www.michigan.gov/documents/deq/deq-erd-stats-s3tm\\_250015\\_7.pdf](http://www.michigan.gov/documents/deq/deq-erd-stats-s3tm_250015_7.pdf)

OFFICE OF WASTE MANAGEMENT AND RADIOLOGICAL PROTECTION  
POLICY AND PROCEDURE

Subject: Remediation Advisory Team (RAT)

Number: OWMRP-111/115-15

Page 5 of 5

4. Michigan Background Soil Survey 2015 (Updated 2015), available on the Internet at [http://www.michigan.gov/documents/deq/deq-rrd-MichiganBackgroundSoilSurvey\\_495685\\_7.pdf](http://www.michigan.gov/documents/deq/deq-rrd-MichiganBackgroundSoilSurvey_495685_7.pdf)

The following are found on the OWMRP shared drive under  
S:\RMD\_AllActivities\Committees\Remediation Advisory Team:

1. Example approval letters and public notices
2. RAT forms and guidance
3. Restrictive covenant templates
4. RRD Guidance
5. Rule 57/GSI values

SUMMARY:

The RAT exists to provide a service to OWMRP staff. Additional suggestions for how the RAT can best provide this service, including the identification of additional areas of Part 201 applicability to OWMRP programs, other guidance needs, or streamlining ideas may be submitted to the RAT Chair.

OFFICE CHIEF APPROVAL:



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Steve Sliver, Acting Chief  
Office of Waste Management and Radiological Protection