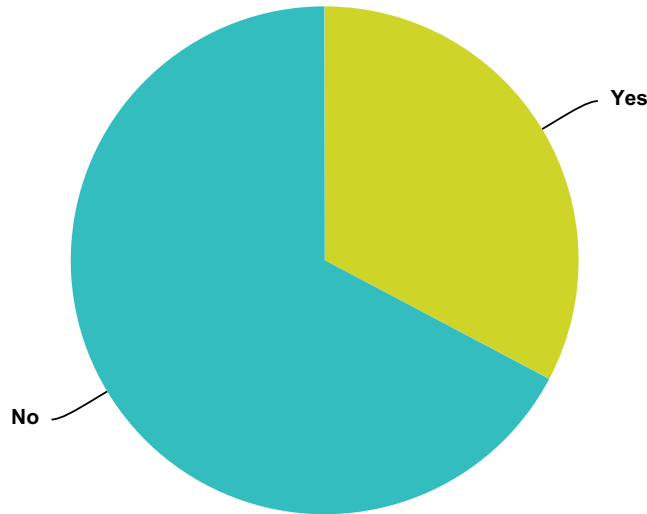


**Q1 Do any statutes, regulations, policies, or other legal impediments prohibit or limit the use of institutional controls (ICs) in your state (e.g., impediments to mandating the use of ICs, impediments to the use of ICs due to takings concerns at off-site properties).**

Answered: 55 Skipped: 2



Answer Choices	Responses	
Yes	32.73%	18
No	67.27%	37
<b>Total</b>		<b>55</b>

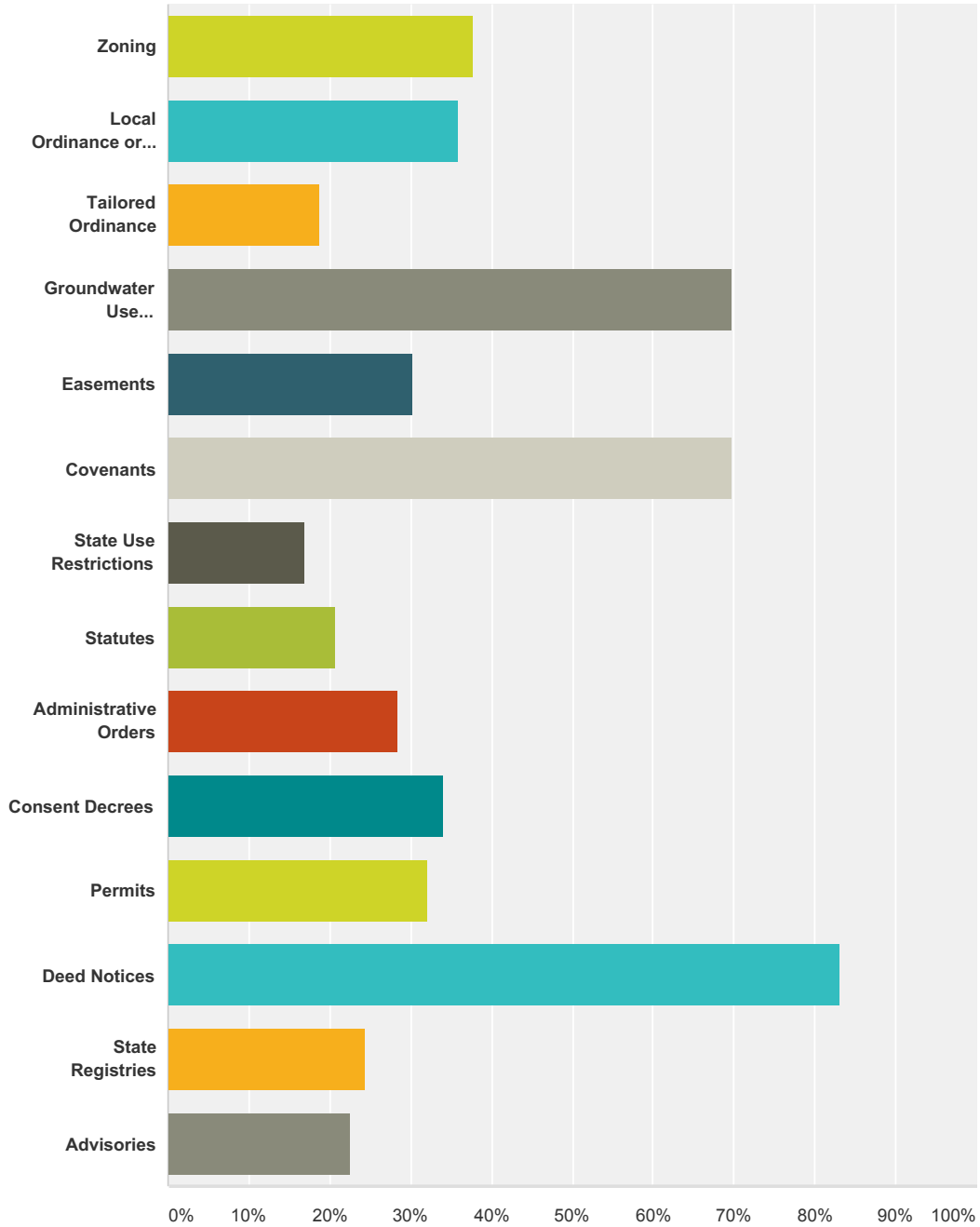
#	If Yes please explain the limitations.	Date
1	ICs can't be used under certain cleanup standards but can be used under other options	7/27/2015 8:24 AM
2	The state does not have the authority in the statute to place environmental covenants on properties which do not have an owner of record.	7/13/2015 2:30 PM
3	IC controls in our Voluntary Action Program are usually limited to the property in question. ICs going on to adjoining properties owned by another party are generally not permitted.	7/9/2015 8:14 AM
4	Arizona Revised Statutes dictate the requirements	7/7/2015 8:09 AM
5	First - the definition of "off-site" is unclear. If a property is contaminated (including groundwater) then it is part of the site. Alaska statute requires cleanup down to risk based cleanup levels unless an alternative cleanup level is established. If the alternative cleanup level requires institutional controls to control activities, i.e. industrial use only, or groundwater use restrictions, then landowner concurrence is required.	7/6/2015 11:39 AM
6	The only way to implement Land Use Covenants (LUCs; ICs) is through Voluntary Remediation Program	7/6/2015 10:13 AM
7	The divisions of the Utah Department of Environmental Quality will vary on the use of institutional controls to address waste left in place or a potential exposure issue. Most will make use of our environmental covenant. One division, Solid and Hazardous Waste (as replied previously) has a policy that does not allow for leaving a potential exposure issue in place.	5/24/2015 7:44 PM

## ITRC Long-Term Contaminant Management Using Institutional Controls

8	Environmental Land Use Restrictions may only be used for properties subject to our clean up regulations.	5/12/2015 9:10 AM
9	we can't put an IC on an offsite property.	5/8/2015 1:28 PM
10	At least in the Petroleum Remediation Program, our policy is to use them sparingly, and we have not used them on off-site properties.	3/2/2015 1:43 PM
11	Our enabling statute defines how ICs can be made enforceable. Our regulations (rule) clarifies and identifies the situations where they can be used.	3/2/2015 11:02 AM
12	Generally, federal and state constitutional law prohibit a "taking" without just compensation; however, use restrictions are mandatory in the Voluntary Remediation Program regulations when a partial remediation is approved	3/2/2015 10:54 AM
13	Illinois has specific set back zones for potable wells, an IC cannot be used within these zones.	3/2/2015 10:40 AM
14	Depending on the intent of the question, we usually limit the requirements in an IC to passive issues in terms of usually limiting the property use in some way. However, there are not requirements for maintenance usually included.	3/2/2015 10:20 AM
15	Any deed notice (IC) must be placed on the property by the owner. Without an enforcement agreement with the owner, the ICs may not be placed. Bankrupt properties are an issue.	2/24/2015 10:48 AM
16	only the VCP has the ability to require an IC	2/23/2015 5:47 PM
17	Except in limited circumstances, Texas rules require that landowner consent must be obtained to secure an IC to prevent any appearance of governmental takings.	2/20/2015 2:21 PM
18	On the contrary, our state laws require the approval of ICs when proposed as long as they "manage risk". ICs may be used in addition to, or in lieu of, active remediation.	2/12/2015 8:28 AM
19	Statutory provision prohibits use of environmental covenant at regulated petroleum UST and AST sites	2/11/2015 3:04 PM
20	Regulated/Permitted TSD facilities with current oversight by KDHE Bureau of Waste Management RCRA Program.	2/4/2015 8:22 AM

### Q2 Please check the types of site remediation institutional controls used in your state?

Answered: 53 Skipped: 4



Answer Choices	Responses
Zoning	37.74% 20
Local Ordinance or Permit	35.85% 19
Tailored Ordinance	18.87% 10

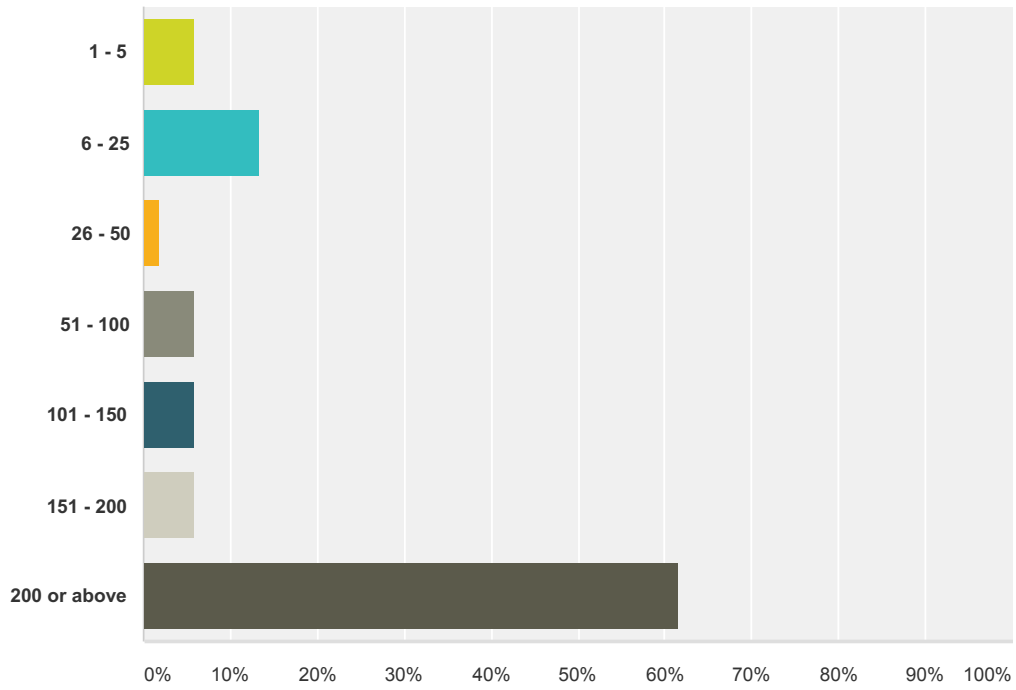
## ITRC Long-Term Contaminant Management Using Institutional Controls

Groundwater Use Restrictions	<b>69.81%</b>	37
Easements	<b>30.19%</b>	16
Covenants	<b>69.81%</b>	37
State Use Restrictions	<b>16.98%</b>	9
Statutes	<b>20.75%</b>	11
Administrative Orders	<b>28.30%</b>	15
Consent Decrees	<b>33.96%</b>	18
Permits	<b>32.08%</b>	17
Deed Notices	<b>83.02%</b>	44
State Registries	<b>24.53%</b>	13
Advisories	<b>22.64%</b>	12
<b>Total Respondents: 53</b>		

#	Please list any other insitutional control you use but is not listed above	Date
1	What ever is most appropriate	7/30/2015 12:49 PM
2	We could potentially use any of the listed types of ICs	7/27/2015 11:44 AM
3	Memorandum of Understanding (MOU) w/Florida Dept.of Transportation	7/10/2015 12:15 PM
4	Declaration of Environemntal Use Restriction (DEUR) is a restrictive covenant is option as a remediation tool when contamination is left in place above an applicable Arizona residential soil remediation level.	7/7/2015 8:09 AM
5	Clarification on "Easement". Alaska does not have a version of the uniform environmental covenant act, but our statutes do include the uniform conservation easement act. Conservation easements are not an ideal environmental covenant but they have been used here at superfund sites to retain a property interest and right of entry for the state.	7/6/2015 11:39 AM
6	Please note, as the use of ICs will vary across divisions of UDEQ and other Departments of the State, some answers in this survey may only reflect UDEQ's use of ICs.	5/24/2015 7:44 PM
7	1)Environmental Hazard Management Plans, 2) Soil use restrictions, 3) classification of a site as other than unrestricted use (e.g., commercial/industrial)	5/21/2015 5:26 PM
8	Drafting of regulations for deed notices underway	5/12/2015 9:10 AM
9	signs, fences, surveillance patrols, excavation permit	3/23/2015 8:18 AM
10	Notice in Lieu of deed Notice for roadways that have contamination beneath them	3/11/2015 1:45 PM
11	Classification Exception Areas for Ground Water	3/11/2015 10:46 AM
12	We apply our form of ICs called Continuing Obligations at properties via enforceable conditions in closure approval remedial action plan approval letters.	3/2/2015 11:02 AM
13	Restrictive Notices and intergovernmental Agreements	3/2/2015 10:04 AM
14	Clarification - Environmental Covenants in Utah are recorded on the property deeds.	2/22/2015 10:05 PM
15	Easements are not a mechanism for ICs explicitly provided for in the TCEQ's remediation rules; however, they are implemented in conservation efforts as part of the NRDA program.	2/20/2015 2:21 PM
16	Licensing Agreements (MDOT), Road ROW alternate controls, contracts	2/20/2015 12:56 PM
17	Land-use restrictions - assumed to be covered by "State Use Restrictions" category.	2/11/2015 10:29 AM
18	Develop an environmental use control agreement which describes restrictions, monitoring & maintenance requirements if necessary, notices, etc.. Which are recorded on the deed.	2/4/2015 8:22 AM
19	Land Use Restrictions	1/16/2015 5:01 AM

### Q3 How many institutional controls are in place in your State?

Answered: 52 Skipped: 5



Answer Choices	Responses
1 - 5	5.77% 3
6 - 25	13.46% 7
26 - 50	1.92% 1
51 - 100	5.77% 3
101 - 150	5.77% 3
151 - 200	5.77% 3
200 or above	61.54% 32
<b>Total</b>	<b>52</b>

**Q4 On average how many institutional controls does your State agency implement per year?**

Answered: 52 Skipped: 5

#	Responses	Date
1	less than 5. Note I received a response only from the State Super fund Section. Other sections such as our Federal Superfund, Abandoned Mine program and Petroleum Tank Cleanup Section also employ IC's but they did not provide a response.	8/10/2015 2:28 PM
2	0	7/30/2015 12:49 PM
3	150	7/27/2015 8:24 AM
4	Variable.	7/22/2015 9:24 AM
5	2 - 3	7/22/2015 7:19 AM
6	30	7/21/2015 12:57 PM
7	30 per year but now slowly declining	7/21/2015 9:13 AM
8	~15/year	7/14/2015 2:33 PM
9	20	7/13/2015 2:30 PM
10	N/A	7/10/2015 3:04 PM
11	150 +/-	7/10/2015 12:15 PM
12	Approximately 50 in the Voluntary Action Program alone.	7/9/2015 8:14 AM
13	5	7/9/2015 6:45 AM
14	unknown	7/7/2015 10:16 AM
15	5	7/7/2015 8:09 AM
16	50 / Year - total ICs in state 1,172	7/6/2015 11:39 AM
17	about 5 to 10	7/6/2015 10:13 AM
18	I really don't have an idea but to say it is a lot	7/6/2015 9:15 AM
19	Approximately 20	5/26/2015 9:37 AM
20	This will vary from divisional program to divisional program within UDEQ. For the CERCLA program such would be about 0 to 5 in a year, as CERCLA project decisions take longer. In our Tanks program the number may be more on the order of 0 to 10 based on Tank closures completed. These two programs will use ICs the most.	5/24/2015 7:44 PM
21	37, but this varies widely (early years on 1 or 2 per year; 2011 101; HEER Office numbers	5/21/2015 5:26 PM
22	30	5/12/2015 9:10 AM
23	20	5/8/2015 1:28 PM
24	NA. We are doing this for DOE Oak Ridge Reservation	3/23/2015 8:18 AM
25	Approximately 400-500	3/11/2015 1:45 PM
26	31	3/4/2015 6:14 AM
27	one	3/2/2015 1:43 PM
28	From our online database, we average approximately 2 per site at 200 sites per year, for a total of 400 per year.	3/2/2015 11:02 AM
29	30	3/2/2015 10:54 AM
30	Not a number that is tracked in Illinois	3/2/2015 10:40 AM
31	50	3/2/2015 10:30 AM

## ITRC Long-Term Contaminant Management Using Institutional Controls

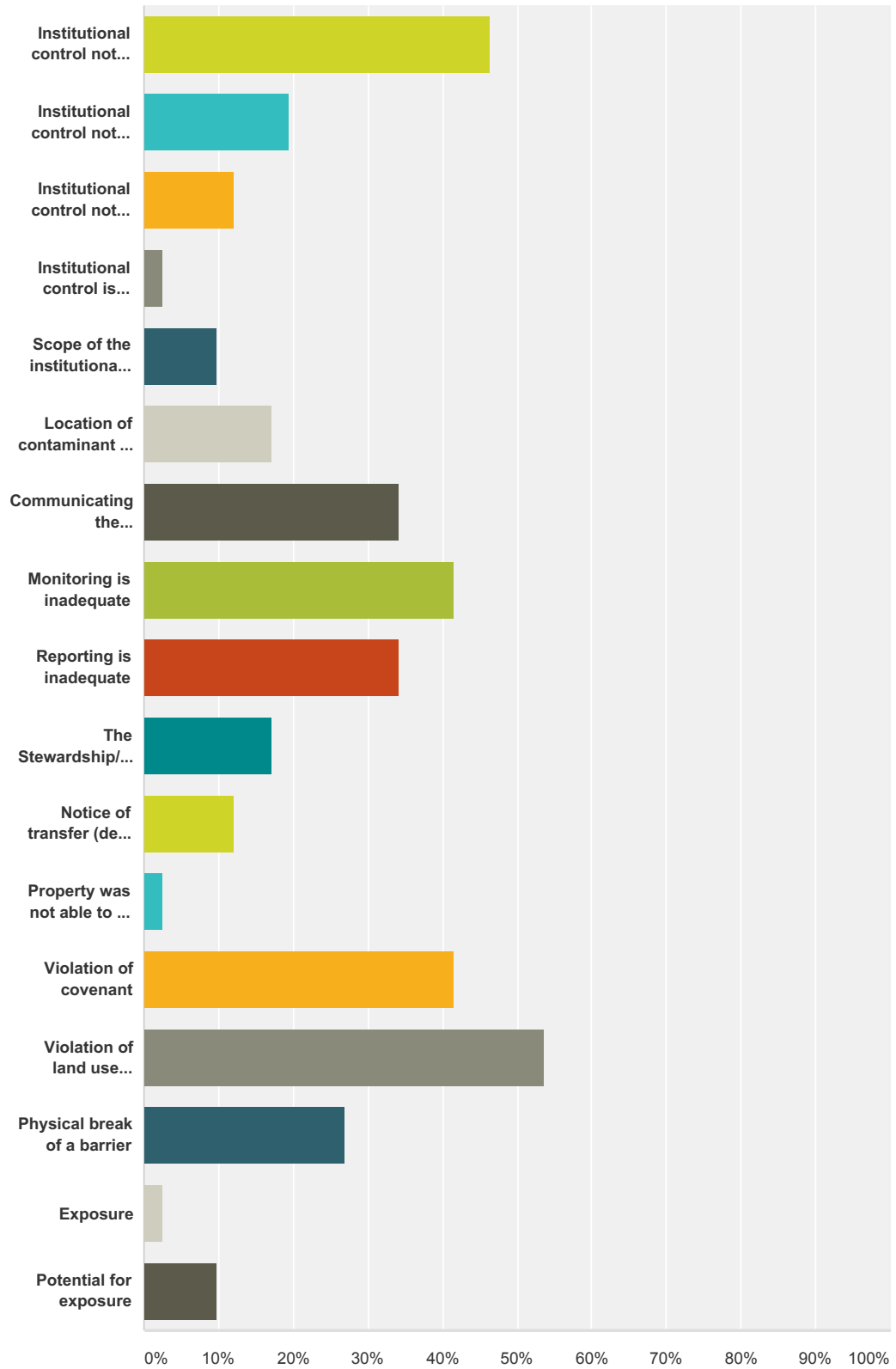
32	10-15	3/2/2015 10:20 AM
33	12	3/2/2015 10:04 AM
34	2 or 3	2/24/2015 10:48 AM
35	less than 1	2/23/2015 5:47 PM
36	Under our partnership with US EPA Region 8, as NPL or NPL equivalent sites are addressed ICs at the State level are considered as a remedial management tool. We dont have an average number implemented under the Superfund remedial program.	2/23/2015 5:44 PM
37	2	2/22/2015 10:05 PM
38	20 or a year	2/20/2015 6:04 PM
39	50 to 75	2/20/2015 2:21 PM
40	25+ estimate	2/20/2015 12:56 PM
41	10	2/19/2015 5:42 PM
42	don't know	2/18/2015 9:08 AM
43	10-20	2/16/2015 10:18 PM
44	2-4	2/12/2015 12:55 PM
45	175	2/12/2015 8:28 AM
46	15-20	2/11/2015 3:04 PM
47	18	2/11/2015 10:29 AM
48	Approximately 30 per year. Virginia addressed this question by averaging the number of UECAs recorded in a year, as well as deed restrictions recorded resulting from voluntary remediation sites receiving certificates that require ICs.	2/4/2015 9:00 AM
49	20-30	2/4/2015 8:22 AM
50	Do not know.	1/16/2015 5:01 AM
51	Based on the last 5 years, an average of 33.	1/15/2015 12:44 PM
52	@ 30 to 40	1/12/2015 7:26 AM

**Q5 For institutional controls that have failed, please select the possible causes from the list below.**

Answered: 41 Skipped: 16



# ITRC Long-Term Contaminant Management Using Institutional Controls



Answer Choices	Responses
Institutional control not implemented	46.34% 19
Institutional control not discoverable	19.51% 8

## ITRC Long-Term Contaminant Management Using Institutional Controls

Institutional control not enforceable	12.20%	5
Institutional control is overly restrictive and prevents beneficial use	2.44%	1
Scope of the institutional control is insufficient	9.76%	4
Location of contaminant is not sufficiently described	17.07%	7
Communicating the institutional control details was inadequate	34.15%	14
Monitoring is inadequate	41.46%	17
Reporting is inadequate	34.15%	14
The Stewardship/Implementation plan failed	17.07%	7
Notice of transfer (deed restriction) was not survivable	12.20%	5
Property was not able to be returned to beneficial use	2.44%	1
Violation of covenant	41.46%	17
Violation of land use restriction	53.66%	22
Physical break of a barrier	26.83%	11
Exposure	2.44%	1
Potential for exposure	9.76%	4
<b>Total Respondents: 41</b>		

#	Please list any other failure not identified above.	Date
1	Exposure or potential for exposure is not a cause of a failure. The IC either failed and you were exposed or there was potential for exposure or it didn't fail and you were not exposed and there was no potential of exposure.	8/10/2015 2:28 PM
2	No failed ICs	7/27/2015 11:44 AM
3	None have failed that we know of.	7/21/2015 12:57 PM
4	No property owner available to place restriction on property	7/14/2015 2:33 PM
5	Agency does not have a system for maintaining periodic correspondence when property owner does not report.	7/6/2015 11:39 AM
6	often tenants, subsequent owners, and contractors are unaware or restrictions	5/21/2015 5:26 PM
7	Environmental investigations conducted without releases, provisions of ELUR not followed	5/12/2015 9:10 AM
8	No failures. Our surveillance/inspections correct any inappropriate use	3/23/2015 8:18 AM
9	Transfer of ownership failed to disclose ongoing obligations/property defects	3/11/2015 1:45 PM
10	A common situation is the property ownership changes hands and the new owner is "unaware" of the Continuing Obligations.	3/2/2015 11:02 AM
11	Staff is unaware of any that have failed	3/2/2015 10:04 AM
12	land owner doesn't follow through and record the deed restriction	2/23/2015 5:47 PM
13	Clarification - In Utah's LUST and UST programs most failures have resulted from the EC requirements not being communicated at all.	2/22/2015 10:05 PM
14	Local Unit of Government representatives are unaware of ordinances that were previously enacted due to staff turnover. The local zoning authority definition of specific land use is not the same definition envisioned in the development of cleanup criteria uses.	2/20/2015 12:56 PM
15	Lack of enforcement of city ordinance banning private wells.	2/12/2015 12:55 PM
16	We have not systematically reviewed ICs, and thus have rarely noted failed ICs.	2/11/2015 10:29 AM

**Q6 How would you improve your State agency's institutional control program?  
Limit your answer to the top three.**

Answered: 47 Skipped: 10

Answer Choices	Responses	
1.	100.00%	47
2.	78.72%	37
3.	51.06%	24

#	1.	Date
1	Attach IC documents to site entry in database	8/10/2015 2:28 PM
2	Obtain resources to add old restrictions to state UECA registry	7/27/2015 8:24 AM
3	Better tracking	7/22/2015 9:24 AM
4	Improve monitoring program	7/21/2015 12:57 PM
5	establish a tracking system	7/21/2015 9:13 AM
6	Broader application of statutory environmental covenant	7/14/2015 2:33 PM
7	Conduct routine audits of some ICs	7/13/2015 2:30 PM
8	For all environmental programs, implement a process that incorporates compliance, monitoring, enforcement, and renewal details, similar to what is done for a standard permit	7/10/2015 3:04 PM
9	Frequent training to Project/Site Managers	7/10/2015 12:15 PM
10	More timely institutional control inspections (we aim for every 5 years)	7/9/2015 8:14 AM
11	Direct electronic coding from probate offices	7/9/2015 6:45 AM
12	More guidance and examples.	7/7/2015 10:16 AM
13	Change the rule to make a notification of property ownership a requirement.	7/7/2015 8:09 AM
14	Pass Environmental Covenants Statute	7/6/2015 11:39 AM
15	We have included an Item in LUCs that the property owner should submit a LUC inspection report once or twice a year	7/6/2015 10:13 AM
16	develop a more centralized database to list sites in other programs	7/6/2015 9:15 AM
17	Implementation of a real time (one call) monitoring system.	5/26/2015 9:37 AM
18	Increase transparency - ICs need to be clear and concise and then need to be searchable for anyone to read.	5/24/2015 7:44 PM
19	Better outreach to contractors (example, One Call)	5/21/2015 5:26 PM
20	Long Term Self Monitoring & Reporting	5/12/2015 9:10 AM
21	Guidance/Fact sheet on what an IC actually is and used for.	5/8/2015 1:28 PM
22	Improve consistency of selection and implementation	3/23/2015 8:18 AM
23	Tracking all property transactions via subscription service and flagging transactions involving ECs/ICs	3/11/2015 1:45 PM
24	Audit throughout the year instead of just the summer	3/4/2015 6:14 AM
25	strengthen real estate duty-to-notify checklist	3/2/2015 1:43 PM
26	More state audits of sites with Continuing Obligations	3/2/2015 11:02 AM
27	Develop a monitoring program	3/2/2015 10:54 AM
28	NA, Illinois has a good working program	3/2/2015 10:40 AM

## ITRC Long-Term Contaminant Management Using Institutional Controls

29	Revise the reporting requirements	3/2/2015 10:20 AM
30	No response to this question	3/2/2015 10:04 AM
31	Develop a registry of ICs tagged to a "one call" system	2/24/2015 10:48 AM
32	universal covenant law	2/23/2015 5:47 PM
33	Better coordination between EPA, UDEQ-DERR and local authorities from the perspective of negotiating, authorizing, monitoring IC or EC implementation.	2/23/2015 5:44 PM
34	Record EC requirements with local utility finding company (this is partially done in UT)	2/22/2015 10:05 PM
35	More local ordinances	2/20/2015 6:04 PM
36	Periodic monitoring/inspections of compliance with IC restrictions	2/20/2015 2:21 PM
37	Require all institutional controls to be recorded with the Register of Deeds Office	2/20/2015 12:56 PM
38	Make it easier to implement	2/19/2015 5:42 PM
39	Web based reporting of IC maintenance	2/18/2015 9:08 AM
40	Additional outreach to affected parties/public.	2/12/2015 12:55 PM
41	Implement a long term stewardship program with requirements	2/12/2015 8:28 AM
42	Adding data to haz substance locator map, esp. tank sites	2/11/2015 3:04 PM
43	Develop a systematic IC review process and schedule (in progress).	2/11/2015 10:29 AM
44	Implement an IC registry	2/4/2015 9:00 AM
45	Better way to receive notice of property transfers and site activities	2/4/2015 8:22 AM
46	Assign a dedicated team for monitoring/inspection	1/15/2015 12:44 PM
47	Outreach to local governments to inform them about environmental covenants and Land Restoration Program registry identifying ECs that are in place	1/12/2015 7:26 AM
<b>#</b>	<b>2.</b>	<b>Date</b>
1	Tie IC's into the State's Cadatral system	8/10/2015 2:28 PM
2	Obtain resouces to inspect sites	7/27/2015 8:24 AM
3	Coordinate IC implementation between programs	7/21/2015 12:57 PM
4	site checks	7/21/2015 9:13 AM
5	Ability to place covenant on abandoned property or where no viable owner exists	7/14/2015 2:33 PM
6	Require parties to fund long term oversight of ICs	7/13/2015 2:30 PM
7	Improve Grantor's understanding of Title Search criteria	7/10/2015 12:15 PM
8	Automatic covenant registry update on website	7/9/2015 6:45 AM
9	Develop statewide GIS and registry with contaminated areas clearly mapped	7/6/2015 11:39 AM
10	Final Report in VRP should include a format for LUC inspection report	7/6/2015 10:13 AM
11	Improve cost-recovery system for periodic/5-year review work.	5/26/2015 9:37 AM
12	Increase communication - ICs are functional when all understand their purpose and details. Communication should begin from a strong foundation in the form of an implementation plan which is communicated at the beginning and reviewed as needed (i.e. staff turn-over).	5/24/2015 7:44 PM
13	Require owners to report on IC conditions annually, or if there is a failure	5/21/2015 5:26 PM
14	Deed Notice for lower risk releases	5/12/2015 9:10 AM
15	Tracking compliance.	5/8/2015 1:28 PM
16	Improve communication to those responsible for implementation as to actual requirements	3/23/2015 8:18 AM
17	Staff conducting audits instead of just interns	3/4/2015 6:14 AM
18	consider applying at least notices to all sites with significant contamination remaining	3/2/2015 1:43 PM

## ITRC Long-Term Contaminant Management Using Institutional Controls

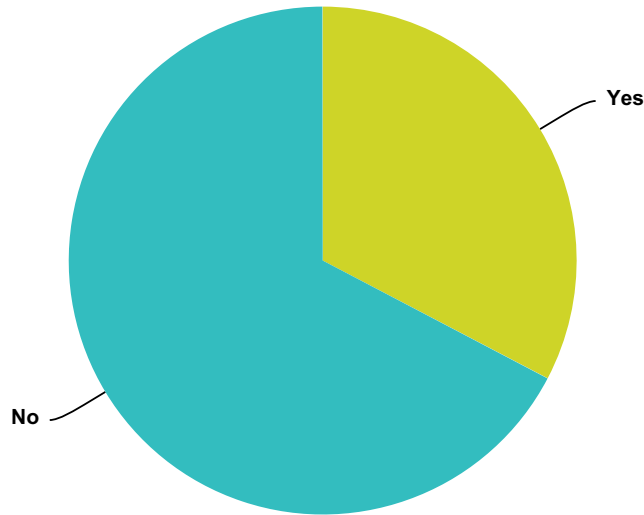
19	More outreach to realtors	3/2/2015 11:02 AM
20	Write a Policy Directive	3/2/2015 10:54 AM
21	Make sure owners disclose when selling and buying	3/2/2015 10:20 AM
22	Add restrictions to the extent possible before remediation is complete-they can be altered later	2/24/2015 10:48 AM
23	allow the regulatory agency to be a party instead of voluntary by the VCP participant	2/23/2015 5:47 PM
24	More frequent reporting on IC/EC monitoring by local authorities rather than waiting for the statutory FYR.	2/23/2015 5:44 PM
25	Consider the incorporation of fines if IC is violated.	2/22/2015 10:05 PM
26	The ability to fence and post more UXO sites	2/20/2015 6:04 PM
27	Ensure timely implementation of IC for each site	2/20/2015 2:21 PM
28	Require an institutional control as a component of Remedial Action or Corrective Action plan	2/20/2015 12:56 PM
29	Evaluate all "old" ICs	2/19/2015 5:42 PM
30	More audits.	2/12/2015 12:55 PM
31	Develop and implement a compliance program	2/12/2015 8:28 AM
32	centralizing IC inspection, monitoring and tracking activities	2/11/2015 3:04 PM
33	Provide better public info. about ICs, including location, mapping, IC elements/requirements.	2/11/2015 10:29 AM
34	Require monitoring and reporting	2/4/2015 9:00 AM
35	More funding upfront from applicants	2/4/2015 8:22 AM
36	Streamline electronic tracking/reporting	1/15/2015 12:44 PM
37	Streamline issuance process	1/12/2015 7:26 AM
<b>#</b>	<b>3.</b>	<b>Date</b>
1	Add shaped files for more specific locations on web-based state registry	7/27/2015 8:24 AM
2	Develop adequate and consistent funding mechanism	7/21/2015 12:57 PM
3	possible use of enforcement	7/21/2015 9:13 AM
4	More consistent documentaion of impacted area acreage/maps	7/14/2015 2:33 PM
5	Improve Grantor's adherence to 30 day Notice of property sale to Agency	7/10/2015 12:15 PM
6	Match use restrictions to actual zoning	7/9/2015 6:45 AM
7	Establish system for communicating with and billing property owners, preferably with their property tax billings	7/6/2015 11:39 AM
8	A Stewardship Program is under discussion for implementation	7/6/2015 10:13 AM
9	Increase follow-up - ICs should include a monitoring component that is reported on by the implementing party to other interested stakeholders.	5/24/2015 7:44 PM
10	Periodic monitoring by regulator	5/21/2015 5:26 PM
11	Mechanism to address subordination issues	5/12/2015 9:10 AM
12	Better access (GIS would be great) to sites with ICs and copies of ICs publicly available.	5/8/2015 1:28 PM
13	Develop training (internal/external)	3/2/2015 10:54 AM
14	Decide how to enforce better, etc.	3/2/2015 10:20 AM
15	Financing for IC/EC implementation, monitoring and enforcement.	2/23/2015 5:44 PM
16	Ensure ICs filed by other agencies (e.g., EPA) are enforceable by state	2/20/2015 2:21 PM
17	Establish a scheduled monitoring program by DEQ staff to determine compliance with ICs	2/20/2015 12:56 PM
18	Have clear guidance on circumstances to implement IC	2/19/2015 5:42 PM
19	Improve outreach to stakeholders	2/12/2015 8:28 AM
20	establishing a dedicated and adequate fund for IC activities	2/11/2015 3:04 PM

## ITRC Long-Term Contaminant Management Using Institutional Controls

21	Increase DEQ's confidence that ICs are in fact on property deeds, and prospective buyers are aware of the ICs.	2/11/2015 10:29 AM
22	Require inspection, tracking and enforcement	2/4/2015 9:00 AM
23	Institute an enforcement process.	1/15/2015 12:44 PM
24	Additional resources for LUC monitoring	1/12/2015 7:26 AM

### Q7 Does your State agency have a standard policy or procedure for selecting institutional control that applies across all State programs?

Answered: 52 Skipped: 5



Answer Choices	Responses	
Yes	32.69%	17
No	67.31%	35
<b>Total</b>		<b>52</b>

#	If Yes please provide a link to the policy or procedure.	Date
1	<a href="https://epd.georgia.gov/sites/epd.georgia.gov/files/related_files/site_page/BFInstCnt_0.pdf">https://epd.georgia.gov/sites/epd.georgia.gov/files/related_files/site_page/BFInstCnt_0.pdf</a>	7/22/2015 9:26 AM
2	<a href="http://www.iowadnr.gov/InsideDNR/RegulatoryLand/UndergroundStorageTanks/LeakingUndergroundTanks/EnvironmentalCovenant.aspx">http://www.iowadnr.gov/InsideDNR/RegulatoryLand/UndergroundStorageTanks/LeakingUndergroundTanks/EnvironmentalCovenant.aspx</a>	7/21/2015 9:23 AM
3	<a href="http://www.dep.state.fl.us/waste/categories/brownfields/pages/icr.htm">www.dep.state.fl.us/waste/categories/brownfields/pages/icr.htm</a>	7/10/2015 12:15 PM
4	<a href="https://www.azdeq.gov/enviro/waste/cleanup/deur.html">https://www.azdeq.gov/enviro/waste/cleanup/deur.html</a>	7/7/2015 8:27 AM
5	<a href="http://dec.alaska.gov/spar/csp/guidance/2011%20Final%20IC%20Guidance.pdf">http://dec.alaska.gov/spar/csp/guidance/2011%20Final%20IC%20Guidance.pdf</a>	7/6/2015 11:55 AM
6	only in VRP and LUST UECA Program	7/6/2015 10:29 AM
7	Section 19 of the Technical Guidance Manual <a href="http://www.hawaiiidoh.org/tgm.aspx">http://www.hawaiiidoh.org/tgm.aspx</a>	5/21/2015 6:16 PM
8	<a href="http://www.ct.gov/deep/cwp/view.asp?a=2715&amp;q=438254&amp;deepNav_GID=1626">http://www.ct.gov/deep/cwp/view.asp?a=2715&amp;q=438254&amp;deepNav_GID=1626</a>	5/12/2015 9:12 AM
9	we're working on a policy.	5/8/2015 1:33 PM
10	Our ICs are in CERCLA Records of Decision, and they are selected in a consistent manner	3/23/2015 8:23 AM
11	See our enabling Statute, s. 292.12, Wis. Stats. See <a href="http://dnr.wi.gov/topic/Brownfields/Residual.html">http://dnr.wi.gov/topic/Brownfields/Residual.html</a>	3/2/2015 11:03 AM
12	<a href="http://www.ipcb.state.il.us/documents/dsweb/Get/Document-38408">http://www.ipcb.state.il.us/documents/dsweb/Get/Document-38408</a>	3/2/2015 10:41 AM
13	<a href="http://www.dec.ny.gov/chemical/48236.html">http://www.dec.ny.gov/chemical/48236.html</a>	3/2/2015 10:31 AM

## ITRC Long-Term Contaminant Management Using Institutional Controls

14	You are confusing terms. In Tennessee State agency is Division specific whereas Department is all programs (agencies)	3/2/2015 10:21 AM
15	<a href="http://www.colorado.gov/pacific/cdphe/hmcovenants">www.colorado.gov/pacific/cdphe/hmcovenants</a>	3/2/2015 10:05 AM
16	Options are available in the Environmental Remediation state regulations.	2/20/2015 12:58 PM
17	Evaluation criteria in Chapter 12 of Remediation Closure Guide <a href="http://www.in.gov/idem/files/remediation_closure_guide_sect_12.pdf">http://www.in.gov/idem/files/remediation_closure_guide_sect_12.pdf</a> .	2/12/2015 8:34 AM
18	(From 1998, but still relevant): <a href="http://www.deq.state.or.us/lq/pubs/docs/cu/GuidanceUseofInstitutionalControls.pdf">http://www.deq.state.or.us/lq/pubs/docs/cu/GuidanceUseofInstitutionalControls.pdf</a>	2/11/2015 10:35 AM
19	<a href="http://www.kdheks.gov/remedial/euc/index.html">www.kdheks.gov/remedial/euc/index.html</a>	2/4/2015 8:33 AM
20	<a href="http://mde.maryland.gov/programs/Land/MarylandBrownfieldVCP/Pages/programs/landprograms/errp_brownfields/ueca.aspx">http://mde.maryland.gov/programs/Land/MarylandBrownfieldVCP/Pages/programs/landprograms/errp_brownfields/ueca.aspx</a>	1/12/2015 7:30 AM



**Q8 What processes or standard procedures are used in your State agency for drafting and recording institutional controls? Please describe the procedure and its location. (e.g. template, model, guidance, policy, attorney review, recording certification, web URL)**

Answered: 51 Skipped: 6

#	Responses	Date
1	The State Superfund Section uses a Template model/model within the VCRA guide - <a href="http://deq.mt.gov/StateSuperfund/VCRA_Guide/AttFICs.pdf">http://deq.mt.gov/StateSuperfund/VCRA_Guide/AttFICs.pdf</a> They also use an attorney review regarding certification	8/10/2015 2:41 PM
2	Template for covenant (see <a href="http://maine.gov/dep/spills/publications/guidance/index.html">http://maine.gov/dep/spills/publications/guidance/index.html</a> ) Attorney review	7/27/2015 11:48 AM
3	model template available State UECA statute and regulations <a href="http://www.portal.state.pa.us/portal/server.pt/community/uniform_environmental_covenants_act/21547">http://www.portal.state.pa.us/portal/server.pt/community/uniform_environmental_covenants_act/21547</a>	7/27/2015 8:30 AM
4	<a href="https://epd.georgia.gov/sites/epd.georgia.gov/files/related_files/site_page/BFInstCnt_0.pdf">https://epd.georgia.gov/sites/epd.georgia.gov/files/related_files/site_page/BFInstCnt_0.pdf</a>	7/22/2015 9:26 AM
5	policy, guidance, template, attorney review, <a href="http://www.ndhealth.gov/wm/EnvironmentalCovenantsInstitutionalControls.htm">http://www.ndhealth.gov/wm/EnvironmentalCovenantsInstitutionalControls.htm</a>	7/22/2015 7:20 AM
6	Idaho has a UECA statute. The process for drafting is described on the EC webpage at <a href="https://www.deq.idaho.gov/waste-mgmt-remediation/remediation-activities/environmental-covenant/">https://www.deq.idaho.gov/waste-mgmt-remediation/remediation-activities/environmental-covenant/</a>	7/21/2015 12:57 PM
7	Model Covenant: <a href="http://www.iowadnr.gov/InsideDNR/RegulatoryLand/UndergroundStorageTanks/LeakingUndergroundTanks/EnvironmentalCovenant.aspx">http://www.iowadnr.gov/InsideDNR/RegulatoryLand/UndergroundStorageTanks/LeakingUndergroundTanks/EnvironmentalCovenant.aspx</a> Model Ordinance: <a href="http://www.iowadnr.gov/Portals/idnr/uploads/ust/gwbb010704.pdf">http://www.iowadnr.gov/Portals/idnr/uploads/ust/gwbb010704.pdf</a>	7/21/2015 9:23 AM
8	Environmental Covenant template and attorney review	7/14/2015 2:35 PM
9	Template. Template varies amongst programs.	7/10/2015 3:04 PM
10	Institutional Controls Procedures Guidance manual. Found at bottom of link: <a href="http://www.dep.state.fl.us/waste/categories/brownfields/pages/icr.htm">www.dep.state.fl.us/waste/categories/brownfields/pages/icr.htm</a>	7/10/2015 12:15 PM
11	Our Voluntary Action Program has several legal templates that are used as part of the Covenant Not to Sue that include specific institutional controls.	7/9/2015 8:19 AM
12	We provide boiler plate information for environmental covenants. The template is available upon request.	7/9/2015 6:53 AM
13	Some guidance on our website, but its usually reviewed site by site case and on complex sites we will have the attorney general review. <a href="http://ndep.nv.gov/bca/covenant.htm">http://ndep.nv.gov/bca/covenant.htm</a>	7/7/2015 10:21 AM
14	Templates documents have been developed and can be accessed through the above provided website	7/7/2015 8:27 AM
15	<a href="http://dec.alaska.gov/spar/csp/guidance/2011%20Final%20IC%20Guidance.pdf">http://dec.alaska.gov/spar/csp/guidance/2011%20Final%20IC%20Guidance.pdf</a> Guidance linked has an IC Template for establishing "Equitable Servitude" including easement and right of entry. This requires attorney review and land management agency involvement. The Guidance also has a template for "Notice of Environmental Contamination" (deed notice). Which is recorded by the agency without review or other agency involvement.	7/6/2015 11:55 AM
16	We do have a template for Land Use Covenant available in our web page <a href="http://www.dep.wv.gov/dlr/oer/voluntarymain/Documents/VRP%20Land%20Use%20Covenant%20Template-6.5.2015.dotx">http://www.dep.wv.gov/dlr/oer/voluntarymain/Documents/VRP%20Land%20Use%20Covenant%20Template-6.5.2015.dotx</a> Such a template for Land Use Covenant is also available for LUST - UECA risk based program.	7/6/2015 10:29 AM
17	<a href="http://portal.ncdenr.org/web/wm/">http://portal.ncdenr.org/web/wm/</a> <a href="http://portal.ncdenr.org/web/wm/ust/forms">http://portal.ncdenr.org/web/wm/ust/forms</a>	7/6/2015 9:26 AM
18	We have a policy (440A, I believe) that addresses drafting, recording and terminating ICs.	5/26/2015 9:39 AM

## ITRC Long-Term Contaminant Management Using Institutional Controls

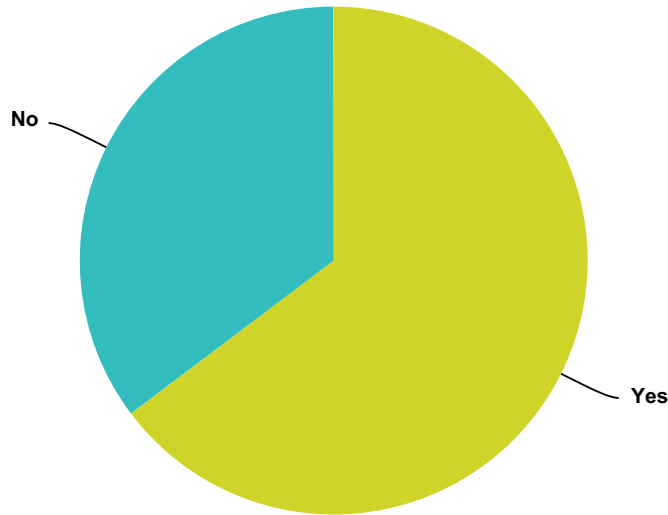
19	Utah does not generally have a standardized procedure for IC drafting and recording. Standardizing such can be sometimes problematic when addressing site specific conditions that do not follow the norm. UDEQ does have a general standard form of one type of IC, our Environmental Covenant, which has standard boiler plate language, but retains some flexibility to incorporate site specific needs. However, not every division of UDEQ uses the environmental covenant (some cases due to lack of understanding about applicability and in some cases due to divisional policy that does not allow for the use of ICs like a covenant). Utah Code Title 19, Chapter 10 spells out some basic requirements for an environmental covenant but at time such may be negotiated site specifically. <a href="http://www.le.utah.gov/xcode/Title19/Chapter10/19-10.html?v=C19-10_1800010118000101">http://www.le.utah.gov/xcode/Title19/Chapter10/19-10.html?v=C19-10_1800010118000101</a>	5/24/2015 8:09 PM
20	Letter to RP, record in public record (access file), now we require RP to write an Environmental Hazard Management Plan and include it in the closure document.	5/21/2015 6:16 PM
21	<a href="http://www.ct.gov/deep/lib/deep/site_clean_up/elur/elur_instructions_and_guidance.docx">http://www.ct.gov/deep/lib/deep/site_clean_up/elur/elur_instructions_and_guidance.docx</a> <a href="http://www.ct.gov/deep/lib/deep/site_clean_up/elur/elur_instructions_and_guidance.docx">http://www.ct.gov/deep/lib/deep/site_clean_up/elur/elur_instructions_and_guidance.docx</a> <a href="http://search.cga.state.ct.us/dtsearch_pub_statutes.html">http://search.cga.state.ct.us/dtsearch_pub_statutes.html</a> <a href="http://www.ct.gov/deep/lib/deep/regulations/22a/22a-133q-1.pdf">http://www.ct.gov/deep/lib/deep/regulations/22a/22a-133q-1.pdf</a>	5/12/2015 9:12 AM
22	We have a template for an affidavit that get's recorded on the property deed, and an environmental covenant that gets recorded on the property deed. <a href="http://www.pca.state.mn.us/u98u4qc">http://www.pca.state.mn.us/u98u4qc</a> under Guidance for BF Redevelopment Projects	5/8/2015 1:33 PM
23	CERCLA Record of Decision	3/23/2015 8:23 AM
24	We use Modle Deed Notice and termination of Deed Notice Templates; can only obtain permits relying on filed copies of the Deed Notice or Termination containing book and page number where recorded.	3/11/2015 1:49 PM
25	We have a template ELUR which can be downloaded off of the Department web site. Attorney reviews take place if the template is changed by outside party or counsel. Owner of property records ELUR on deed and returns a stamped copy back to the Department.	3/4/2015 6:19 AM
26	For petroleum remediation, we have templates, a draft guidance, and attorney review is sought when appropriate, particularly for covenants	3/2/2015 1:46 PM
27	We have internal templates for drafting closure letters with Continuing Obligation conditions.	3/2/2015 11:03 AM
28	Conveyance Notices - Template - Must be recorded in parish conveyance records Use Restrictions under the Voluntary Remediation Program regulations (Title 33: Part VI, Chapter 9) must be recorded in in conveyance records	3/2/2015 10:56 AM
29	<a href="http://www.ipcb.state.il.us/documents/dsweb/Get/Document-38408">http://www.ipcb.state.il.us/documents/dsweb/Get/Document-38408</a>	3/2/2015 10:41 AM
30	<a href="http://www.dec.ny.gov/chemical/48236.html">http://www.dec.ny.gov/chemical/48236.html</a>	3/2/2015 10:31 AM
31	We use primarily a deed restriction called a Notice of Land Use Restrictions attached to a specific deed. We are currently developing SOPs for our Division of Remediation. However, it won't necessarily apply to the Department.	3/2/2015 10:21 AM
32	We have a template with model language, a guidance document, and a tracking cover sheet outlining procedures to be followed (includes tracking attorney reviews).	3/2/2015 10:05 AM
33	A deed notice template is given to the property owner. The property owner adds the site specific information and returns it for review. After the project team reviews it for technical issues, the Legal Division will review. A redline strike out copy is passed back to the property owner. This sharing is continued until acceptable to all parties. Property owner files the notice and provides a file marked copy to the State. It becomes part of the environmental record.	2/24/2015 10:53 AM
34	We have a template that we send to land owners who will record the deed restriction/covenant.	2/23/2015 5:50 PM
35	The State of Utah, DEQ-DERR Superfund program has available to it the authority under the Executive Director to enter into ECs with a party. Said authority is granted by Utah Code Annotated 57-25-101, Uniform Environmental Covenants Act.	2/23/2015 5:48 PM
36	Utah UST/LUST Program: Environmental Covenant (EC) instructions can be found at ( <a href="http://www.deq.utah.gov/ProgramsServices/programs/tanks/ust/releases/docs/2013/11Nov/INSTRUCTIONS-2.pdf">http://www.deq.utah.gov/ProgramsServices/programs/tanks/ust/releases/docs/2013/11Nov/INSTRUCTIONS-2.pdf</a> )	2/22/2015 10:10 PM
37	Ideally ICs are captured in a covenant which staff writes using a template. The covenant is reviewed by all parties who will sign it with attorney input. The last step is when the covenant is recorded with the local planning agency.	2/20/2015 6:24 PM
38	Current and legacy Texas remediation rules provide IC requirements (See 30 Tex. Admin. Code sec. 350.111 and 30 Tex. Admin. Code sections 335.560 and 335.565 ) Templates for the two sets of rules are provided for in guidance document (RG-366/TRRP-16 <a href="http://www.tceq.texas.gov/remediation/trrp/guidance.html">http://www.tceq.texas.gov/remediation/trrp/guidance.html</a> ) and rule (30 TAC 335.569 Subchapter S at <a href="http://www.tceq.texas.gov/rules/indxpdf.html/#335">http://www.tceq.texas.gov/rules/indxpdf.html/#335</a> ). ICs for PST sites are specified in rule at 30 TAC 334.206 and 208 ( <a href="http://texreg.sos.state.tx.us/public/readtac\$ext.ViewTAC?tac_view=5&amp;ti=30&amp;pt=1&amp;ch=334&amp;sch=G&amp;rl=Y">http://texreg.sos.state.tx.us/public/readtac\$ext.ViewTAC?tac_view=5&amp;ti=30&amp;pt=1&amp;ch=334&amp;sch=G&amp;rl=Y</a> ) Once drafted per rule and guidance, an agency attorney typically reviews the draft before it is submitted for execution. Once it is executed, the document is filed in the appropriate county deed records, and the state obtains a file stamped copy of the recorded document.	2/20/2015 2:21 PM

## ITRC Long-Term Contaminant Management Using Institutional Controls

39	We have model documents and guidance which are currently being revised. Statutes provide for recording with register of deeds or other public notification. Part 111 template for restrictive covenants, internal electronic storage location. Available upon request. Part 111 example language for 525 deed notices internal electronic storage location. Available upon request.	2/20/2015 12:58 PM
40	We have a template for DR and NTLR. If it's a DR, the attorney's and PM work together to draft the document, then the document needs approval from town Selectboard, then travels to Commissioner, Secretary and Governor for final selection. the DR is recorded in the Book of Land Records for Town and sent back to PM with Book and Page number stamped on document. NTLR are filled out by consultant usually, approved by State PM and then recorded in the Town Land Records and submitted back to State with Book and Page #	2/19/2015 5:47 PM
41	Each program seems to have a specific, standard procedure	2/18/2015 9:13 AM
42	The Mississippi Department of Environmental Quality maintains in our Groundwater Assessment and Remediation Division a template for our Environmental Covenants that are paired with an Agreed Order between the PRP and our agency that is consistent with Mississippi's Uniform Environmental Covenants Act.	2/16/2015 10:24 PM
43	Drafts are cooperatively developed with responsible parties and recorded with the appropriate county Register of Deeds. Model covenant available at: <a href="http://deq.ne.gov/Publications/pages/05-162#Sec5">http://deq.ne.gov/Publications/pages/05-162#Sec5</a>	2/12/2015 12:59 PM
44	Indiana provides an restrictive covenant template (not mandatory, other formats are acceptable). The env. agency's review authority of ICs is limited to the specific land use restrictions and obligations. There is an internal review process for ICs in an agency SOP. After recordation a copy must be returned to the environmental agency. Most closures do not occur until recorded restrictive covenant is received.	2/12/2015 8:34 AM
45	Dependent on type of site. Petroleum tank (UST/AST) sites use common law restrictive covenant or deed notice, non-tank sites use Mo Environmental Covenant Act environmental covenant (EC). In either case, responsible party (RP) or agency project manager determine need for institutional control (IC). RP develops initial draft and submits to agency for review. PM reviews and sends on to legal staff. Once IC is approved, RP finalizes and submits for agency signature (agency is a signatory on restrictive covenants and ECs, not on deed notice). PM returns signed IC to RP for signature and recording. RP submits as-filed copy as documentation of recording and for agency files. Copy sent to LTS unit for inclusion in LTS database and publicly available Hazardous Substance Site Locator. EC template at <a href="http://dnr.mo.gov/env/hwp/docs/BVCPMoECACovenantTemplate4-12-2012Web.pdf">http://dnr.mo.gov/env/hwp/docs/BVCPMoECACovenantTemplate4-12-2012Web.pdf</a> , restrictive covenant and deed notice templates at <a href="http://dnr.mo.gov/env/hwp/tanks/mrbca-pet/mrbca-pet-tanks.htm">http://dnr.mo.gov/env/hwp/tanks/mrbca-pet/mrbca-pet-tanks.htm</a> . Guidance for process described above under development. General long-term stewardship guidance at <a href="http://dnr.mo.gov/env/hwp/lts.htm">http://dnr.mo.gov/env/hwp/lts.htm</a> and in Section 11 of risk-based corrective action guidance available at <a href="http://dnr.mo.gov/env/hwp/mrbca/mrbca.htm">http://dnr.mo.gov/env/hwp/mrbca/mrbca.htm</a> .	2/11/2015 3:06 PM
46	1. Guidance on web, referred to in Q7 above. 2. Easement & Equitable Servitudes (E&ES) template, available to DEQ staff on internal Sharepoint site. 3. Reliance on project manager familiarity with process and recording requirements (w/assistance as needed from DEQ Legal Policy Advisor).	2/11/2015 10:35 AM
47	Virginia has implemented a UECA statute and regulation which incorporates a template: <a href="http://law.lis.virginia.gov/admincode/title9/agency15/chapter90/">http://law.lis.virginia.gov/admincode/title9/agency15/chapter90/</a> The voluntary remediation program uses guidance and a template form: <a href="http://www.deq.virginia.gov/Programs/LandProtectionRevitalization/RemediationProgram/VoluntaryRemediationProgram/GuidanceandRegulations.aspx">http://www.deq.virginia.gov/Programs/LandProtectionRevitalization/RemediationProgram/VoluntaryRemediationProgram/GuidanceandRegulations.aspx</a> For wetlands Virginia utilizes a conservation easement.	2/4/2015 9:15 AM
48	Application submitted by property owner or authorized representative. Once accepted into the EUC Programan EUCA is drafted by KDHE. If necessary, a long-term care agreement is negotiated with the RP. EUCA & LTCA is sent through management concurrence, including legal review, then signed by KDHE Secretary and notarized. EUCA is mailed to property owner for signature, notarized and recorded at deed office. Copy with deed recorded stamp submitted to KDHE. IC is considered effective until recorded at the deed office.	2/4/2015 8:33 AM
49	Deed restriction. Mostly through federal regulations.	1/16/2015 5:04 AM
50	Template	1/15/2015 12:46 PM
51	Voluntary Cleanup Program - No Further Requirements Determinations and Certificate of Completions Uniform Environmental Covenants - <a href="http://mde.maryland.gov/programs/Land/MarylandBrownfieldVCP/Pages/programs/landprograms/errp_brownfields/ueca.aspx">http://mde.maryland.gov/programs/Land/MarylandBrownfieldVCP/Pages/programs/landprograms/errp_brownfields/ueca.aspx</a>	1/12/2015 7:30 AM

**Q9 During selection and implementation, does your State agency require monitoring obligations for each institutional control to be clearly defined? Please explain.**

Answered: 51 Skipped: 6



Answer Choices	Responses
Yes	64.71% 33
No	35.29% 18
<b>Total</b>	<b>51</b>

#	Please explain	Date
1	If an IC requires monitoring (a site specific determination), the monitoring must be described and considered part of the IC evaluation.	8/10/2015 2:41 PM
2	Monitoring requirements are site specific and IC specific.	7/21/2015 12:57 PM
3	Iowa uses a RBCA approach which requires monitoring of all applicable pathways. Once IC is in place, pathway is reclassified as "no risk" and monitoring is not required	7/21/2015 9:23 AM
4	Part of the long-term management plan, annual certification, and Five Year Review	7/14/2015 2:35 PM
5	During the active assessment phase the extent of contamination is identified	7/10/2015 12:15 PM
6	For each property in the Voluntary Action Program that has an institutional control, we conduct an inspection every five years to verify that the institutional control(s) is/are being implemented.	7/9/2015 8:19 AM
7	Situational and program specific.	7/9/2015 6:53 AM
8	Again, it is reviewed on a site by site case. Some sites may not require any monitoring, while others may still require monitoring.	7/7/2015 10:21 AM
9	Pursuant to A.R.S. 49-152 (K) IC's which utilize a land use restriction are required to submit annual reports. Those IC's which also utilize engineering control(s) are required to inspect and submit an inspection report at least once a year.	7/7/2015 8:27 AM
10	The definition of monitoring obligations is inconsistent statewide. Even if required, monitoring obligations are often poorly defined and not enforced. This is a problem with Alaska's system. A better system to map and track properties subject to ICs is needed.	7/6/2015 11:55 AM

## ITRC Long-Term Contaminant Management Using Institutional Controls

11	There is a paragraph in Land Use Covenant - obligating property owner to submit - LUC inspection report once a year or twice a year based on site specific situation. Final report for the site must include a format for LUC inspection report. This will be easy for the current and future property owners. In addition the respective county project managers follow up, and inspect time to time - the sites for which LUC has been recorded.	7/6/2015 10:29 AM
12	If there are long term monitoring requirements, they are described in the No-Further-Action determination, and should also be included in the IC. That hasn't always happened, historically.	5/26/2015 9:39 AM
13	As noted above there is not a standardized form for an IC in Utah. ICs are tailored for site specific reasons and sometimes require some legal and political involvement. That said UDEQ's environmental covenant does provide for site tailoring to facilitate the EC's effectiveness. During such tailoring, project managers (for example in the CERCLA division) can attempt to negotiate monitoring obligations but such is not required under the act authorizing the environmental covenant.	5/24/2015 8:09 PM
14	We do not have a universal monitoring requirement but we are moving towards that. Certain ICs currently require monitoring and notification of future owners. Additionally, DoD sites closed with LUCs implement reviews, monitoring, and inspections. Hazardous Waste Section ICs require periodic field inspections in accordance with RCRA.	5/21/2015 6:16 PM
15	We will be implementing changes in the future to address this.	5/12/2015 9:12 AM
16	For covenants, we require an annual letter stating that the property owner is in compliance with the activity and use limitations. If an O & M plan is required, it's either referenced in the covenant, or it's attached to the covenant as an exhibit. For affidavits, we don't have annual compliance reporting, and if an O & M plan is required, it's either referenced in the affidavit or it's attached as an exhibit.	5/8/2015 1:33 PM
17	The Record of Decision and subsequent implementation documents contain the monitoring requirements	3/23/2015 8:23 AM
18	The templates and certain instructions and guidance documents can elaborate or tailor the requirements to a specific site/circumstance.	3/11/2015 1:49 PM
19	We require annual monitoring and the Department audits a percentage of the sites.	3/4/2015 6:19 AM
20	For a site under the VRP, the use restriction would contain caveats for monitoring; example: if a concrete cover is a design element, it must be inspected periodically to verify sound condition	3/2/2015 10:56 AM
21	EE requires compliance with Site management Plan	3/2/2015 10:31 AM
22	Usually our LURs are for restrictive uses, such as, no residential type use, or no GW use without TDEC approval, etc. For the most part we are not requiring active participation on the part of the property owner as in most cases some owners were not liable for the contamination. With that said the Division annually monitors LURs for compliance issues.	3/2/2015 10:21 AM
23	More recently, ICs are part of the site remedy. Monitoring of the remedy, to include the ICs, is included in the enforcement agreement.	2/24/2015 10:53 AM
24	The only IC that our agency can implement is a voluntary (by the land owner) recording of a deed restriction. The agency audits the IC to assure compliance.	2/23/2015 5:50 PM
25	Monitoring would be specified on a site by site basis.	2/23/2015 5:48 PM
26	Any monitoring requirements are specified under the IC or EC for the site.	2/22/2015 10:10 PM
27	IC Monitoring is not always required. Many older covenants did not require any monitoring or reporting.	2/20/2015 6:24 PM
28	The TCEQ does not require monitoring of the status of the institutional control once it is filed, however, monitoring and maintenance obligations for physical and engineering controls that require ongoing operation and maintenance must be defined in the institutional control.	2/20/2015 2:21 PM
29	Yes, if one or more institutional controls (under Part 201 - environmental remediation statute) have long-term monitoring obligation in Past-Closure Agreement. Under Part 111, Hazardous Waste Management, in its corrective action long-term agreement include provisions for the implementing party to certify the controls are in place and still effective.	2/20/2015 12:58 PM
30	DR's require annual monitoring (but recently -2009), NTLR do not require monitoring.	2/19/2015 5:47 PM
31	The Environmental Covenant is paired with an Agreed Order that references an approved Compliance Monitoring Plan. Implementation of those monitoring requirements are enforceable through the order.	2/16/2015 10:24 PM
32	Reporting is required annually.	2/12/2015 12:59 PM
33	There is currently not a compliance program in place. The state is now researching this topic due to more complicated sites with engineering controls or the need for long term monitoring. Monitoring objectives would be established with concurrence of technical staff such as geologists, chemists, and risk assessors.	2/12/2015 8:34 AM

## ITRC Long-Term Contaminant Management Using Institutional Controls

34	Note: We interpret "monitoring" to mean post-closure data collection. Monitoring is generally not required in association with institutional controls, as institutional controls are generally applied at the end of a project. However, when required, the monitoring would be clearly defined in the institutional control itself.	2/11/2015 3:06 PM
35	If an IC includes such obligations, the E&ES spells them out clearly.	2/11/2015 10:35 AM
36	Virginia does not have regulations, guidance or policy pertaining to the selection and implementation of institutional controls other than the requirements found in the UECA regulation.	2/4/2015 9:15 AM
37	Site-specific basis but each EUCA includes a monitoring and inspection section. When necessary, and on site specific basis a separate LTCA is drafted and attached to the EUCA.	2/4/2015 8:33 AM
38	Monitoring obligations are outlined in each Site's LTS Plan.	1/15/2015 12:46 PM
39	The language in the determination specifies that a party, or subsequent parties, are responsible for monitoring and maintenance of land use controls.	1/12/2015 7:30 AM

### Q10 Does your State agency ever require the development of a long-term institutional control management plan?

Answered: 52 Skipped: 5



Answer Choices	Responses
Yes	51.92% 27
No	48.08% 25
<b>Total</b>	<b>52</b>

#	If yes please describe	Date
1	Typically included with other long- term monitoring requirements in long-term monitoring plan.	8/10/2015 2:41 PM
2	Not that I know of.	7/30/2015 12:50 PM
3	Required under CERCLA for BRAC site, no specific State requirement	7/27/2015 11:48 AM
4	Engineering Control Maintenance Plan(s) for all Engineering Contols. Restrictive Covenants last in perpetuity. Institutional Controls established to last in perpetuity and/or be modified as necessary	7/10/2015 12:15 PM
5	For sites with potentially long term remedial activities.	7/9/2015 6:53 AM
6	Some sites will require a soil management plan to be developed and tied to the covenant.	7/7/2015 10:21 AM
7	When engineering controls are utilized, an engineer control plan is required pursuant to A.R.S. 49-152.01	7/7/2015 8:27 AM
8	All federal properties have an ICMP requirement. Typically we follow EPA and DOD guidance on long term management plans, including a 5 year review schedule. If the property is also subject to CERCLA we tie the two requirements together for that site.	7/6/2015 11:55 AM
9	This is in discussion, and pilot program is on going	7/6/2015 10:29 AM
10	However, under UDEQ's CERCLA division we have begun to make use of EPA's guidance on implementation plans for ICs but a management plan for ICs is not currently required within this division or others of UDEQ.	5/24/2015 8:09 PM
11	An Environmental Hazard Management Plan (EHMP) is the link between site investigation activities and response actions carried out to address hazards posed by the presence of contaminated soil and groundwater.	5/21/2015 6:16 PM
12	We will be implementing changes in the future to address this.	5/12/2015 9:12 AM

## ITRC Long-Term Contaminant Management Using Institutional Controls

13	EPA Land Use Control Implementation Plan and DOE Comprehensive Monitoring Plan	3/23/2015 8:23 AM
14	A site in VRP may have a long-term IC plan	3/2/2015 10:56 AM
15	Under CERCLA	3/2/2015 10:41 AM
16	see SMP in <a href="http://www.dec.ny.gov/chemical/48236.html">http://www.dec.ny.gov/chemical/48236.html</a>	3/2/2015 10:31 AM
17	Not aware of any.	3/2/2015 10:05 AM
18	In most cases. Describes compliance, monitoring and reporting requirements.	2/20/2015 6:24 PM
19	As a general rule no, but under Part 111, it is currently required.	2/20/2015 12:58 PM
20	I'm not sure that I understand exactly what you are asking for here. Please contact for clarification.	2/16/2015 10:24 PM
21	But the state is currently developing policy for long term stewardship. The state RCRA corrective action program does require post closure permits for some sites.	2/12/2015 8:34 AM
22	occasionally require soil mgmt. plans as addendum to institutional control	2/11/2015 3:06 PM
23	(I'm not sure what this refers to.)	2/11/2015 10:35 AM
24	Virginia follows EPA guidance regarding LUCIPs for actions taken in accordance with CERCLA for Federal Facility participants and responsible parties. The voluntary remediation program may require a LUCIP for individual site specific circumstances.	2/4/2015 9:15 AM
25	LTCA is required for al category 3 properties. These include large acreage, higher toxic mobility of residual contamination, more complex and frequent monitoring/inspections. Often these are sites with an engineered design protective structure as part of the remedial strategy.	2/4/2015 8:33 AM
26	LUCs are specified within the determination or environmental covenant and must be complied with until such time that it is demonstrated such controls are no longer needed.	1/12/2015 7:30 AM



**Q11 Please provide a link or location where we can obtain a template or description of your State agency's long-term institutional control management plan guidance.**

Answered: 35 Skipped: 22

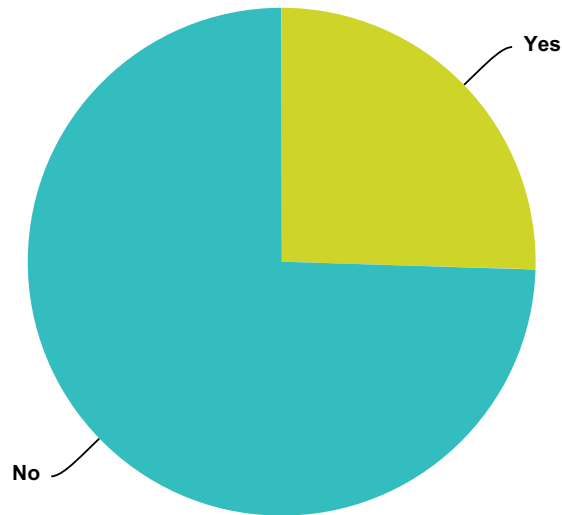
#	Responses	Date
1	N/A	8/10/2015 2:41 PM
2	none	7/30/2015 12:50 PM
3	<a href="http://www.portal.state.pa.us/portal/server.pt/community/guidance___technical_tools/20583">http://www.portal.state.pa.us/portal/server.pt/community/guidance___technical_tools/20583</a> Under Technical Guidance Manual, Post Remediation Care Plan	7/27/2015 8:30 AM
4	<a href="https://epd.georgia.gov/sites/epd.georgia.gov/files/related_files/site_page/BFInstCnt_0.pdf">https://epd.georgia.gov/sites/epd.georgia.gov/files/related_files/site_page/BFInstCnt_0.pdf</a>	7/22/2015 9:26 AM
5	<a href="http://www.ndhealth.gov/wm/EnvironmentalCovenantsInstitutionalControls.htm">http://www.ndhealth.gov/wm/EnvironmentalCovenantsInstitutionalControls.htm</a>	7/22/2015 7:20 AM
6	Guidance does not exist.	7/21/2015 12:57 PM
7	N/A	7/21/2015 9:23 AM
8	<a href="http://www.dep.state.fl.us/waste/categories/brownfields/pages/icr.htm">www.dep.state.fl.us/waste/categories/brownfields/pages/icr.htm</a>	7/10/2015 12:15 PM
9	Currently, the State does not have its own plan. Long term institutional control plans, if required, are submitted by regulated entities either through permits or administratively ordered cleanup activities.	7/9/2015 6:53 AM
10	<a href="http://www.azleg.state.az.us/FormatDocument.asp?inDoc=ars/49/00152-01.htm&amp;Title=49&amp;DocType=ARS">http://www.azleg.state.az.us/FormatDocument.asp?inDoc=ars/49/00152-01.htm&amp;Title=49&amp;DocType=ARS</a>	7/7/2015 8:27 AM
11	Alaska Guidance: <a href="http://dec.alaska.gov/spar/csp/guidance/2011%20Final%20IC%20Guidance.pdf">http://dec.alaska.gov/spar/csp/guidance/2011%20Final%20IC%20Guidance.pdf</a> EPA ICIAP Guidance: <a href="http://www.epa.gov/superfund/policy/ic/guide/ICIAP%20guidance%20(FINAL)%20-%2012.04.2012.pdf">http://www.epa.gov/superfund/policy/ic/guide/ICIAP%20guidance%20(FINAL)%20-%2012.04.2012.pdf</a> <a href="http://www.epa.gov/superfund/policy/ic/guide/Final%20PIME%20Guidance%20December%202012.pdf">http://www.epa.gov/superfund/policy/ic/guide/Final%20PIME%20Guidance%20December%202012.pdf</a> <a href="http://www.epa.gov/superfund/policy/ic/guide/641333.pdf">http://www.epa.gov/superfund/policy/ic/guide/641333.pdf</a>	7/6/2015 11:55 AM
12	<a href="http://www.dep.wv.gov/dlr/oer/voluntarymain/Documents/VRP%20Land%20Use%20Covenant%20Template-6.5.2015.dotx">http://www.dep.wv.gov/dlr/oer/voluntarymain/Documents/VRP%20Land%20Use%20Covenant%20Template-6.5.2015.dotx</a>	7/6/2015 10:29 AM
13	Utah's does not have such a guidance. In the CERCLA division we make use of EPA guidance on implementation plans, but this has not been universal across all CERCLA sites. Other divisions of UDEQ may or may not have such a plan, at the time of this survey such was not able to be assessed.	5/24/2015 8:09 PM
14	<a href="http://eha-web.doh.hawaii.gov/eha-cma/documents/8935e423-25fb-46b9-adaa-fc0a207d5518">http://eha-web.doh.hawaii.gov/eha-cma/documents/8935e423-25fb-46b9-adaa-fc0a207d5518</a> also <a href="http://www.hawaiidoh.org/tgm.aspx">http://www.hawaiidoh.org/tgm.aspx</a>	5/21/2015 6:16 PM
15	N/A	5/12/2015 9:12 AM
16	<a href="http://www.nj.gov/dep/srp/">http://www.nj.gov/dep/srp/</a> under ARRCs, 7:26C-7.0, and appendices B and C for the templates. For question 12 below, only engineering controls require financial assurance.	3/11/2015 1:49 PM
17	Guidance on Case Closure and the Requirements for Managing Continuing Obligations <a href="http://dnr.wi.gov/files/PDF/pubs/rr/RR606.pdf">http://dnr.wi.gov/files/PDF/pubs/rr/RR606.pdf</a> <a href="http://prodoasext.dnr.wi.gov/inter1/pk_rr_doc_public\$doc.QueryViewByKey?">http://prodoasext.dnr.wi.gov/inter1/pk_rr_doc_public\$doc.QueryViewByKey?</a>	3/2/2015 11:03 AM
18	We have no template guidance at this time	3/2/2015 10:56 AM
19	<a href="http://www.dec.ny.gov/chemical/48236.html">http://www.dec.ny.gov/chemical/48236.html</a>	3/2/2015 10:31 AM
20	<a href="http://www.colorado.gov/pacific/cdphe/hmcovenants">www.colorado.gov/pacific/cdphe/hmcovenants</a>	3/2/2015 10:05 AM
21	I would need to send it to you.	2/23/2015 5:50 PM
22	UDEQ does not have a guidance on IC management plans.	2/23/2015 5:48 PM
23	The State of Utah does not have a IC management plan guidance.	2/22/2015 10:10 PM
24	Department of Toxic Substances Control public website.	2/20/2015 6:24 PM
25	N/A	2/20/2015 2:21 PM

## ITRC Long-Term Contaminant Management Using Institutional Controls

26	There is currently no long-term institutional control management plan guidance.	2/20/2015 12:58 PM
27	Not applicable.	2/12/2015 12:59 PM
28	No long term control management plan, but restrictive covenant templates available at <a href="http://www.in.gov/idem/5959.htm">http://www.in.gov/idem/5959.htm</a>	2/12/2015 8:34 AM
29	Missouri has general long-term stewardship guidance in a couple of places: for brownfield/voluntary cleanup program sites, see <a href="http://dnr.mo.gov/env/hwp/lts.htm">http://dnr.mo.gov/env/hwp/lts.htm</a> and section 11 of risk-based corrective action guidance at <a href="http://dnr.mo.gov/env/hwp/mrbca/mrbca.htm">http://dnr.mo.gov/env/hwp/mrbca/mrbca.htm</a> . For UST/AST sites, see section 11 of the tanks risk-based corrective action guidance and other information on this page: <a href="http://dnr.mo.gov/env/hwp/tanks/mrbca-pet/mrbca-pet-tanks.htm">http://dnr.mo.gov/env/hwp/tanks/mrbca-pet/mrbca-pet-tanks.htm</a> . An internal template is available for soil management and site management plans, which, per response to item 10 above, are occasionally required as an addendum to an institutional control. The template is available upon request.	2/11/2015 3:06 PM
30	N/A.	2/11/2015 10:35 AM
31	Not applicable to Virginia	2/4/2015 9:15 AM
32	<a href="http://www.kdheks.gov/remedial/euc/index.html">www.kdheks.gov/remedial/euc/index.html</a>	2/4/2015 8:33 AM
33	There is no guidance.	1/16/2015 5:04 AM
34	<a href="http://www.dnrec.delaware.gov/dwhs/SIRB/Documents/OandM%20Guidance.pdf">http://www.dnrec.delaware.gov/dwhs/SIRB/Documents/OandM%20Guidance.pdf</a>	1/15/2015 12:46 PM
35	<a href="http://mde.maryland.gov/programs/Land/MarylandBrownfieldVCP/Pages/programs/landprograms/errp_brownfields/ueca.aspx">http://mde.maryland.gov/programs/Land/MarylandBrownfieldVCP/Pages/programs/landprograms/errp_brownfields/ueca.aspx</a>	1/12/2015 7:30 AM

### Q12 Does your agency require financial assurance specific to institutional controls?

Answered: 51 Skipped: 6



Answer Choices	Responses	
Yes	25.49%	13
No	74.51%	38
<b>Total</b>		<b>51</b>

**Q13 Describe any challenges or problems your State agency has experienced during the process to modify or terminate an institutional control.**

Answered: 45 Skipped: 12

#	Responses	Date
1	The process is time consuming IC filing inconsistencies - different clerks attach document differently Short sidedness of RP's. IC's put in place cause complications in the end	8/10/2015 2:47 PM
2	No problems experienced	7/27/2015 11:49 AM
3	Particularly with off-site landowners there is a reluctance to modify environmental covenants once they are in place.	7/21/2015 12:57 PM
4	Needed to file a covenant to remove the IC covenant	7/21/2015 9:24 AM
5	None	7/14/2015 2:36 PM
6	N/A	7/10/2015 3:04 PM
7	None	7/10/2015 12:15 PM
8	Modifications or terminations of institutional controls are handled on a case-by-case basis.	7/9/2015 8:20 AM
9	To change an institutional control cited in an environmental covenant generally requires significant additional assessment and cleanup activities.	7/9/2015 6:56 AM
10	We haven't had to modify any to my knowledge. But it would be very difficult since most are recorded with the County and in agreement with the property owners.	7/7/2015 10:23 AM
11	None to date.	7/7/2015 8:29 AM
12	Note to Question 12 - Alaska has the ability to require financial assurance however we do not do that regularly.	7/6/2015 12:01 PM
13	It has been a slow process	7/6/2015 10:31 AM
14	Usually not a problem just a matter of moving through the process again or making amendments. This process is used by another section I'm not real familiar with.	7/6/2015 9:28 AM
15	Tracking down previous owners/signatories.	5/26/2015 9:42 AM
16	As it pertains to the State's environmental covenant, the biggest challenge has been to come to an agreement with the party implementing the EC (in terms of work that has to take place to change land use and other protection pursuits implementing parties may pursue). UDEQ's environmental covenant has a basic boiler plate language use throughout, changing such is considered on a case by case basis with the effort to avoid setting precedence. This too can be challenging.	5/24/2015 8:09 PM
17	N/A. For standard sites, if an RP wishes to do additional work to reduce ICs, this is not a problem. Change in site use, site condition, or exposure potential. Typically, the RP approaches the State when he/she wants develop the property. There are usually no deed restrictions, so we just reopen the site. We only use UECA with deed restrictions for risk-based closures with extensive or highly persistent contamination. UECAs may also be required where there are foreseeable future use changes that could expose sensitive populations. We also use deed restrictions for VRP sites, but they are location and contaminant specific, "run with the land," and unlikely to be changed. At sites where historic NFAs have provided insufficient protections, the state updates the requirements when they become aware of potential impact to human health or the environment (for instance, if site use changes, or the property is developed).	5/21/2015 6:17 PM
18	Our statutes allow for releases in whole or part on a temporary or permanent basis. We do not have a mechanism to modify ELURs. In some cases, a new ELUR needs to be recorded.	5/12/2015 9:13 AM
19	We don't often modify or terminated ICs, but when we do sometimes it takes a while to find all the parties that hold an interest in a property so that they can be notified.	5/8/2015 1:34 PM
20	The only challenge is obtaining DOE, EPA, and State of Tennessee consensus.	3/23/2015 8:24 AM
21	Most of the problems have been to develop guidance for the outside; we had to make up the process.	3/11/2015 1:51 PM
22	This issue has not yet arisen in practice, though we have discussed it.	3/2/2015 1:48 PM

## ITRC Long-Term Contaminant Management Using Institutional Controls

23	Wide variety of changes made to Continuing Obligations and how to process them consistently.	3/2/2015 11:04 AM
24	Termination and modification is described in the VRP regulations. Certain administrative steps must be completed before approval. Outside of VRP, such as at a UST site, modifications of the conveyance notices have been done; however these can be cumbersome for the party doing it since the old notices cannot be deleted from the record. A new conveyance notice must be filed. This can be confusing to someone looking at the property record.	3/2/2015 10:56 AM
25	None	3/2/2015 10:42 AM
26	We have only probably amended or removed a couple of LURs. We follow the statute T.C.A 68-212-225 with respect to amending and removing LURs.	3/2/2015 10:22 AM
27	We have terminated 2 institutional controls and modified several. No challenges noted by staff or attorneys.	3/2/2015 10:06 AM
28	Collecting new data to support the removal or modification of the IC. Helping the property owner to understand the level of data needed can be a challenge.	2/24/2015 10:56 AM
29	We have never attempted to modify or terminate the single successful deed restriction.	2/23/2015 5:51 PM
30	UDEQ-DERR under the Superfund program has not modified an EC to date. However, paragraph 13 of the document at this hyperlink covers how one could be amended or terminated: <a href="http://www.deq.utah.gov/ProgramsServices/programs/tanks/ust/releases/docs/2013/11Nov/USTtemplate%20owner872013-2.pdf">http://www.deq.utah.gov/ProgramsServices/programs/tanks/ust/releases/docs/2013/11Nov/USTtemplate%20owner872013-2.pdf</a>	2/23/2015 5:50 PM
31	The State of Utah's UST/LUST programs have not modified or terminated an IC that has become formally accepted as part of a site EC (Environmental Covenant).	2/22/2015 10:14 PM
32	ICs or covenants can be difficult to terminate or modify due to the fact we do not currently have a procedure in place. Also a covenant can be done for a large piece of property then the property is developed the contamination is addressed and the property is divided into smaller pieces and then you need consent to remove the ICs from landowners.	2/20/2015 6:37 PM
33	N/A	2/20/2015 2:21 PM
34	Generally, there are no problems modifying or terminating institutional controls. When there are problems, it is due to a new property owner wishing to modify the land use or implement additional corrective actions to be protective of or allow for different property uses.	2/20/2015 12:59 PM
35	the only issue I know of is on an NPL site where EPA is also a signatory on the DR. The state wanted to change it and EPA did not - we have not come to resolution yet.	2/19/2015 5:48 PM
36	All of our Agreed Orders and Environmental Covenants are approved by our Commission, the MCEQ. Once a covenant can be removed, we take it before the Commission for approval. The MCEQ then issues an order for removal of the covenant consistent with the Mississippi Uniform Environmental Covenants Act.	2/16/2015 10:34 PM
37	Not applicable.	2/12/2015 1:00 PM
38	We have experienced problems when 3rd parties are named in the IC's approval requirements for modification/termination and can not be located.	2/12/2015 8:36 AM
39	None to-date.	2/11/2015 3:07 PM
40	This does not happen often, and DEQ lacks an interactive tracking system that might provide an easy answer to this question. In other words, such challenges may have arisen, but it would take a lot of time to research this.	2/11/2015 10:38 AM
41	Not applicable	2/4/2015 9:15 AM
42	Ensuring sufficient data exists to support modification or termination.	2/4/2015 8:38 AM
43	The files usually are found to be incomplete and it is difficult to recall the history of the site. Since there is no guidance and Federal Government have not delegate many of the tasks to the state the personnel feel unsecure on giving termination or modification to institutional controls.	1/16/2015 5:07 AM
44	The requirement to modify the Final Plan of Remedial Action for the Site.	1/15/2015 12:49 PM
45	Not applicable	1/12/2015 7:31 AM

**Q14 Please describe, or provide a hyperlink to, your State agency's process or decision criteria for modification or termination of an Institutional Control.**

Answered: 42 Skipped: 15

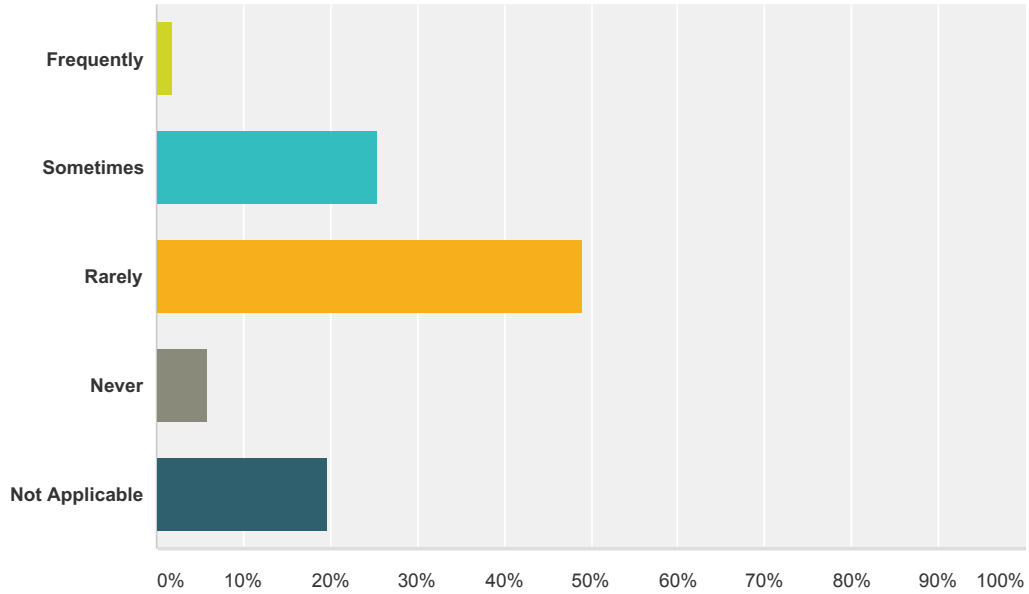
#	Responses	Date
1	Montana Codes Annotated 75-10-727 (4) & (5)	8/10/2015 2:47 PM
2	None	7/30/2015 12:51 PM
3	We follow UECA	7/27/2015 11:49 AM
4	<a href="https://epd.georgia.gov/sites/epd.georgia.gov/files/related_files/site_page/BFInstCnt_0.pdf">https://epd.georgia.gov/sites/epd.georgia.gov/files/related_files/site_page/BFInstCnt_0.pdf</a>	7/22/2015 9:26 AM
5	<a href="http://www.ndhealth.gov/wm/EnvironmentalCovenantsInstitutionalControls.htm">http://www.ndhealth.gov/wm/EnvironmentalCovenantsInstitutionalControls.htm</a>	7/22/2015 7:20 AM
6	The process involves redrafting of environmental covenant language as needed, attorney review, signature of all applicable parties (including the agency director) and recording of the environmental covenant.	7/21/2015 12:57 PM
7	N/A	7/21/2015 9:24 AM
8	KRS 224.80-190	7/14/2015 2:36 PM
9	N/A	7/10/2015 3:04 PM
10	<a href="http://www.dep.state.fl.us/waste/categories/brownfields/pages/icr.htm">www.dep.state.fl.us/waste/categories/brownfields/pages/icr.htm</a>	7/10/2015 12:15 PM
11	No link is available, only 2 of approximately 2,500 environmental covenants have been modified.	7/9/2015 6:56 AM
12	<a href="http://ndep.nv.gov/bca/covenant.htm">http://ndep.nv.gov/bca/covenant.htm</a> <a href="http://www.leg.state.nv.us/NAC/NAC-445A.html#NAC445ASec22725">http://www.leg.state.nv.us/NAC/NAC-445A.html#NAC445ASec22725</a>	7/7/2015 10:23 AM
13	A.R.S 49-152(D) allows for the termination or modification of the IC.	7/7/2015 8:29 AM
14	See: <a href="http://dec.alaska.gov/commish/regulations/pdfs/18%20AAC%2075.pdf">http://dec.alaska.gov/commish/regulations/pdfs/18%20AAC%2075.pdf</a> Reference to IC termination is in 18 AAC 75.375(f) Section available here: <a href="http://www.touchngo.com/lglcntr/akstats/aac/title18/chapter075/section375.htm">http://www.touchngo.com/lglcntr/akstats/aac/title18/chapter075/section375.htm</a> (f) If the concentrations of all residual hazardous substances remaining at the site are subsequently determined to be below the applicable cleanup levels, the department will approve, at the owner's request, elimination of the institutional control.	7/6/2015 12:01 PM
15	We have a reopener provision in the Rule - for sites where a certificate of completion has been issued.	7/6/2015 10:31 AM
16	Typically an IC is modified if a restriction is no longer necessary, or if a new restriction is required. In that event, the property owner is notified that the change is necessary if they wish to maintain their NFA determination. An IC is eligible for termination if it is determined that there is no longer a potential for exposure and/or contamination is no longer present at concentrations exceeding unrestricted cleanup levels. The property owner must petition for removal of the IC, and public comment is required.	5/26/2015 9:42 AM
17	Utah Code Title 19, Chapter 10 spells out some basic requirements for modification and termination but at time such may be negotiated site specifically. <a href="http://www.le.utah.gov/xcode/Title19/Chapter10/19-10.html?v=C19-10_1800010118000101">http://www.le.utah.gov/xcode/Title19/Chapter10/19-10.html?v=C19-10_1800010118000101</a>	5/24/2015 8:09 PM
18	No official criterion	5/21/2015 6:17 PM
19	22a-133o(b)3 <a href="http://search.cga.state.ct.us/dtsearch_pub_statutes.html">http://search.cga.state.ct.us/dtsearch_pub_statutes.html</a>	5/12/2015 9:13 AM
20	no set process	5/8/2015 1:34 PM
21	<a href="http://www.nj.gov/dep/srp">http://www.nj.gov/dep/srp</a> hit ARRCs 7:26C 7.9	3/11/2015 1:51 PM
22	Modification of the Institutional Control may take place if property use changes. Termination of an Institutional Control only takes place when all contamination is removed.	3/4/2015 6:34 AM
23	Internal guidance RR5303.pdf, "Interim Process for Modifying or Removing Sites or Properties from the GIS Registry", is attached to cover email. This guidance is undergoing revision. An external version is also under development.	3/2/2015 11:04 AM
24	Title 33:VI.915C(4)	3/2/2015 10:56 AM

## ITRC Long-Term Contaminant Management Using Institutional Controls

25	<a href="http://www.lexisnexis.com/hottopics/tncode/">http://www.lexisnexis.com/hottopics/tncode/</a>	3/2/2015 10:22 AM
26	Completed on a case by case basis.	3/2/2015 10:06 AM
27	The process would be the same as that used to determine that an IC was needed. Most of these decisions are risk based.	2/24/2015 10:56 AM
28	We do not have this.	2/23/2015 5:51 PM
29	The following link covers the rule for which the State of Utah regulates the EC program: <a href="http://le.utah.gov/code/TITLE57/57_25.pdf">http://le.utah.gov/code/TITLE57/57_25.pdf</a>	2/23/2015 5:50 PM
30	For the State of Utah, paragraph 13 of the EC template located at the following hyperlink covers the procedure to amend or terminate and EC: <a href="http://www.deq.utah.gov/ProgramsServices/programs/tanks/ust/releases/docs/2013/11Nov/USTtemplate%20owner872013-2.pdf">http://www.deq.utah.gov/ProgramsServices/programs/tanks/ust/releases/docs/2013/11Nov/USTtemplate%20owner872013-2.pdf</a>	2/22/2015 10:14 PM
31	<a href="http://www.dtsc.ca.gov/SiteCleanup/SCLandUseRestrictionSites.cfm">http://www.dtsc.ca.gov/SiteCleanup/SCLandUseRestrictionSites.cfm</a>	2/20/2015 6:37 PM
32	See 30 TAC sections 350.111 (Subchapter F) and 350.35(f) (Subchapter B) at <a href="http://www.tceq.texas.gov/rules/indxpdf.html/#350">http://www.tceq.texas.gov/rules/indxpdf.html/#350</a> . For PST sites see 30 TAC 334.206 ( <a href="https://www.tceq.texas.gov/assets/public/legal/rules/rules/pdflib/334g.pdf">https://www.tceq.texas.gov/assets/public/legal/rules/rules/pdflib/334g.pdf</a> )	2/20/2015 2:21 PM
33	For scenarios involving restrictive covenants that require department approval, the DEQ has a templates available that are to be recorded with the Register of Deeds office that describes the modification or termination of a restrictive covenant.	2/20/2015 12:59 PM
34	Briefly, institutional controls can be removed once the party can show cause that the reasons for the controls no long exist. Example 1 - A site with groundwater contamination has been remediated to below MDEQ TRGs. They have provided data from two consecutive sampling events showing detections are below TRGs. They can then apply to MDEQ for removal of the institutional controls. Example 2 - Site has lead contamination in soils above MDEQ TRGs. The site is capped to effectively prohibit exposure and institutional controls in the way of an Environmental Covenant are put into place. Since the lead contamination is capped in place, those controls will have to remain in place until those materials are removed. They will likely be in place indefinitely.	2/16/2015 10:34 PM
35	Not applicable.	2/12/2015 1:00 PM
36	There is not yet a documented process. The state agency is developing a rule to handle these requests (working on draft 2nd notice language currently).	2/12/2015 8:36 AM
37	Modification and termination are addressed in the template documents, although process and decision criteria are not (guidance/policy in this regard not developed). For non-tank site environmental covenants, see Section 11 of the template covenant at <a href="http://dnr.mo.gov/env/hwp/docs/BVCPMoECACovenantTemplate4-12-2012Web.pdf">http://dnr.mo.gov/env/hwp/docs/BVCPMoECACovenantTemplate4-12-2012Web.pdf</a> . For tank sites, see Section 10 of two-party covenant and Section 5 of single-party covenant at <a href="http://dnr.mo.gov/env/hwp/tanks/mrbca-pet/mrbca-pet-tanks.htm">http://dnr.mo.gov/env/hwp/tanks/mrbca-pet/mrbca-pet-tanks.htm</a> (scroll down to "Activity and Use Limitations").	2/11/2015 3:07 PM
38	Does not exist.	2/11/2015 10:38 AM
39	Not applicable	2/4/2015 9:15 AM
40	A written request is submitted by the property owner. KDHE reviews request and approves or may ask for additional information. If approved, an EUCA Amendment, or Termination letter, is drafted by KDHE and routed thru the same concurrence process as EUCA's and LTCA's. Once signed by Secretary of KDHE, the Amendment or Termination letter is sent to the owner for recording at the deed office. Termination requests must be responded to within 120 days.	2/4/2015 8:38 AM
41	N/A	1/15/2015 12:49 PM
42	If an entity wishes to change a LUC, it is their responsibility to demonstrate to the Department that the LUC is no longer needed.	1/12/2015 7:31 AM

**Q15 In your experience, how often do periodic reviews (if required) identify a need to modify an institutional control?**

Answered: 51 Skipped: 6

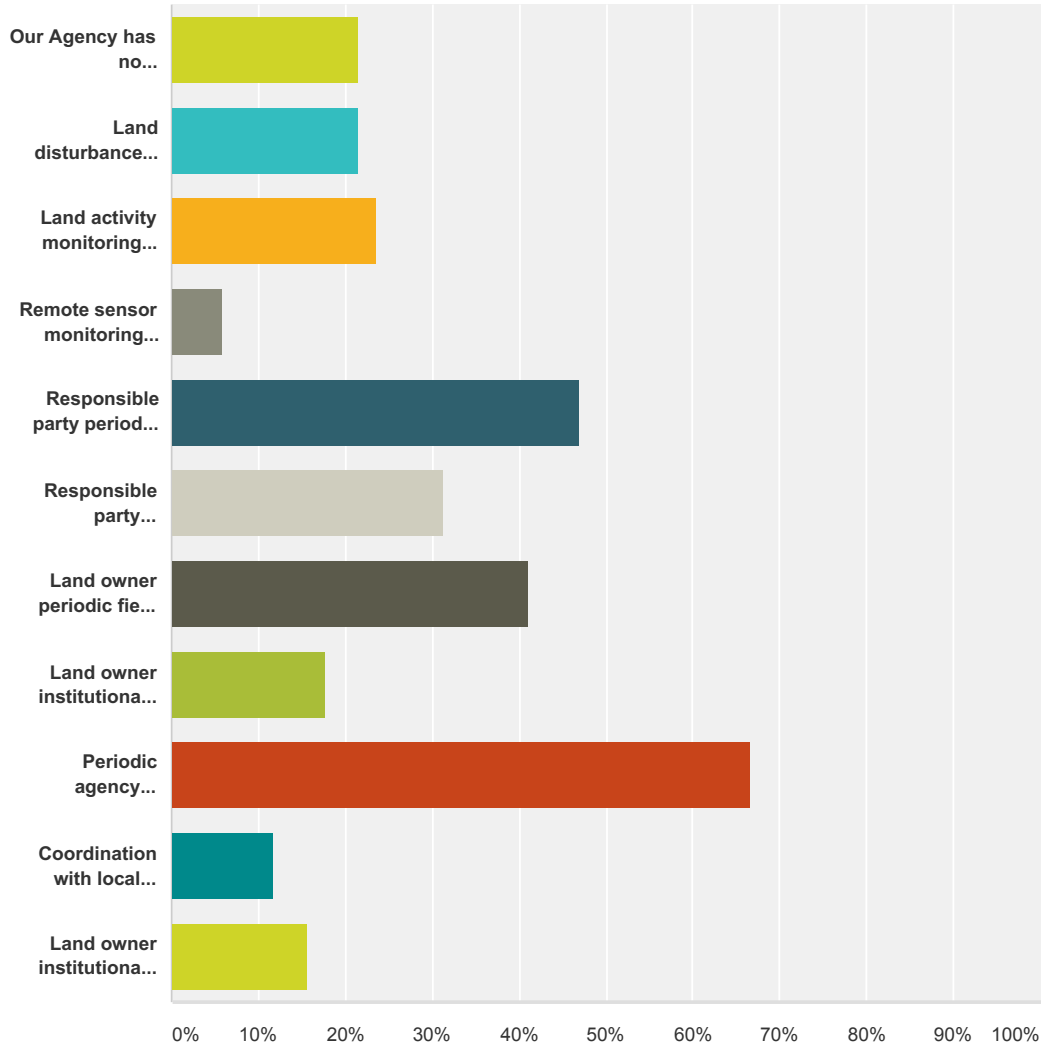


Answer Choices	Responses
Frequently	1.96% 1
Sometimes	25.49% 13
Rarely	49.02% 25
Never	5.88% 3
Not Applicable	19.61% 10
<b>Total Respondents: 51</b>	



### Q16 Does your State agency have any of the following institutional control monitoring programs?

Answered: 51 Skipped: 6



Answer Choices	Responses
Our Agency has no institutional control monitoring program	21.57% 11
Land disturbance monitoring via One Call systems	21.57% 11
Land activity monitoring (e.g., day care, water wells, building permits, zoning changes, property transfers)	23.53% 12
Remote sensor monitoring (e.g., vapor mitigation systems, groundwater hydraulic gradient containment systems)	5.88% 3
Responsible party periodic field inspection and associated reporting	47.06% 24
Responsible party institutional control compliance certification	31.37% 16
Land owner periodic field inspections and associated reporting	41.18% 21
Land owner institutional control compliance certifications	17.65% 9

## ITRC Long-Term Contaminant Management Using Institutional Controls

Periodic agency institutional control compliance reviews (e.g., annual reviews, 5 year reviews)	<b>66.67%</b>	34
Coordination with local government permitting process (e.g., local government notifies when permits are issued at an IC site)	<b>11.76%</b>	6
Land owner institutional control permit requirements	<b>15.69%</b>	8
<b>Total Respondents: 51</b>		

#	Other (please specify)	Date
1	Case by case decision no program or policy.	7/30/2015 12:53 PM
2	The agency has recently completed a pilot monitoring study and is in the process of evaluating each monitoring methods effectiveness for future continued implementation.	7/21/2015 12:57 PM
3	CERCLA 5 year reviews and annual reporting requirements under plans developed following EPA ICIAP guidance.	7/6/2015 12:13 PM
4	We have a Google earth link where all sites having LUCs are marked with LUCs linked to it	7/6/2015 10:38 AM
5	Utah does not have a formal monitoring program. Our environmental covenant act (Title 19 Chapter 10) requires that maintenance needs be listed in an EC but such have to be negotiated site specifically (there is not a general form this is to comply with). The above selected items have been or may be used periodically across divisional authority to monitor ICs, or environmental covenants that have been issued.	5/24/2015 8:19 PM
6	Military sites we oversee follow CERCLA, some sites may require continued reporting of GW conditions, we also had some contractor work to spot monitor a handful of sites. The boxes for "Land owner periodic field inspections and associated reporting" and "Land owner institutional control permit requirements" are relevant for the Haz Waste permit.	5/21/2015 6:19 PM
7	periodic agency inspections	5/12/2015 9:14 AM
8	We audit approximately 50 sites a year.	3/2/2015 11:05 AM
9	We do our own annual compliance inspections and report them to the Departments Tracking Database.	3/2/2015 10:23 AM
10	Party which receives an EC is responsible to track changes in use.	2/23/2015 5:52 PM
11	We have no specific IC monitoring program, but some ICs require periodic inspection/reporting by the terms of the document and TCEQ participates in a 5 year review process for particular federal Superfund sites.	2/20/2015 2:21 PM
12	Documentation of Due Care compliance that would describe describe a land owners compliance with land and resource use restrictions	2/20/2015 12:59 PM
13	A small amount of random audits are conducted annually. In 2014, 15 site audits were conducted.	2/12/2015 8:38 AM
14	Specific notification requirements (change of land use, transfer, etc.) written into EUCA.	2/4/2015 8:47 AM

## Q17 How is your State agency monitoring program funded?

Answered: 45 Skipped: 12

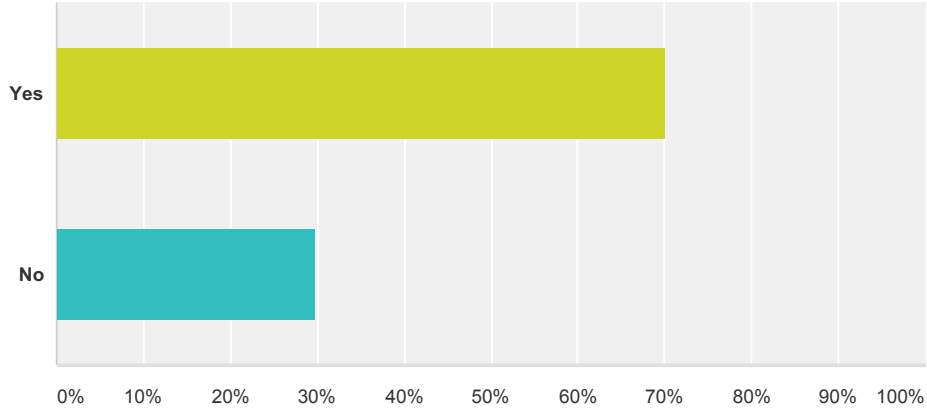
#	Responses	Date
1	Montana does not have an IC monitoring program but some states include monitoring requirements which are performed and paid for by the responsible party	8/10/2015 2:49 PM
2	No IC State monitoring program	7/30/2015 12:53 PM
3	Varies by program	7/27/2015 11:49 AM
4	Same sources as cleanup programs	7/27/2015 8:32 AM
5	Monitoring of ICs is funded by a patchwork of program by program funding.	7/21/2015 12:57 PM
6	N/A	7/21/2015 9:25 AM
7	General Funds	7/14/2015 2:38 PM
8	There is no State agency monitoring program. Individual programs fund the monitoring of sites.	7/10/2015 3:05 PM
9	Inland Protection Trust Fund (IPTF-Gas Tax)	7/10/2015 12:15 PM
10	Costs for institutional control inspections are included in the fee the volunteer pays to obtain a covenant not to sue.	7/9/2015 9:04 AM
11	Fee driven environmental covenants program.	7/9/2015 6:58 AM
12	Any monitoring is usually performed by the RP.	7/7/2015 10:25 AM
13	Fees are associated with Institutional Control which are designed to pay for the Agency's oversight. Arizona Administrative Code R17-7-601 defines the fees. <a href="http://apps.azsos.gov/public_services/Title_18/18-07.pdf">http://apps.azsos.gov/public_services/Title_18/18-07.pdf</a>	7/7/2015 8:35 AM
14	Our "Response Fund" is a tax on crude oil production and refined fuel sales. Costs for time spent directly on specific site ICs are recovered by billing the site owner or RP. Not all IC review costs are recovered directly. Alaska is considering going to a permit and fee system for most ICs.	7/6/2015 12:13 PM
15	Not yet. Looking at how this can be implemented. A Land Use Stewardship program is in development where in-addition LUCs; Closed Landfills monitoring; and many other such monitoring can be brought in as well as data base on available Lands for future development.	7/6/2015 10:38 AM
16	Self-funded.	5/26/2015 9:45 AM
17	Under the environmental covenant program, UDEQ is able to seek injunctive relief as well as recover costs for enforcement actions under the EC. However, there is not a monitoring funding mechanism covered explicitly under Title 19 Chapter 10. Cost recovery for such might be negotiated site specifically, across divisions of UDEQ.	5/24/2015 8:19 PM
18	No consistent program, various funding sources.	5/21/2015 6:19 PM
19	No specific funding	5/12/2015 9:14 AM
20	General funding.	5/8/2015 1:38 PM
21	Through permit application, modification and termination fees (user), and annual billing.	3/11/2015 1:58 PM
22	We use Federal Funding from EPA's 128(a) program to pay summer technical interns.	3/4/2015 6:37 AM
23	For petroleum, it will be funded from the same funds as the field work auditing activities are.	3/2/2015 1:52 PM
24	CERCLA 128(a) grant	3/2/2015 11:05 AM
25	We have no dedicated agency monitoring program	3/2/2015 10:57 AM
26	By either the RP or via the state superfund	3/2/2015 10:33 AM
27	If possible we negotiate this requirement with the Liable Party when completing the final remedy selection for the site which includes residual was left in place such that a LUR is required. In dealing with voluntary parties particularly where there has been no liability we don't require the liable party to provide for this if they have investigated and preformed the remedial action as a 3rd party.	3/2/2015 10:23 AM
28	\$1,000 / year fee.	3/2/2015 10:07 AM

## ITRC Long-Term Contaminant Management Using Institutional Controls

29	Arkansas's remedial action trust fund act (RATFA)	2/24/2015 10:59 AM
30	Brownfield Grant (EPA)	2/23/2015 5:54 PM
31	Superfund currently does not provide funding to the State's on call system but our Tanks program does from State General Funds.	2/23/2015 5:52 PM
32	The monitoring performed under question #16 is performed by Blue Stakes (our one call system) and is paid for with State General Funds.	2/22/2015 10:16 PM
33	For the most part landowners pay for IC development and monitoring.	2/20/2015 6:40 PM
34	N/A	2/20/2015 2:21 PM
35	RCRA base grant, state funding, or cost recovery from responsible party	2/20/2015 12:59 PM
36	It is not funded, we use whatever funds are associated with the project.	2/19/2015 5:50 PM
37	Fee based programs - PRP or interested party enrolls in the Mississippi Voluntary Evaluation Program or the Mississippi Brownfields Program.	2/16/2015 10:38 PM
38	Section 128(a) Cooperative Agreement with EPA.	2/12/2015 1:01 PM
39	There is no funding allocated for IC monitoring.	2/12/2015 8:38 AM
40	For our Brownfield Voluntary Cleanup Program (BVCP), any BVCP site at which, after closure, contaminant concentrations will be greater than the target levels for unrestricted land use must have an Environmental Covenant (EC). The EC must be accompanied by a fee of \$15,000 which is intended to fund the BVCP's ongoing inspection and monitoring activities for the site. However, at this time, the funding is insufficient to cover all costs, so a variety of funding sources is used. Specific funding is not available for department monitoring of institutional controls used at tank sites. Other regulatory programs such as Superfund and RCRA use either owner/operator fees, cost-recovery, or federal funding to monitor institutional controls at sites under the authority of those programs. Our Federal Facilities Section funds their IC/LTS activities through grants and funding agreements with responsible parties.	2/11/2015 3:08 PM
41	Once implemented, it will likely be funded by current property owner (for complex reviews) or EPA's State Response grant (for simple reviews).	2/11/2015 10:42 AM
42	Not applicable.	2/4/2015 9:17 AM
43	Each EUCA is funded with a one time payment fee based on the size of the property, toxicity, mobility of the contaminants, frequency of monitoring and inspections and inspection cost (travel time, per diem, etc.). There are 3 categories. Level 1 - less than or equal to \$2000, Level 2 - less than or equal to \$10,000 and Level 3 - funded thru LTCA.	2/4/2015 8:47 AM
44	Our State LTS Program is funded through a HSCA tax on petroleum products (0.9%). When possible, we always try to cost recover.	1/15/2015 12:50 PM
45	128(a) State Response grant; Voluntary Cleanup Program funds	1/12/2015 7:33 AM

### Q18 Does your State agency's monitoring and tracking program identify non-compliance?

Answered: 47 Skipped: 10



Answer Choices	Responses
Yes	70.21% 33
No	29.79% 14
<b>Total</b>	<b>47</b>

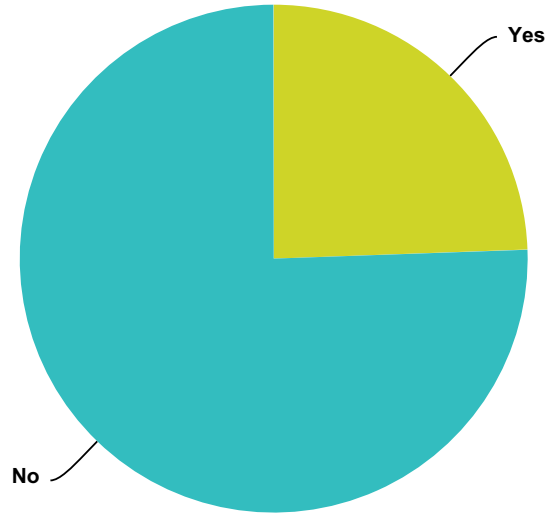
#	If Yes please explain.	Date
1	One call monitoring provides the ability to track non-compliance with no-dig restrictions. Water well permit monitoring provides the ability to track non-compliance with GW well prohibitions.	7/21/2015 12:57 PM
2	Individual programs that monitor sites identify non-compliance.	7/10/2015 3:05 PM
3	Institutional Control & Engineering Control Auditing Program (ICECAP)	7/10/2015 12:15 PM
4	Under the Voluntary Action Program, we conduct five year reviews to make sure the CNS issued properties comply with land use restrictions. Non-compliance with these restrictions would be noted during the inspection.	7/9/2015 9:04 AM
5	Site inspections are conducted with a frequency dependent on the type of institutional control.	7/9/2015 6:58 AM
6	To the extent that it is reported by the RP.	7/7/2015 10:25 AM
7	The Agency tracks and reviews annual reports that are submitted and conducts site visits of respective sites.	7/7/2015 8:35 AM
8	Our IC Unit is in its infancy. Previously compliance efforts were at the discretion of individual regulators managing these sites. Most considered compliance with ICs a low priority. Today, our "IC Unit" receives and communicates with property owners regarding site ICs. If the owner does not respond then they are considered out of compliance, and this non-compliance is subject to escalating enforcement efforts. This program is inconsistently applied but Alaska is increasing its efforts to identify non-compliant RPs. Federal sites continue to be managed by assigned project staff. Non-Compliance is typically identified during the 5 year review process for CERCLA and other sites.	7/6/2015 12:13 PM
9	During the periodic review process, compliance issues are identified and the liable party is given the opportunity to correct them. In the event that they are not corrected, or are not correctable in a short time period (within a month or so), the first action is to rescind the NFA.	5/26/2015 9:45 AM
10	UDEQ does not have a formal program for monitoring. However site specifically monitoring may take place formally or informally. Non-compliance issues would be resolved as a result of the monitoring, site specifically.	5/24/2015 8:19 PM

## ITRC Long-Term Contaminant Management Using Institutional Controls

11	Often tenants, subsequent owners, and contractors are unaware of restrictions. Recently, a DoD monitoring program prevented a municipal contractor from breaking an EC. During the DoD interview with the tenant, the tenant told DoD that the contractor planned work on the property. DoD followed up with the contractor and brought it to the attention of the municipal organization's environmental oversight personnel. The environmental personnel had thought they were working outside the LUC boundary, but looked at the plans again and identified an access road planned for construction through the property with the LUC. If DoD personnel had not talked to the tenant during monitoring, the IC would have been breached without protocols in place to manage the contamination.	5/21/2015 6:19 PM
12	Compliance information tracked in a database	5/12/2015 9:14 AM
13	We don't have a set/regular process for monitoring and tracking non-superfund sites (brownfield sites mostly), so we rarely identify non-compliance issues.	5/8/2015 1:38 PM
14	If a non-compliance is found, then a corrective action is implemented	3/23/2015 8:27 AM
15	Failure to submit biennial certification/monitoring reports are tracked. Failure to notify of a transfer of ownership is also enforceable.	3/11/2015 1:58 PM
16	We issue Letters of Non-Compliance after audits find a problem and require the property owner to bring the site back into compliance with the Institutional or engineered control.	3/4/2015 6:37 AM
17	This issue also has not yet arisen in practice, but this will be the purpose of the auditing activity.	3/2/2015 1:52 PM
18	We track the types of Continuing Obligations at each site. We track audit results and any follow up action required to regain compliance post-audit.	3/2/2015 11:05 AM
19	PM's enter status into our Unified Information System	3/2/2015 10:33 AM
20	Yes, our APEX database can store and report documentation that indicates non-compliance issues. The database can be filtered so generate reports on non-compliance issues.	3/2/2015 10:23 AM
21	Sites with institutional controls are inspected periodically (every 1 to 5 years depending on the site concerns) by Department staff. An inspection form is completed and filed in the public record. Non-compliance results in a written warning and follow-up inspection. Non-compliance is a violation if not successfully addressed.	3/2/2015 10:07 AM
22	The wording in an EC is intended to prevent non-compliance.	2/23/2015 5:52 PM
23	The one call monitoring service is intended to prevent non-compliance issues from arising.	2/22/2015 10:16 PM
24	Right now we use Terredex a one call system	2/20/2015 6:40 PM
25	N/A	2/20/2015 2:21 PM
26	Under RCRA, the responsible party is sent a notice of noncompliance and a schedule by which compliance is to be achieved.	2/20/2015 12:59 PM
27	If a report indicates that there is an issue, we request the RP to fix the issue	2/19/2015 5:50 PM
28	Again, not sure that I understand the question the way this is worded. The State's review would identify if there was non-compliance, but it has rarely been noted as an issue.	2/16/2015 10:38 PM
29	This is the purpose of any monitoring/tracking.	2/12/2015 1:01 PM
30	There is no formal monitoring for non-compliance due to a lack of funding and staffing.	2/12/2015 8:38 AM
31	The Hazardous Waste Program (HWP) is in the process of developing a central, program-wide long-term stewardship monitoring and tracking program. Currently, the LTS program is used only for monitoring/tracking/inspecting VCP sites and a few sites closed under CERCLA. Sites under the regulatory framework of CERCLA and RCRA are subject to five-year reviews, and those with institutional controls are reviewed more often, and the HWP is responsible for all such reviews. In all cases, post-closure monitoring and tracking are, among other purposes, intended to identify non-compliance as well as follow-up actions and resolution (e.g., return to compliance, enforcement action, etc.).	2/11/2015 3:08 PM
32	However, once up and running, the IC review process at DEQ will identify and seek to correct deficiencies.	2/11/2015 10:42 AM
33	Not applicable	2/4/2015 9:17 AM
34	Whether third party inspection or KDHE inspection, issues noted in the reports. Property owner or (RP in case of LTCA sites) is notified of "non-compliance" and given a timeframe to complete. A follow-up inspection is conducted to ensure deficiencies have been addressed. Sometimes it's just providing appropriate documentation.	2/4/2015 8:47 AM
35	Our Agency relies on annual inspections to identify non-compliance.	1/15/2015 12:50 PM
36	If non-compliance is identified, the State Superfund program (CHS Enforcement) notifies the responsible entity and requires that they correct the issue.	1/12/2015 7:33 AM

### Q19 Has your State agency ever taken an enforcement against a responsible party regarding an institutional control?

Answered: 45 Skipped: 12



Answer Choices	Responses	
Yes	24.44%	11
No	75.56%	34
<b>Total</b>		<b>45</b>

#	Please describe at least one enforcement action	Date
1	Monitoring/inspection of sidewalks capping asbestos was not being performed as required in the operation and maintenance plan. DEQ issued a warning letter requiring inspections and reporting.	8/10/2015 2:52 PM
2	I am unaware of any.	7/30/2015 12:54 PM
3	Failure to monitor and report	7/10/2015 3:10 PM
4	Person(s) Responsible for Site Rehabilitation (PRSR) failed to implement Institutional/Engineering Controls pursuant to Agency Consent Order.	7/10/2015 12:15 PM
5	Not an enforcement action, but we have revoked a covenant not to sue due to not adhering institutional controls (land use restrictions).	7/9/2015 9:07 AM
6	To date, all issues have been resolved without enforcement, via phone calls and letters.	7/7/2015 8:39 AM
7	Eielson Air Force Base failed to implement several ICs and associated engineering controls that had been specified in multiple RODs for multiple OUs. Alaska used escalating enforcement to require the Air Force to bring their IC efforts into compliance with state and federal law. Some of these sites were subject to an FFA, others were state only sites. A 2 party agreement was negotiated for the state sites, and FFA penalties and process were followed for CERCLA sites.	7/6/2015 12:24 PM
8	I am not aware of	7/6/2015 10:40 AM
9	Not really. Our enforcement action would involve returning them to the cleanup process. In other words, we would use our rule (MTCA) to enforce additional actions. If the site is under decree, we could use the court to pursue a required action, but I don't believe we have ever used that option.	5/26/2015 9:50 AM
10	We don't typically "enforce". We try to foster a spirit of cooperation that makes it in their best interest to comply.	5/21/2015 6:22 PM

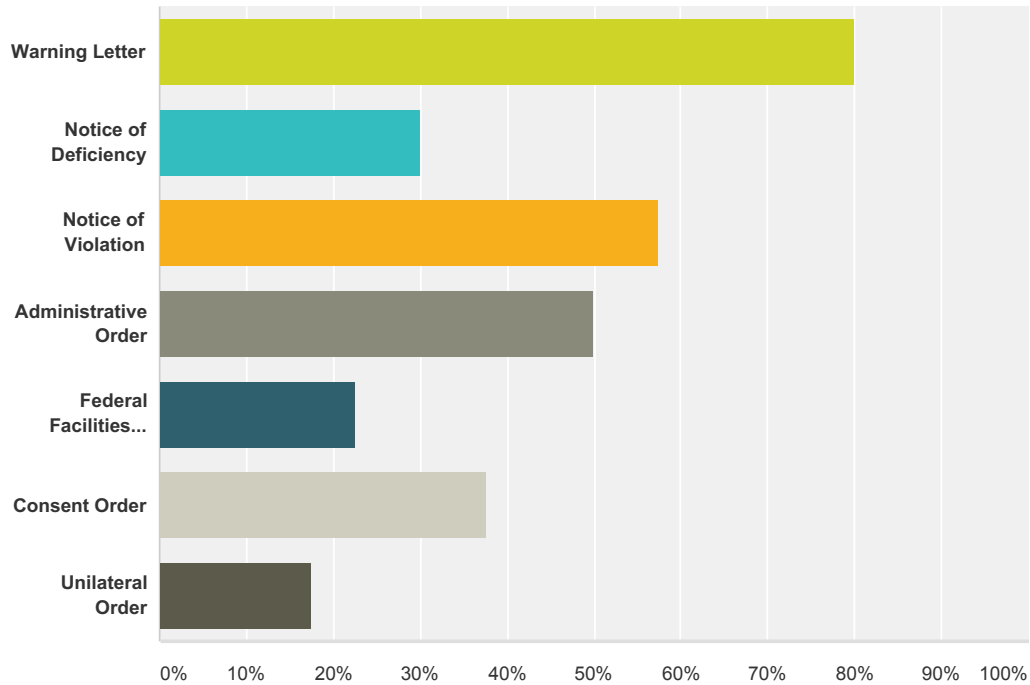
## ITRC Long-Term Contaminant Management Using Institutional Controls

11	During a site inspection it was discovered that the contractor had excavated greater than 18 inches below ground surface, in violation of the ELUR. In calculation the maximum penalty, It is estimated that there was 11 days of work performed in the unauthorized area at \$25,000 per day per violation. Work in the violation area was stopped till settlement and approval of the revised plan. The violation was settled with \$75,000 fine and production of a video tape about the special nature of the site (to inform future employees of the NPL status and site restricted activities). need description from Ron	5/12/2015 9:16 AM
12	We may have, but I wasn't able to find an example.	5/8/2015 1:40 PM
13	This is a DOE site, so DOE is the owner and enforcer.	3/23/2015 8:29 AM
14	A church was being altered into a Child Care facility, fined approximately \$5K. Most often, we try to rely on informal notices, but now they will get formal Notices of Deficiency and possibly NOVs. see <a href="http://www.nj.gov/dep/srp/ARRCS7:26C-9.5">http://www.nj.gov/dep/srp/ARRCS 7:26C-9.5</a> for specific Administrative Penalties and amounts.	3/11/2015 2:02 PM
15	We have issued Notices of Violation to recurrent non-compliance.	3/4/2015 6:49 AM
16	At least not for petroleum	3/2/2015 1:55 PM
17	define enforcement action. If problems with SMP are needed, corrective measures are sought and generally achieved	3/2/2015 10:34 AM
18	None identified by the Attorney Generals Office representative and our staff are not aware of any required enforcement actions.	3/2/2015 10:08 AM
19	Not that I am aware of. The exception may be under a permit.	2/24/2015 11:05 AM
20	Paragraph #9 of the Utah EC template covers the enforcement provisions of the EC. Utah, under its UST/LUST program has not had to take an enforcement action on failure to implement a land use restriction or cleanup requirement.	2/22/2015 10:19 PM
21	N/A	2/20/2015 2:21 PM
22	Violation notices have been sent to parties not executing a deed notice to identify that their facility property has been used to manage hazardous wastes. Enforcement of Consent Order which required the implementation of institutional controls.	2/20/2015 1:00 PM
23	Typically it is a late certification submission. We'll touch base and notify them of the deficiency.	2/16/2015 10:41 PM
24	Not applicable.	2/12/2015 1:03 PM
25	However, we have sought and received, voluntary compliance after issuing letters documenting inadequate cap maintenance.	2/12/2015 8:41 AM
26	Our VCP accounts for the vast majority of institutional controls but lacks regulatory authority for enforcement. The VCP can, however, rescind a Certification of Completion and take civil action against a party for an institutional control violation if needed. Other Hazardous Waste Program sections, including those responsible for overseeing RCRA and CERCLA sites, have to-date not needed to take action regarding an institutional control.	2/11/2015 3:09 PM
27	It's possible we have, but this would be very hard to track down.	2/11/2015 10:43 AM



### Q20 What type of instrument does your State agency use when enforcing against a party who is responsible for a site containing an institutional control?

Answered: 40 Skipped: 17



Answer Choices	Responses
Warning Letter	80.00% 32
Notice of Deficiency	30.00% 12
Notice of Violation	57.50% 23
Administrative Order	50.00% 20
Federal Facilities Agreement	22.50% 9
Consent Order	37.50% 15
Unilateral Order	17.50% 7
<b>Total Respondents: 40</b>	

#	Please list other instruments you may use	Date
1	Depends on how the IC is structured	7/30/2015 12:54 PM
2	civil complaint	7/21/2015 12:57 PM
3	Letter of revocation of covenant not to sue	7/9/2015 9:07 AM
4	Civil suit	7/9/2015 7:02 AM
5	Property liens to recover regulatory costs and any costs the state incurs implementing a remedy.	7/6/2015 12:24 PM
6	Not aware of	7/6/2015 10:40 AM

## ITRC Long-Term Contaminant Management Using Institutional Controls

7	Under UDEQ's environmental covenant program (Title 19 Chapter 10) an enforcement action may seek the use of a temporary restraining order or injunction from a court of competent jurisdiction. Other than this, we may make use of another state agencies enforcement capability if an IC is vested with their program or similarly a city or county (via an ordinance penalty of some sort). Whether on a federal, state or local level an IC enforcement action may make use of any of the above initial options.	5/24/2015 8:28 PM
8	Phone calls, letters, meetings. The Hazardous Waste Section would use a "Notice of Violation" to enforce an institutional control via permit.	5/21/2015 6:22 PM
9	lawsuit	5/12/2015 9:16 AM
10	Also issue listserv notices and compliance advisories	3/11/2015 2:02 PM
11	We use progressive enforcement.	3/4/2015 6:49 AM
12	The above are options, but haven't been used as of yet.	3/2/2015 11:05 AM
13	Compliance Advisory	3/2/2015 10:08 AM
14	ICs violations are an issue at an EPA lead site so they make take enforcement actions.	2/24/2015 11:05 AM
15	We have not taken an enforcement action.	2/23/2015 5:54 PM
16	N/A	2/20/2015 2:21 PM
17	In a few instances, warning letters were sent for known non-compliance issues.	2/12/2015 8:41 AM
18	N/A	2/11/2015 10:43 AM
19	Each of these tools are available to the State, Virginia has never applied them.	2/4/2015 9:22 AM

**Q21 What criteria does your State agency use to determine when to enforce against a responsible party of an institutional control?**

Answered: 41 Skipped: 16

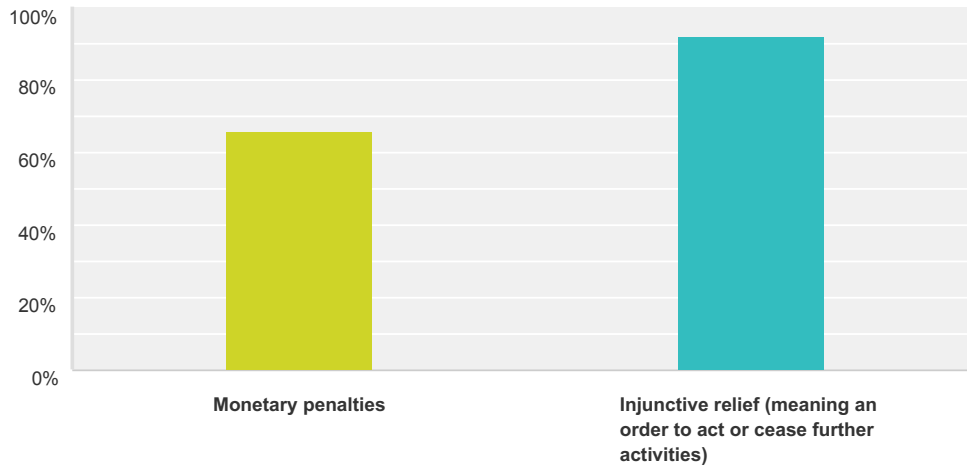
#	Responses	Date
1	Cooperation in getting back into compliance.	8/10/2015 2:52 PM
2	Depends on how the IC is structured	7/30/2015 12:54 PM
3	Clear violation of the terms of the restrictions described in the environmental covenant.	7/21/2015 12:57 PM
4	N/A	7/21/2015 9:26 AM
5	When IC is not being complied with by the person possessing the property	7/14/2015 2:39 PM
6	N/A	7/10/2015 3:10 PM
7	When a responsible party does not comply with terms of the Institutional Control (IC) or the Site Rehabilitation Completion Order w/Conditions SRCO w/Conditions enforcement can be taken	7/10/2015 12:15 PM
8	For non Voluntary Cleanup Program sites (i.e. RCRA). Violations of an institutional control at a permitted facility or a facility under an administrative order will cause an enforcement action.	7/9/2015 7:02 AM
9	Has the RP been notified and given chance to respond? Are they refusing to comply? Are they under any other consent order? What is the immediate danger to the public and environment?	7/7/2015 10:28 AM
10	A.R.S 49-152.02 <a href="http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/49/00152-02.htm&amp;Title=49&amp;DocType=ARS">http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/49/00152-02.htm&amp;Title=49&amp;DocType=ARS</a>	7/7/2015 8:39 AM
11	Risk of exposure is the primary criteria. This is tracked for each site in our registry with an "Exposure Tracking Module", basically a CSM for each site. Typically we will enforce if people are currently being exposed, and we will consider enforcement if there is a significant risk of exposure. Alaska will usually attempt administrative measures first before enforcement.	7/6/2015 12:24 PM
12	Deviation on restrictions included in recorded LUCs	7/6/2015 10:40 AM
13	Potential exposure. Violation of covenant restrictions. Risk based on land use. Cooperation from responsible party.	5/26/2015 9:50 AM
14	Such is not formally set under UDEQ's rule authorizing the environmental covenant (Title 19 Chapter 10). Enforcement under an EC by UDEQ may be judged site specifically. If the non-compliance with and IC falls under a federal, other state, or local jurisdiction, their criteria may be reviewed and used to determine when to enforce on a non-compliance issue.	5/24/2015 8:28 PM
15	We would enforce when there is imminent or potential threat of release or exposure that requires immediate action to protect human health and/or the environment.	5/21/2015 6:22 PM
16	DEEP Enforcement Policy at <a href="http://www.ct.gov/deep/cwp/view.asp?a=2694&amp;q=322606&amp;deepNav_GID=1629">http://www.ct.gov/deep/cwp/view.asp?a=2694&amp;q=322606&amp;deepNav_GID=1629</a>	5/12/2015 9:16 AM
17	We always try talking with the RP first. I don't think we've ever had to enforce an IC, but it would be done through an Administrative Judge/Court.	5/8/2015 1:40 PM
18	FFA and Land Use Control Assurance Plan define how interaction between DOE and EPA/State of Tennessee is performed.	3/23/2015 8:29 AM
19	The criteria are simple; you failed to do what you were supposed to do in the timeframes required; you had the ability to request an extension.	3/11/2015 2:02 PM
20	Out of compliance with required monitoring or the engineered control is not being maintained.	3/4/2015 6:49 AM
21	Primarily, has noncompliance with the terms of the IC resulted in increased, unacceptable risks at the site.	3/2/2015 1:55 PM
22	Nature of the violation, degree of risk and exposure and length of time out of compliance.	3/2/2015 11:05 AM
23	non-compliance with the recorded use restriction	3/2/2015 10:57 AM
24	pm Judgemewnt	3/2/2015 10:34 AM

## ITRC Long-Term Contaminant Management Using Institutional Controls

25	We evaluate the risk resulting from the violation before we entertain enforcement actions. It is on a site specific basis.	3/2/2015 10:23 AM
26	This would be determined on a case-by-case basis in accordance with site history and case facts.	3/2/2015 10:08 AM
27	If the lack of ICs creates the potential for eminent and substantial endangerment of human health or the environment.	2/24/2015 11:05 AM
28	case by case	2/23/2015 5:55 PM
29	Here is a link to the rule, under which Section 57-25-111 covers enforcement provisions: <a href="http://le.utah.gov/code/TITLE57/57_25.pdf">http://le.utah.gov/code/TITLE57/57_25.pdf</a>	2/23/2015 5:54 PM
30	Utah does not have a formal policy.	2/22/2015 10:19 PM
31	There is no set criteria. If a breach of the ICs occurs I assume the action we would take would depend on the risk posed by the breach.	2/20/2015 6:42 PM
32	Follow standard TCEQ enforcement procedures if efforts to obtain voluntary compliance fail to rectify the issue.	2/20/2015 2:21 PM
33	When there is a failure of the institutional control or the institutional control is not implemented.	2/20/2015 1:00 PM
34	Response indicating that required remedy repair will not be conducted.	2/19/2015 5:51 PM
35	Not applicable.	2/12/2015 1:03 PM
36	No compliance program exists.	2/12/2015 8:41 AM
37	Criteria will vary from site to site and depending on regulatory authority. Generally, requirements for an IC are laid out in the Remedial Design and Long-term Stewardship documents for the site. Enforcement action for an IC would be initiated if the requirements in the site's remedy documentation are not met. Five-year reviews are also used to determine if a remedy, including any ICs, remains protective. If a violation of an IC was discovered, corrective action would be required. If corrective actions are not taken, are incomplete, or slow to be implemented, enforcement mechanisms may be used to compel compliance. Note that our Brownfield Voluntary Cleanup Program does not have enforcement authority; significant violations of an IC at a BVCP site would be addressed either through civil litigation or rescission of the Certification of Completion (or both).	2/11/2015 3:09 PM
38	N/A	2/11/2015 10:43 AM
39	Absent a monitoring and reporting component of a compliance program specific to ICs, the State has no criteria for enforcement of an IC. The exception would be specific criteria listed in a consent decree, VRP certificate or established in an administrative order.	2/4/2015 9:22 AM
40	When the conditions of the institutional control are not being met.	1/15/2015 12:51 PM
41	If an entity failed to properly implement or maintain a LUC, and then failed to comply with the Department's initial efforts to bring the entity into compliance, the Department would issue an administrative order.	1/12/2015 7:36 AM

## Q22 Does your State agency have the authority to enforce using the following?

Answered: 38 Skipped: 19

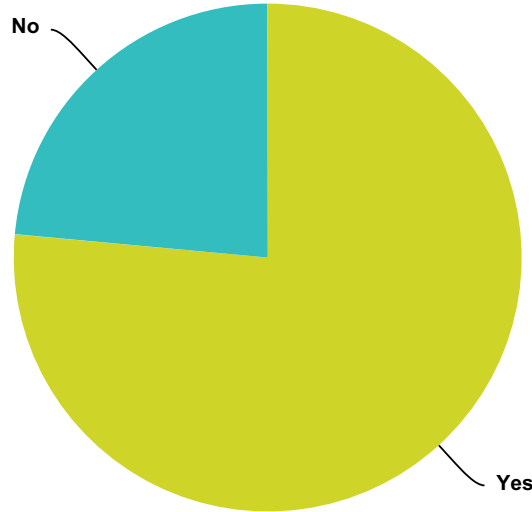


Answer Choices	Responses
Monetary penalties	65.79% 25
Injunctive relief (meaning an order to act or cease further activities)	92.11% 35
<b>Total Respondents: 38</b>	

#	Other (please specify)	Date
1	Depends on how the IC is structured	7/30/2015 12:54 PM
2	Unknown	7/27/2015 11:50 AM
3	Termination of a Voluntary Cleanup Contract, Revocation of a Covenant not to sue	7/10/2015 3:10 PM
4	Cost recovery. Also our Statutes and Regs allow us to directly implement remedies if needed to prevent exposure, which is needed for abandoned or orphan properties.	7/6/2015 12:24 PM
5	Not aware of. However I can check and revert	7/6/2015 10:40 AM
6	Other federal, state (not environmental covenant related), or local jurisdictional rules may provide for one of the above.	5/24/2015 8:28 PM
7	The monetary penalties are for failure to report a release or if the state takes clean up action. We do not have IC-specific fines.	5/21/2015 6:22 PM
8	May result in rescission of NFA letter and covenant not to sue	3/11/2015 2:02 PM
9	We don't have direct administrative authorities for these. If we refer a case to our Dept. of Justice, they can see these in court.	3/2/2015 11:05 AM
10	If they are part of the enforcement agreement.	2/24/2015 11:05 AM
11	Voidance of closure report or No Further Action Report	2/20/2015 1:00 PM
12	Possible revocation of NFA letter.	2/12/2015 1:03 PM
13	See Indiana Code IC 13-14-2-6 for enforcement authority.	2/12/2015 8:41 AM
14	Terminate the EUCA and make clean-up occur to residential standards.	2/4/2015 8:49 AM
15	Revocation of the Certificate of Completion of Remedy for the Site.	1/15/2015 12:51 PM

### Q23 Does your State agency employ an institutional control data management system? (e.g., searchable databases, IC registries)

Answered: 51 Skipped: 6



Answer Choices	Responses	
Yes	76.47%	39
No	23.53%	12
<b>Total</b>		<b>51</b>

#	If Yes please describe your agency's Data Management System or provide a link	Date
1	<a href="https://svc.mt.gov/deq/dst#/app/srs">https://svc.mt.gov/deq/dst#/app/srs</a>	8/10/2015 2:56 PM
2	Access database with information on ICs implemented at each site.	7/27/2015 11:52 AM
3	<a href="http://www.depgis.state.pa.us/pa-aul/">http://www.depgis.state.pa.us/pa-aul/</a>	7/27/2015 8:34 AM
4	Access database	7/22/2015 7:23 AM
5	The ICs, in the form of environmental covenants, are stored within the agency document management system and parcels/sites with ECs are maintained in a registry in the form of a searchable map called the Facility Mapper found at <a href="http://wastesites.deq.idaho.gov/">http://wastesites.deq.idaho.gov/</a> .	7/21/2015 12:58 PM
6	Internal only	7/14/2015 2:40 PM
7	ICs are documented via the general Agency database (named EFIS)	7/10/2015 3:12 PM
8	Institutional Control Registry & Oculus database	7/10/2015 12:15 PM
9	We have a master spreadsheet that indicates which properties that have received a covenant not to sue are due for inspections.	7/9/2015 9:11 AM
10	The Department maintains an environmental covenants registry which is available upon request.	7/9/2015 7:04 AM
11	<a href="https://www.azdeq.gov/databases/deursearch.html">https://www.azdeq.gov/databases/deursearch.html</a>	7/7/2015 8:41 AM

## ITRC Long-Term Contaminant Management Using Institutional Controls

12	All sites are described in our public database, and most "actions" recorded in the database are also available on the public side, although enforcement and limited other actions are only available to the agency. <a href="http://dec.alaska.gov/spar/csp/db_search.htm">http://dec.alaska.gov/spar/csp/db_search.htm</a> (Also on that page is a link to our web map which locates all sites visually using the same database) Click "Search" and follow this link: <a href="http://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/SearchUnder&gt;Status">http://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/Search Under "Status"</a> choose the drop down "Cleanup Complete - Institutional Controls" - you can search by property, city, file number, or site name.	7/6/2015 12:34 PM
13	Not yet - Possibly there is. We do have a contractor - reviewing Miss Utility calls and sending emails to us if any work is planned on or near sites having a LUC in place.	7/6/2015 10:42 AM
14	Our database is internal and not accessible by the public. It is a comprehensive database with data on all of our sites, and contains an IC subsection. Our registry is a report available in .xls or .pdf format containing all the sites with ICs.	5/26/2015 9:52 AM
15	Our division overseeing CERCLA related environmental covenants or other ICs maintains a list of current ECs on their webpage (which is linked to our electronic document storage database, <a href="http://eqedocs.utah.gov/SpecialSrchs.aspx?SSName=DERR_CERCLAFED_EC">http://eqedocs.utah.gov/SpecialSrchs.aspx?SSName=DERR_CERCLAFED_EC</a> ). No formal IC data management system exists within UDEQ.	5/24/2015 8:38 PM
16	The ICs are included in our published Public Record tables and are maintained by the agency in our internal Access database.	5/21/2015 6:23 PM
17	We would like to develop a web based searchable database and GIS map for institutional controls. Currently, this information can be found in a list at <a href="http://www.ct.gov/deep/cwp/view.asp?a=2715&amp;q=325018&amp;deepNav_GID=1626">http://www.ct.gov/deep/cwp/view.asp?a=2715&amp;q=325018&amp;deepNav_GID=1626</a>	5/12/2015 9:17 AM
18	We have a database for internal use that we use for managing our Sites, and we have an IC field, but it contains limited information. We provide a list of Sites with ICs on our BF webpage (bottom of the page) at <a href="http://www.pca.state.mn.us/lupg7f9">http://www.pca.state.mn.us/lupg7f9</a> .	5/8/2015 1:44 PM
19	Land Use Manager is an automated tracking system with GIS capability. Currently, it is internal only.	3/23/2015 8:31 AM
20	<a href="http://www.nj.gov/dep/srp&gt;DataMiner">http://www.nj.gov/dep/srp DataMiner</a> Extensive site information is available and increasingly includes activity tracking information/schedules, and documents.	3/11/2015 2:03 PM
21	Not available to the public, but we keep track of annual monitoring and audits in an Access database	3/4/2015 6:49 AM
22	There is a database which allows us to search for ICs, record information, and record any auditing activity.	3/2/2015 1:57 PM
23	Our online data systems are described here. <a href="http://dnr.wi.gov/topic/Brownfields/clean.html">http://dnr.wi.gov/topic/Brownfields/clean.html</a>	3/2/2015 11:06 AM
24	TEMPO (agency internal site data tracking tool) and the Voluntary Remediation Program (VRP) List for Public Record	3/2/2015 10:58 AM
25	The UIS tracks ICs	3/2/2015 10:34 AM
26	I mentioned it above. It is our APEX database which in the Division of Remediation is known as DoRway. We can filter the database for Engineering and Institutional Controls issues.	3/2/2015 10:24 AM
27	Internal database and <a href="http://www.colorado.gov/pacific/cdphe/sites-environmental-covenants-and-use-restrictions">www.colorado.gov/pacific/cdphe/sites-environmental-covenants-and-use-restrictions</a>	3/2/2015 10:09 AM
28	project database for internal use and data input to RCRA info.	2/24/2015 11:06 AM
29	Under our Superfund program links, a list of NPL or NPL equivalent sites with an EC is available. Here is the direct link: <a href="http://eqedocs.utah.gov/SpecialSrchs.aspx?SSName=DERR_CERCLAFED_EC">http://eqedocs.utah.gov/SpecialSrchs.aspx?SSName=DERR_CERCLAFED_EC</a>	2/23/2015 5:56 PM
30	The following hyperlink will take you to a listing of the Utah UST/LUST sites with an IC/EC. <a href="http://eqedocs.utah.gov/SpecialSrchs.aspx?SSName=DERR_UST_EC">http://eqedocs.utah.gov/SpecialSrchs.aspx?SSName=DERR_UST_EC</a>	2/22/2015 10:21 PM
31	Enviro-stor a large database that contains information about most if not all the sites we manage.	2/20/2015 6:44 PM
32	N/A	2/20/2015 2:21 PM
33	Internal excel spreadsheet Internet-based Mapping platform - Michigan Environmental Mapper	2/20/2015 1:00 PM
34	<a href="http://www.deq.state.ms.us/MDEQ.nsf/pdf/GARD_filelist/\$FILE/Filelist.xls?OpenElement">http://www.deq.state.ms.us/MDEQ.nsf/pdf/GARD_filelist/\$FILE/Filelist.xls?OpenElement</a>	2/16/2015 10:43 PM
35	Institutional controls are recorded in a database, reports from which are published annually on the agency website at: <a href="http://deq.ne.gov/NDEQProg.nsf/ICTSView.xsp">http://deq.ne.gov/NDEQProg.nsf/ICTSView.xsp</a>	2/12/2015 1:05 PM

## ITRC Long-Term Contaminant Management Using Institutional Controls

36	<p>A Microsoft Access database provides the foundation of the registry, with fields to track information such as site program, site identification number, address, county, type of IC, site-specific restrictions, contaminant type, affected media, property owner, and land parcel information. A subset of this information is provided publically via a PDF format file entitled the "IC Registry Remediation Sites Report" on the IDEM web site ( <a href="http://www.in.gov/idem/5959.htm">http://www.in.gov/idem/5959.htm</a> ). A separate summary report listing solid waste sites subject to deed notices is available at the same web address. The second component of the management system is integration with the Virtual File Cabinet (VFC), Indiana's web-based document repository. Hyperlinks on the "IC Registry Remediation Sites Report" allow users to open and view each original IC for the site (e.g. restrictive covenant, deed notice). Finally, IC GIS data can be viewed from the IndianaMAP (<a href="http://indianamap.org">http://indianamap.org</a>) Indiana's statewide GIS mapping platform. The IC GIS data layer shows the location of each property subject to an IC either through a single point or GIS polygon and also contains information about the type of control, media impacted, and types of contaminants in the control area.</p>	2/12/2015 8:42 AM
37	<p>The Missouri Environmental Covenants Act (MoECA) required the department to create a public database of properties that have restrictions (i.e., environmental covenants) provided for by the law. This information is available through the new hazardous substance investigation and cleanup on-line information system, known as the Hazardous Substance Site Locator, at <a href="https://www.dnr.mo.gov/molts/gov/">https://www.dnr.mo.gov/molts/gov/</a>. This website features an interactive map viewer with individual site status summaries from department databases with links to important documents. It also includes downloadable data layers local governments or utilities can download and use in their own permitting and planning efforts. The site provides a comprehensive information resource designed to ensure property is used safely in Missouri. The map currently does not include regulated UST/AST sites, but work is underway to include such sites on the map. UST/AST sites are included in a separate, dedicated database that includes information on institutional controls but is not wholly available to the public. Finally, the Hazardous Waste Program maintains the internal (not publicly available) Site Management and Reporting System (SMARS) database, which is populated with all sites from the following HWP sections: VCP, Superfund, RCRA, and federal facilities. SMARS is searchable and includes institutional control and other long-term stewardship data. SMARS is the primary means by which the HWP manages site data, including institutional controls.</p>	2/11/2015 3:10 PM
38	<p>Search form for sites: <a href="http://www.deq.state.or.us/lq/ECSl/ecsiquery.asp?listtype=lis&amp;listtitle=Environmental+Cleanup+Site%20Information+Database">http://www.deq.state.or.us/lq/ECSl/ecsiquery.asp?listtype=lis&amp;listtitle=Environmental+Cleanup+Site%20Information+Database</a> In the "Site Actions or Milestones" dropdown field, select "Sites with Engineering or Institutional Controls," then click on "Submit" at bottom left.</p>	2/11/2015 10:47 AM
39	<p><a href="http://www.kdheks.gov/remedial/isl_disclaimer.html">http://www.kdheks.gov/remedial/isl_disclaimer.html</a> There is a seperate EUC Tab within the ISL Database.</p>	2/4/2015 8:51 AM
40	<p>The LTS data management system is part of our larger data management system for our agency.</p>	1/15/2015 12:52 PM
41	<p><a href="http://mde.maryland.gov/programs/Land/MarylandBrownfieldVCP/mapping/Pages/programs/landprograms/errp_brownfields/mapping/index.aspx">http://mde.maryland.gov/programs/Land/MarylandBrownfieldVCP/mapping/Pages/programs/landprograms/errp_brownfields/mapping/index.aspx</a></p>	1/12/2015 7:36 AM



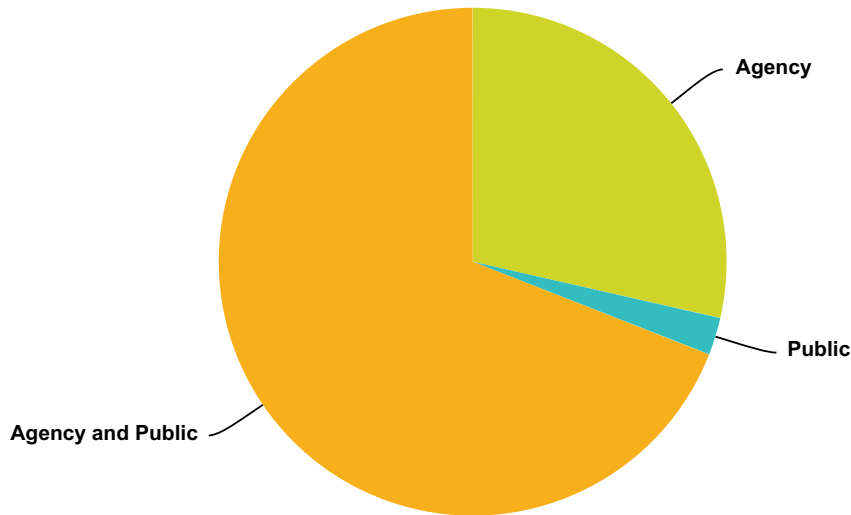
**Q24 If your state agency does not have a data management system, please describe how you track institutional controls.**

Answered: 18 Skipped: 39

#	Responses	Date
1	N/A	8/10/2015 2:56 PM
2	So few...they are checked on occasion	7/30/2015 12:57 PM
3	Files	7/22/2015 9:30 AM
4	We do not track ICs	7/21/2015 9:27 AM
5	N/A	7/10/2015 12:15 PM
6	It is usually case by case with the regulator.	7/7/2015 10:29 AM
7	State project managers are required to track the ICs being used at their sites. Under our CERCLA division, five year reviews are performed by these managers and they are responsible to assess the ongoing usefulness of the site specific ICs. Other than this, divisions will vary on how they track ICs or environmental covenants that they have required to be enacted.	5/24/2015 8:38 PM
8	Information is maintained in the internal Access system which includes additional site data, not exclusively IC information.	5/21/2015 6:23 PM
9	See above	3/4/2015 6:49 AM
10	Each program tracks	3/2/2015 10:43 AM
11	NA	3/2/2015 10:09 AM
12	We only have nine in the entire state. Only one has successfully filed the restriction. We have a non-compliance issue.	2/23/2015 5:56 PM
13	Generally, most remediation programs maintain ICs in the relevant project case file. The Superfund program uses a database to track filed ICs associated with a site. While the information is available to the public, the database does not have an online search function.	2/20/2015 2:21 PM
14	<a href="http://anrmaps.vermont.gov/websites/anra/?LayerTheme=4">http://anrmaps.vermont.gov/websites/anra/?LayerTheme=4</a>	2/19/2015 5:53 PM
15	Not applicable.	2/12/2015 1:05 PM
16	Virginia does not track ICs.	2/4/2015 9:23 AM
17	Facility's files	1/16/2015 5:09 AM
18	Data management system.	1/15/2015 12:52 PM

### Q25 Who can access the information from your data management system?

Answered: 42 Skipped: 15



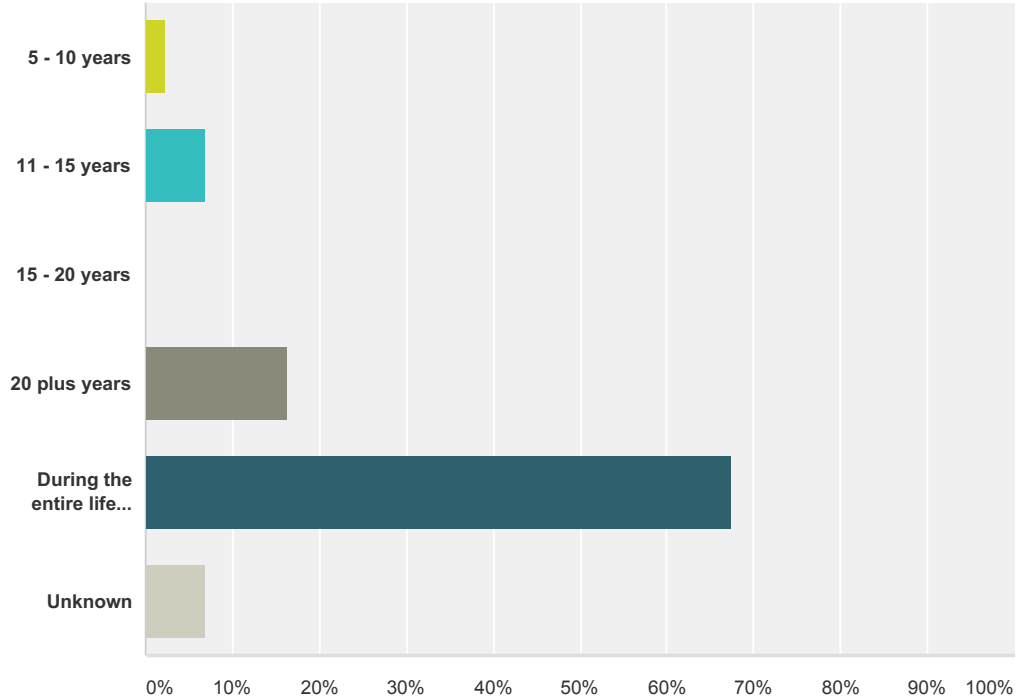
Answer Choices	Responses	
Agency	28.57%	12
Public	2.38%	1
Agency and Public	69.05%	29
<b>Total</b>		<b>42</b>

#	Other (please specify)	Date
1	None	7/30/2015 12:57 PM
2	Annual report made available to public	7/27/2015 11:52 AM
3	Public and agency, available upon request	7/9/2015 7:04 AM
4	See answer to 23, not all database actions are available on the public search.	7/6/2015 12:34 PM
5	Not clear	7/6/2015 10:42 AM
6	The public can access certain parts of our database through web-reporting tools.	5/26/2015 9:52 AM
7	As for the environmental covenants in use at NPL sites under our CERCLA program, any one is able to see the list of sites with environmental covenants and able to access the covenants the divisions's web page.	5/24/2015 8:38 PM
8	Agency only can access Access database. Public can download public record (including IC information) from HEER website.	5/21/2015 6:23 PM
9	We provide electronic copies of the database to the public upon request.	5/12/2015 9:17 AM
10	VRP List: Public and Agency Access; TEMPO: Agency Access	3/2/2015 10:58 AM
11	It is Department-wide and plans are for it to be available to the public in a read only portal in the future.	3/2/2015 10:24 AM
12	We do not have a data management system; however, IC documents maintained in TCEQ case files are public record.	2/20/2015 2:21 PM
13	Per #23 above, the Haz. Substance Site Locator is publicly available.	2/11/2015 3:10 PM
14	Public by a request	1/16/2015 5:09 AM



### Q26 How long are records maintained and active in your state agency's data management system?

Answered: 43 Skipped: 14



Answer Choices	Responses
5 - 10 years	2.33% 1
11 - 15 years	6.98% 3
15 - 20 years	0.00% 0
20 plus years	16.28% 7
During the entire life cycle of the institutional control.	67.44% 29
Unknown	6.98% 3
<b>Total</b>	<b>43</b>

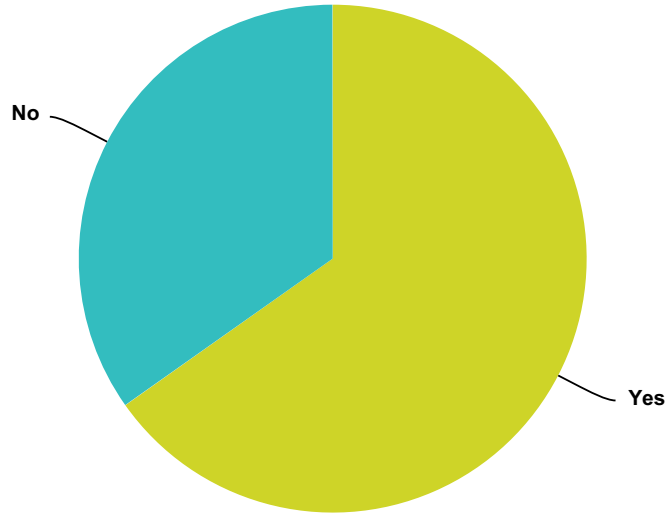
#	Other (please explain)	Date
1	None	7/30/2015 12:57 PM
2	Under our records retainment policy, any IC inspections associated with a covenant not to sue would be kept permanently.	7/9/2015 9:11 AM
3	Alaska has a statutory requirement for approval to move soil from any closed or open site. This requirement has no expiration date so the data on both closed and open sites needs to be maintained in perpetuity.	7/6/2015 12:34 PM
4	Please note UDEQ and the State of Utah do not have a formal ICs data management system. Our environmental covenants which have been filed for some NPL and NPL-caliber sites are available through our electronic documents storage database.	5/24/2015 8:38 PM
5	Always, however historic information is very spotty.	5/21/2015 6:23 PM

## ITRC Long-Term Contaminant Management Using Institutional Controls

6	I don't know of any records that have been destroyed since our agency was founded	5/8/2015 1:44 PM
7	indefinitely in electronic format	3/2/2015 10:58 AM
8	forever	3/2/2015 10:34 AM
9	N/A	2/20/2015 2:21 PM
10	No intention to delete records.	2/11/2015 3:10 PM

### Q27 Does your agency conduct stakeholder outreach in your state regarding institutional controls?

Answered: 46 Skipped: 11



Answer Choices	Responses
Yes	65.22% 30
No	34.78% 16
<b>Total</b>	<b>46</b>

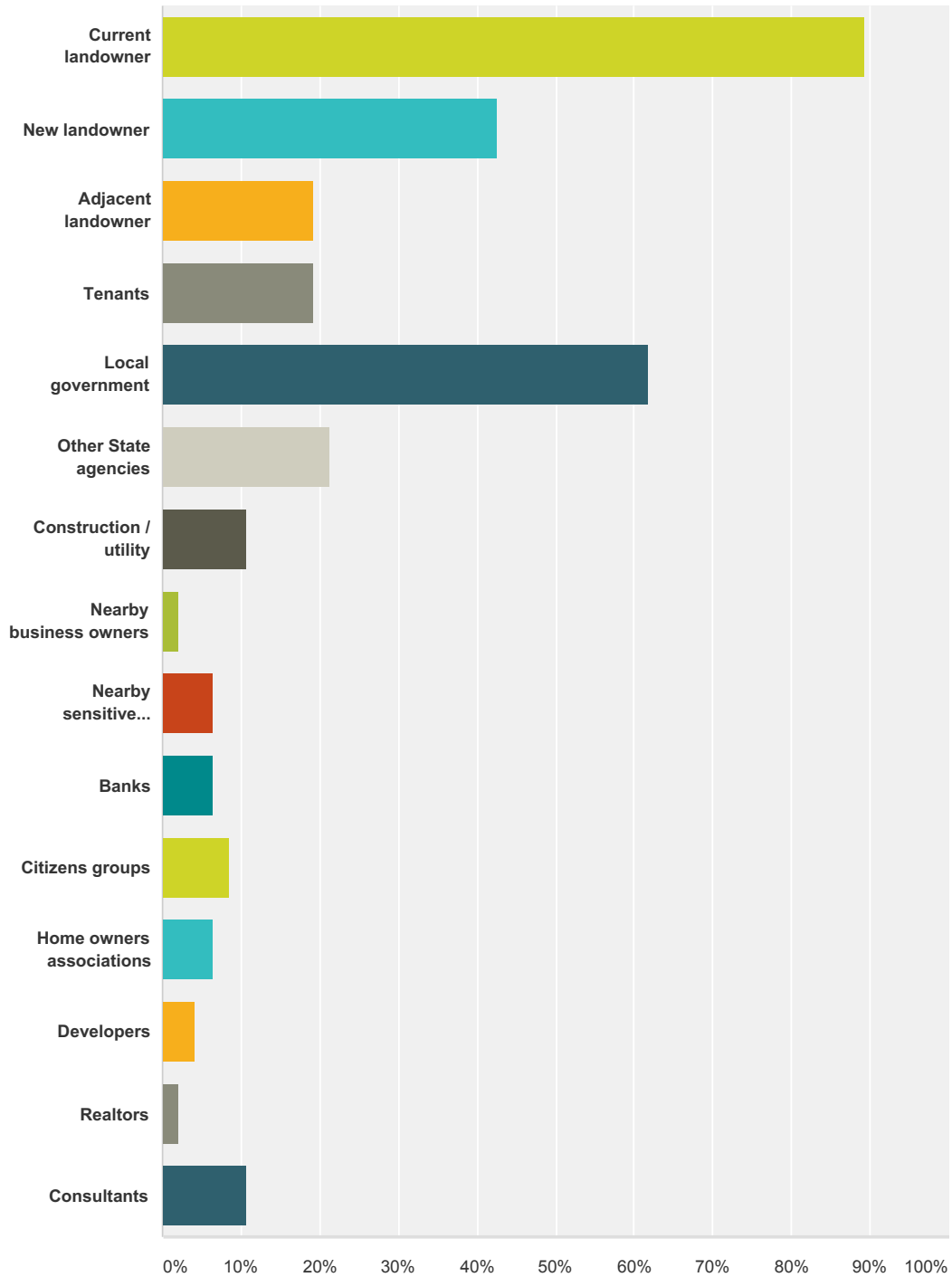
#	If Yes please describe your Agency's public outreach	Date
1	Taken into account when IC is considered	7/30/2015 12:59 PM
2	Web site explanations, specific questions and answers	7/27/2015 8:35 AM
3	Public outreach is done on a program by program, statute or rules specific basis usually in the context of a remediation workplan which contains IC elements. Certain programs have public notification and outreach requirements. One example would be the voluntary cleanup program.	7/21/2015 12:58 PM
4	We require the responsible party to provide the outreach	7/14/2015 2:43 PM
5	Letters are sent to stakeholders, press release, Internet posting on the Agency website	7/10/2015 3:14 PM
6	Public rulemaking meetings, Contaminated Media Forum meetings & Newspaper Publication	7/10/2015 12:15 PM
7	Seminars at local environmental conferences. State & Tribal outreach programs. ListServ notifications. Targeted industry seminars with real estate professionals and banks.	7/6/2015 12:40 PM
8	Not clear	7/6/2015 10:46 AM
9	We publish a monthly register with information about our sites and ICs. For high profile sites, we send out mailings. There are public comment periods for many of our decision steps.	5/26/2015 9:55 AM
10	This will vary across divisions that allow for the use of ICs. Under our division which oversees CERCLA response actions we work closely with EPA Region 8 to develop outreach plans site specifically when a stakeholder outreach for the proposed remedy (which may include the use of ICs) is ready for public comment.	5/24/2015 8:47 PM
11	Community meetings and outreach are a requirement for many site closures with ICs. There are additional requirements for some programs. We also do general public outreach through Brownfields forums and other trainings.	5/21/2015 6:26 PM

## ITRC Long-Term Contaminant Management Using Institutional Controls

12	as part of our inspection program and training events	5/12/2015 9:18 AM
13	Oak Ridge Reservation Site Specific Advisory Board for the public; meetings and annual review with EPA/State of Tennessee	3/23/2015 8:33 AM
14	The responsible entity/licensed site remediation professional are required to copy bi-certs, permit applications/modification/terminations to local, county or other affected government agencies.	3/11/2015 2:07 PM
15	We have done a little, with consultants, regarding our statutory authorities.	3/2/2015 1:59 PM
16	Both the RP and the our Agency send letters to affected property owners and right of way holders regarding applicable Continuing Obligations before and after a closure letter is issued.	3/2/2015 11:07 AM
17	EEs are described in the Proposed Remedial Action Program along with other elements of the remedy	3/2/2015 10:36 AM
18	All decision documents have a public notice component.	2/24/2015 11:08 AM
19	When EPA and UDEQ are selecting a remedy for an NPL or NPL equivalent site, ICs are included in any outreach material if part of a proposed plan.	2/23/2015 5:58 PM
20	It depends upon the site and stakeholder interest.	2/22/2015 10:23 PM
21	Generally, written landowner consent is required before IC can be filed. In the Superfund program, the agency also conducts public meetings to solicit comment prior to implementing land use restrictions and prior to selecting a remedy. Haz waste permits can also undergo a public hearing.	2/20/2015 2:21 PM
22	Outreach to LUGs, EPA, DOJ - Not necessarily for hazardous waste facilities	2/20/2015 1:02 PM
23	we do this during the corrective action plan public notice	2/19/2015 5:54 PM
24	Periodic outreach to state well drillers' association to inform of restrictions.	2/12/2015 1:07 PM
25	Yes, but limited due to resource constraints. Present in various venues (water well drillers, government units) as time allows.	2/12/2015 8:46 AM
26	Conference presentations, meetings with cities and utilities	2/11/2015 3:11 PM
27	Webpage, presentations at the Kansas Environmental Conference and workshops	2/4/2015 8:56 AM
28	Currently working with local governments to share LUC information	1/12/2015 7:38 AM

**Q28 Who in your state is notified by your agency when an institutional control is implemented? Please describe all federal, state, county or municipalities, including the public.**

Answered: 47 Skipped: 10



Answer Choices	Responses
----------------	-----------



## ITRC Long-Term Contaminant Management Using Institutional Controls

Current landowner	89.36%	42
New landowner	42.55%	20
Adjacent landowner	19.15%	9
Tenants	19.15%	9
Local government	61.70%	29
Other State agencies	21.28%	10
Construction / utility	10.64%	5
Nearby business owners	2.13%	1
Nearby sensitive receptors (e.g., daycare, schools)	6.38%	3
Banks	6.38%	3
Citizens groups	8.51%	4
Home owners associations	6.38%	3
Developers	4.26%	2
Realtors	2.13%	1
Consultants	10.64%	5
<b>Total Respondents: 47</b>		

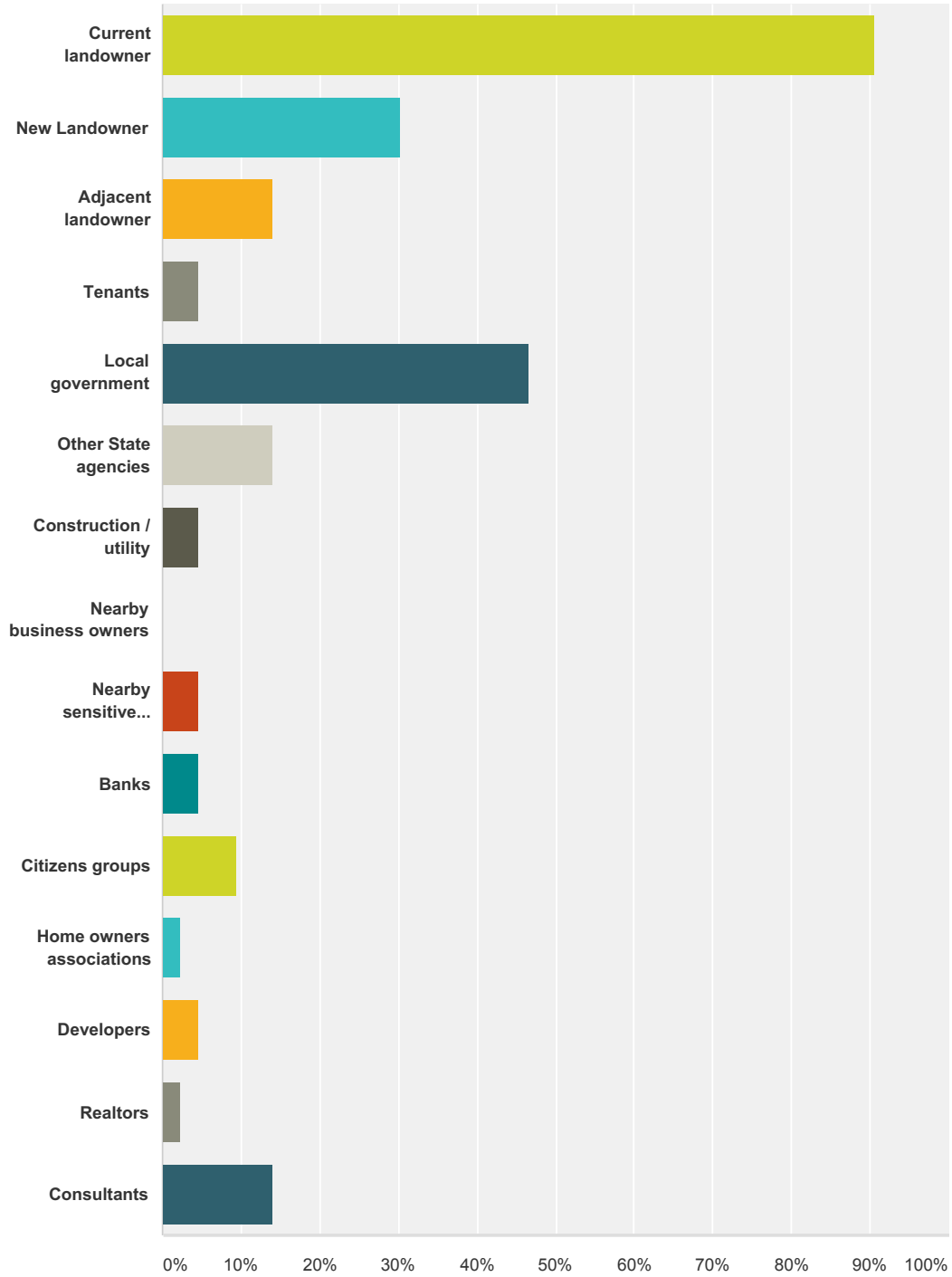
#	please list any others	Date
1	It depends on the IC	8/10/2015 2:59 PM
2	As appropriate during IC evaluation	7/30/2015 12:59 PM
3	Anyone the agency requires in the environmental covenant.	7/21/2015 12:58 PM
4	Any other interest-holders on the property (e.g., liens, easement holders)	7/14/2015 2:43 PM
5	General public, all cleanup plans (many of which include institutional controls) are required to be public noticed	7/9/2015 7:07 AM
6	Public Meetings with notice in newspaper - This is required on most federal sites and optional for most private or state owned sites.	7/6/2015 12:40 PM
7	As noted elsewhere, this type of notification will vary across divisions of UDEQ (which allow for the use of ICs and/or are implementing environmental covenants) and other State departments (who may implement an IC through rule, policy, or permit). Communication of an implemented IC will equally vary. The ones selected above are typically notified of a pending IC (by our CERCLA division) when a proposed remedy plan released for public comment.	5/24/2015 8:47 PM
8	This also varies by site. UXO sites have more notifications. Sites where the tenants are at risk require notification/community outreach.	5/21/2015 6:26 PM
9	public notice required in most cases, see 22a-133q-1(c) <a href="http://www.ct.gov/deep/lib/deep/regulations/22a/22a-133q-1.pdf">http://www.ct.gov/deep/lib/deep/regulations/22a/22a-133q-1.pdf</a>	5/12/2015 9:18 AM
10	any persons overlying ground water contaminated areas	3/11/2015 2:07 PM
11	Any affected party	3/2/2015 11:07 AM
12	Landowner is required to notify potentially affected parties/ neighbors	2/24/2015 11:08 AM
13	Local Health Departments	2/23/2015 5:58 PM
14	Local Health Departments	2/22/2015 10:23 PM
15	The IC must be filed in the appropriate county property records.	2/20/2015 2:21 PM
16	For RCRA, individuals or the facility mailing list. Under Environmental Remediation or Leaking Underground Storage Tank acts, individuals implementing the institutional controls are required to provide notice.	2/20/2015 1:02 PM

## ITRC Long-Term Contaminant Management Using Institutional Controls

17	Letters to landowners, adjacent landowners and local city and county officials. Public notices are placed in the local paper and the City Clerk posts notice in their office.	2/16/2015 10:47 PM
18	County Register of Deeds	2/12/2015 1:07 PM
19	Information posted on agency web site (Registry summary report).	2/12/2015 8:46 AM
20	Covenant holder, if different from owner. Tenants notified as needed.	2/11/2015 3:11 PM
21	Before implemented, all remedial-action decisions, including ICs elements, go out for a 30-day public notice & comment. However, the actual implementation does not include such notice.	2/11/2015 10:51 AM
22	The Agency does not provide notice when an IC is implemented except to follow the general public notice requirements in accordance with the applicable program.	2/4/2015 9:29 AM
23	Implementing Party if there is no property owner	2/4/2015 8:56 AM
24	Public advertisement as part of Amended Proposed Plan for the Site.	1/15/2015 1:17 PM

### Q29 What stakeholders in your state are notified when an institutional control is modified?

Answered: 43 Skipped: 14



Answer Choices	Responses
Current landowner	90.70% 39

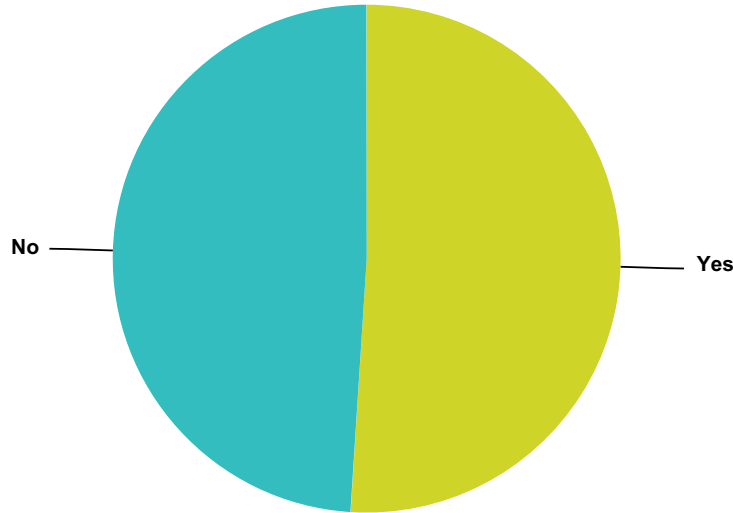
## ITRC Long-Term Contaminant Management Using Institutional Controls

New Landowner	30.23%	13
Adjacent landowner	13.95%	6
Tenants	4.65%	2
Local government	46.51%	20
Other State agencies	13.95%	6
Construction / utility	4.65%	2
Nearby business owners	0.00%	0
Nearby sensitive receptors (e.g. daycare, schools)	4.65%	2
Banks	4.65%	2
Citizens groups	9.30%	4
Home owners associations	2.33%	1
Developers	4.65%	2
Realtors	2.33%	1
Consultants	13.95%	6
<b>Total Respondents: 43</b>		

#	please list any others	Date
1	Depends on the IC	8/10/2015 2:59 PM
2	As appropriate during IC evaluation	7/30/2015 12:59 PM
3	Any other interest-holders on the property (e.g., liens, easement holders)	7/14/2015 2:43 PM
4	Public Meetings with notice in newspaper - This is required on most federal sites and optional for most private or state owned sites.	7/6/2015 12:40 PM
5	We have an open public comment period required for modification or termination of an IC.	5/26/2015 9:55 AM
6	There is no formal requirement for such notification, but under our CERCLA divisions actions the ones selected would like get notification.	5/24/2015 8:47 PM
7	not applicable, modification not allowed. No provisions for notification when ELUR is released.	5/12/2015 9:18 AM
8	same as question 28	3/11/2015 2:07 PM
9	Local government if applicable	3/2/2015 11:07 AM
10	A modification is requested by the landowner and any changes would include notice to potentially affected parties/ neighbors.	2/24/2015 11:08 AM
11	Local Health Department	2/23/2015 5:58 PM
12	Local Health Departments	2/22/2015 10:23 PM
13	Original owner notified IF their approval is specified in original restrictive covenant.	2/12/2015 8:46 AM
14	Covenant holder, if different from owner. Tenants notified as-needed.	2/11/2015 3:11 PM
15	General public notice requirements applicable to the individual program.	2/4/2015 9:29 AM
16	Implementing party (RP)	2/4/2015 8:56 AM

### Q30 Is your State agency notified when a property containing an institutional control is transferred to a new landowner?

Answered: 49 Skipped: 8



Answer Choices	Responses
Yes	51.02% 25
No	48.98% 24
<b>Total</b>	<b>49</b>

#	If yes please describe how and when you are notified.	Date
1	Sometimes. It depends on the IC.	8/10/2015 2:59 PM
2	By letter	7/22/2015 9:32 AM
3	Within 30 days of closing the seller has to notify the agency in writing of the property transfer.	7/21/2015 12:58 PM
4	Grantor must notify Agency 30 days in writing prior to any sale or transfer of property ownership	7/10/2015 12:15 PM
5	The new property owner is required to notify Ohio EPA when a property that has a covenant not to sue (both with and without institutional controls) is transferred.	7/9/2015 9:14 AM
6	By letter with a description of transfer activity	7/9/2015 7:07 AM
7	The DEUR Program Coordinator tracks this information on a yearly basis when the IC annual reports are sent to respective property owners. It should be noted above that the program (Underground Storage Tank, Voluntary Remediation Program, etc) community involvement requirements must be adhered to, which can include many of the above, but the statute specific to IC's does not have a community involvement element.	7/7/2015 8:44 AM
8	We are working to correct this deficiency. The deed notices requiring notification of the agency are not being followed by title companies and banks. The remedy could be statutory or perhaps just education efforts will solve this problem.	7/6/2015 12:40 PM
9	The LUC template includes - obligation that change of property owner is conveyed to our Director - Division of Land Restoration	7/6/2015 10:46 AM
10	It is a requirement, but doesn't always happen.	5/26/2015 9:55 AM
11	In the case of UDEQ's environmental covenant program (Title 19 Chapter 10) since the covenant is recorded to the property deed, UDEQ divisions may but such has not been tested yet.	5/24/2015 8:47 PM

## ITRC Long-Term Contaminant Management Using Institutional Controls

12	We are working to address this.	5/12/2015 9:18 AM
13	we are notified when a site with a covenant is transferred or a superfund site is transferred, but not sites with affidavits.	5/8/2015 1:46 PM
14	The CERCLA land transfer process	3/23/2015 8:33 AM
15	Within 30 days after the sale of a property, a permit transfer of ownership form must be submitted. This is apparently not well understood in the closing process, but one would think the seller might be motivated to legitimately transfer the ongoing obligations.	3/11/2015 2:07 PM
16	They are supposed to, however we are seldom notified.	3/4/2015 6:53 AM
17	EE's run with the land. Part 375 requires change of use notification which include a change in ownership see Part 375- <a href="http://www.dec.ny.gov/regulations/2393.html">http://www.dec.ny.gov/regulations/2393.html</a>	3/2/2015 10:36 AM
18	We are working to get there, but currently the restriction transfers with the property.	3/2/2015 10:25 AM
19	Standard language in our institutional controls it is required that the owner notify the Department if there is a property transfer. This is also confirmed by annual self-certifications and periodic inspections.	3/2/2015 10:10 AM
20	N/A	2/20/2015 2:21 PM
21	For the State environmental remediation or leaking underground storage tank acts, occasionally. Under RCRA, Superfund, and DSMOA facilities, there is a provision to notify the department of the facility transfers are included in the corrective action consent orders. A provision to notify the OWMRP of facility transfers are included in the corrective action consent orders, the corrective action long-term agreement, and the Part 111 rules.	2/20/2015 1:02 PM
22	It is a condition of our Agreed Orders. Notice required 30 days before the property is transferred.	2/16/2015 10:47 PM
23	Not consistently. There is no statutory requirement for the agency to be notified of property transfers. IDEM's optional restrictive covenant template contains an agency notice provision, but compliance with that requirement is sporadic.	2/12/2015 8:46 AM
24	See Section 9 of environmental covenant template at <a href="http://dnr.mo.gov/env/hwp/docs/BVCPMoECACovenantTemplate4-12-2012Web.pdf">http://dnr.mo.gov/env/hwp/docs/BVCPMoECACovenantTemplate4-12-2012Web.pdf</a> . See Section 8 of two-party covenant template (used at regulated UST/AST sites) at <a href="http://dnr.mo.gov/env/hwp/tanks/mrbca-pet/mrbca-pet-tanks.htm">http://dnr.mo.gov/env/hwp/tanks/mrbca-pet/mrbca-pet-tanks.htm</a> . No notification procedure if single party covenant used at regulated UST/AST site (and most covenants at tank sites are of this type).	2/11/2015 3:11 PM
25	In some cases, the E&ES requires such notice, but we rarely if ever receive such notice.	2/11/2015 10:51 AM
26	Virginia's UECA requirements include a notice provision and a property transfer fee. Virginia's remedy consent orders may require a notice provision.	2/4/2015 9:29 AM
27	Language is written in all EUCAs that KDHE shall be notified 15 days prior to a property transaction. A copy of the deed with new owner information must also be provided within 30 days of completed transaction. However, this doesn't always happen and it's hard to enforce.	2/4/2015 8:56 AM
28	The Agency usually becomes aware during the annual inspection that ownership has changed. It is rare for the owner to contact us prior to property transfer.	1/15/2015 1:17 PM
29	The Department is notified in writing 30 days prior to a property transfer.	1/12/2015 7:38 AM

### Q31 Please explain briefly how your State agency's institutional control activities are funded?

Answered: 48 Skipped: 9

#	Responses	Date
1	For State Superfund Sites - the State Agency's IC activities are typically paid for by the responsible party as part of work on the site/	8/10/2015 3:04 PM
2	Incorporated into regular duties	7/30/2015 1:00 PM
3	Varies by program	7/27/2015 11:54 AM
4	Fees	7/22/2015 9:34 AM
5	no additional funding source	7/22/2015 7:25 AM
6	It is a patchwork of program by program funding	7/21/2015 12:58 PM
7	The LUST program in general is funded by fees and supplemented by US EPA grants	7/21/2015 9:29 AM
8	Responsible party	7/14/2015 2:44 PM
9	Individual programs fund the institutional control activities of sites.	7/10/2015 3:16 PM
10	Primarily by Grantors but by state cleanup funding	7/10/2015 12:15 PM
11	For the Voluntary Action Program, activities are funded through the fees paid to obtain a covenant not to sue.	7/9/2015 9:16 AM
12	Programmatic dependent, example RCRA through permit fees, Voluntary Cleanup Program through environmental covenant fees...	7/9/2015 7:12 AM
13	We don't implement very many ICs, so they are funded under the Corrective Actions Bureau.	7/7/2015 10:32 AM
14	Again, Fees are associated with the ICs and provide for funds for the Agency to monitor and provide oversight of the respective sites.	7/7/2015 8:47 AM
15	Alaska's "Response Fund" is a tax on oil production and refined fuel sales. This is used to fund IC activities and other regulatory efforts. Costs for regulatory efforts on specific sites are expected to be recovered by billing the site RP or Landowner. Not all IC efforts meet the reasonable threshold for sending such billings. Alaska is considering a permit and fee system for typical IC registry, administration and reporting activities but for now all of these are funded as described above.	7/6/2015 12:46 PM
16	Responsible party goes through a Voluntary Remediation Program	7/6/2015 10:48 AM
17	From our program budget. We only cost recover when the site in question is under an active order or decree with a cost recovery mechanism already in place.	5/26/2015 9:56 AM
18	As noted elsewhere, this will vary across the divisions of UDEQ and certainly across the departments or organizational structure of other federal, state and/or local jurisdictions implementing ICs which are in part used by UDEQ. For my individual division (CERCLA division of UDEQ) our funding is provided by EPA Region 8 (under NPL projects) through cooperative agreements or through State general funds (when the State has an O&M cost contribution component).	5/24/2015 8:54 PM
19	There is no delegated funding. Staff salaries come from different sources (DSMOA, SRP, State funds, etc). We cost recover against some RPs in some programs when sites are active, but the cost recovery efforts do not currently extend throughout the IC lifecycle.	5/21/2015 6:28 PM
20	No specific funding for institutional controls. Use EPA Brownfield funding for program development and training seminars.	5/12/2015 9:20 AM
21	We bill our time to sites with active VPs or RPs if the site is active. For inactive sites and/or state funded sites, we use general funding.	5/8/2015 1:48 PM
22	DOE funds institutional control activities with annual appropriations	3/23/2015 8:36 AM
23	Permit application/modification/termination fees and annual billing.	3/11/2015 2:07 PM

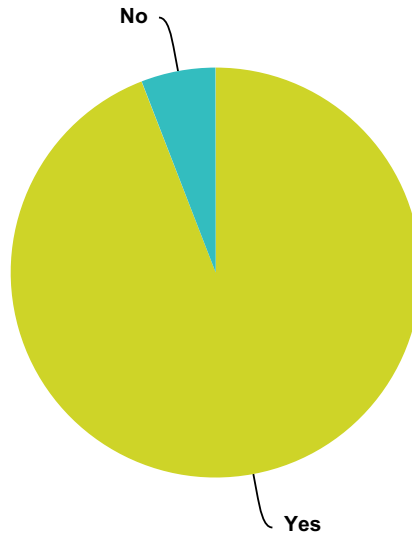
## ITRC Long-Term Contaminant Management Using Institutional Controls

24	EPA Brownfield's 128(a)	3/4/2015 6:56 AM
25	For petroleum sites, staff time is funded in the same way as any other site activity.	3/2/2015 2:03 PM
26	Audits - CERCLA 128(a) grant Closure and remedial action plan approvals and later changes to those letters are fee based	3/2/2015 11:08 AM
27	Fees and Oversight Costs under the VRP program and Brownfields 128a Grant; Hazardous Waste Site Cleanup Fund; Lust Trust Fund Grant and Performance Partnership Grant (PPG); Superfund Grant	3/2/2015 11:00 AM
28	Our budget is funded through grants and fees.	3/2/2015 10:44 AM
29	IC's are an element of the remedy and funded that same as any other. For RP funded sites, the RP undertakes the IC and DEC does for state funded sites	3/2/2015 10:37 AM
30	Primarily through our EPA Brownfields grant, some liable party funding, and through the State DoR program funding in some cases.	3/2/2015 10:27 AM
31	Annual fees and hourly billing rates.	3/2/2015 10:12 AM
32	Arkansas' remedial action trust fund is funded by permit and corrective action fees collected through various Hazardous Waste Division programs.	2/24/2015 11:12 AM
33	Under the Superfund program they are not.	2/23/2015 5:59 PM
34	VCP and Brownfields program	2/23/2015 5:59 PM
35	Under Utah's UST/LUST programs the only activity that incurs an expense is Utah's one call system, Blue Stakes. This utility monitoring program is currently funded (as it pertains to tracking the ECs) with State General Funds. Other options under consideration is the direct billing of responsible parties.	2/22/2015 10:27 PM
36	Mostly by responsible parties. There is no state funding assigned to manage ICs.	2/20/2015 6:48 PM
37	Activities related to ICs are funded primarily by the relevant program's state and federal funds as part of the standard budget. Additionally, some LPST sites (including activities related to ICs) are funded by private insurance.	2/20/2015 2:21 PM
38	RCRA, EPA, or DSMOA based grants, state funding or cost recovery from responsible parties.	2/20/2015 1:04 PM
39	Fee based programs	2/16/2015 10:48 PM
40	Selection and implementation are covered per site-specific VCP agreements (fee-based program) Monitoring and enforcement funded by Section 128(a) cooperative agreement with EPA.	2/12/2015 1:09 PM
41	Agency staff working on ICs may have cost recovery for implementation in a couple programs (VRP and state cleanup). IDEM has received statutory approval to develop rules to cost recover on ERC modifications. IC tracking, monitoring, compliance, etc. are not funded.	2/12/2015 8:49 AM
42	Please refer to response to #17 above.	2/11/2015 3:13 PM
43	The cost-recovery process from current owners for DEQ oversight of a site's remedial actions includes recovery of DEQ's costs associated with all aspects of ICs, if needed.	2/11/2015 10:54 AM
44	Virginia's UECA regulation has an established a fee structure, collection of participant fees for participation in the voluntary remediation program, and cost recovery/reimbursement activities through a remedy consent order.	2/4/2015 9:32 AM
45	The program was established using Federal funds (EPA 128(a)) with the idea once established, it will be self sustaining. See response to question #17. Currently supplemented with 128(a) funds to "build" up the fund.	2/4/2015 9:15 AM
46	State funded and Federal Funded when the program is not delegate.	1/16/2015 5:10 AM
47	Our State LTS Program is funded through a HSCA tax on petroleum products (0.9%). When possible, we always try to cost recover.	1/15/2015 1:19 PM
48	128(a) State Response grant; Voluntary Cleanup Program fee (\$2,000 for any determination issued that requires a LUC); and Controlled Hazardous Substance Act funds.	1/12/2015 7:40 AM



**Q32 May we contact you for clarification of responses, additional information about you State agency's institutional control actives, or case studies?**

Answered: 51 Skipped: 6



Answer Choices	Responses	
Yes	94.12%	48
No	5.88%	3
<b>Total</b>		<b>51</b>

### Q33 Please complete your contact information.

Answered: 49 Skipped: 8

Answer Choices	Responses	
Name:	100.00%	49
Agency/Dept/Division/Office	97.96%	48
Address:	100.00%	49
Address 2:	30.61%	15
City/Town:	100.00%	49
State:	97.96%	48
ZIP:	95.92%	47
Country:	0.00%	0
Email Address:	100.00%	49
Phone Number:	97.96%	48

#	Name:	Date
1	Scott Gestring	8/10/2015 3:04 PM
2	John McVey	7/30/2015 1:00 PM
3	Iver McLeod	7/27/2015 11:54 AM
4	George Hartenstein	7/27/2015 8:36 AM
5	Will Steele	7/22/2015 9:34 AM
6	Scott Radig	7/22/2015 7:25 AM
7	Bruce Wicherski	7/21/2015 12:58 PM
8	Jerri Martin	7/14/2015 2:44 PM
9	Keisha Long	7/10/2015 3:16 PM
10	Mary Stewart and Dan Blackwell	7/10/2015 12:15 PM
11	Kelly Kaletsky	7/9/2015 9:16 AM
12	Lawrence A. Norris, Chief-Redevelopment Section	7/9/2015 7:12 AM
13	Michael Friend	7/7/2015 10:32 AM
14	Gwenn Ziegler	7/7/2015 8:47 AM
15	Fred Vreeman	7/6/2015 12:46 PM
16	Pasupathy Ramanan	7/6/2015 10:48 AM
17	James Brown	7/6/2015 9:32 AM
18	Jeff Newschwander	5/26/2015 9:56 AM
19	Douglas Bacon	5/24/2015 8:54 PM
20	Lynn Bailey	5/21/2015 6:28 PM
21	Peter Hill	5/12/2015 9:20 AM
22	Shanna Schmitt	5/8/2015 1:48 PM

## ITRC Long-Term Contaminant Management Using Institutional Controls

23	Sid Garland	3/23/2015 8:36 AM
24	Bob Soboleski	3/11/2015 2:07 PM
25	Kelly Owens	3/4/2015 6:56 AM
26	Allen Dotson	3/2/2015 2:03 PM
27	Jane Lemcke	3/2/2015 11:08 AM
28	John Halk, CHMM	3/2/2015 11:00 AM
29	Joyce Munie	3/2/2015 10:44 AM
30	Jim Harrington	3/2/2015 10:37 AM
31	Robert L. Powell	3/2/2015 10:27 AM
32	Eric Jacobs	3/2/2015 10:12 AM
33	Dianna Kilburn	2/24/2015 11:12 AM
34	Douglas Bacon	2/23/2015 5:59 PM
35	Michelle Hunter	2/23/2015 5:59 PM
36	John Menatti	2/22/2015 10:27 PM
37	Carolyn Tatoian Cain	2/20/2015 6:48 PM
38	Paul Lewis	2/20/2015 2:21 PM
39	Dan Yordanich / Kimberly Tyson	2/20/2015 1:04 PM
40	Queen Trish Coppolino	2/19/2015 5:55 PM
41	Willie McKercher	2/16/2015 10:48 PM
42	Carrie Wiese	2/12/2015 1:09 PM
43	Nancy Dollar	2/12/2015 8:49 AM
44	Timothy Chibnall	2/11/2015 3:13 PM
45	Gil Wistar	2/11/2015 10:54 AM
46	Michelle Hollis	2/4/2015 9:32 AM
47	Brett Tavener	2/4/2015 9:15 AM
48	Wendy March	1/15/2015 1:19 PM
49	Jim Carroll	1/12/2015 7:40 AM
<b>#</b>	<b>Agency/Dept/Division/Office</b>	<b>Date</b>
1	DEQ/HWCB/REM	8/10/2015 3:04 PM
2	DENR / PRCF	7/30/2015 1:00 PM
3	MEDEP/Division of Remediation	7/27/2015 11:54 AM
4	Dept of Environmental Protection	7/27/2015 8:36 AM
5	ND Dept. of Health, Waste Management Division	7/22/2015 7:25 AM
6	Idaho Department of Environmental Quality	7/21/2015 12:58 PM
7	DWM - Superfund Branch	7/14/2015 2:44 PM
8	SC DHEC	7/10/2015 3:16 PM
9	Florida Department of Environmental Protection-Office of the General Counsel	7/10/2015 12:15 PM
10	Ohio EPA - DERR - VAP	7/9/2015 9:16 AM
11	Alabama Department of Environmental Management/Land Division/Environmental Services Branch/Redevelopment Section	7/9/2015 7:12 AM
12	Environmental Protection	7/7/2015 10:32 AM

## ITRC Long-Term Contaminant Management Using Institutional Controls

13	ADEQ/RPS/Voluntary Remediation Program	7/7/2015 8:47 AM
14	Alaska Dept. of Environmental Conservation	7/6/2015 12:46 PM
15	WV DEP	7/6/2015 10:48 AM
16	NCDENR - DWM - UST Section	7/6/2015 9:32 AM
17	Washington State Department of Ecology	5/26/2015 9:56 AM
18	Utah DEQ/Div. of Env. Response & Remediation/ NPL Section	5/24/2015 8:54 PM
19	Hawaii Dept of Health, Hazard Evaluation and Emergency Response Office	5/21/2015 6:28 PM
20	DEEP, Remediation Division	5/12/2015 9:20 AM
21	MPCA, Remediation Division	5/8/2015 1:48 PM
22	Department of Energy Oak Ridge Office of Environmental Management	3/23/2015 8:36 AM
23	SRP	3/11/2015 2:07 PM
24	RIDEM Office of Waste Management	3/4/2015 6:56 AM
25	Petroleum Remediation Section	3/2/2015 2:03 PM
26	WI Department of Natural Resources	3/2/2015 11:08 AM
27	LDEQ/OEC/USTRD	3/2/2015 11:00 AM
28	IEPA/BOL/DRM/RPMS	3/2/2015 10:44 AM
29	NYS DEC	3/2/2015 10:37 AM
30	Remediation	3/2/2015 10:27 AM
31	CDPHE HMWMD	3/2/2015 10:12 AM
32	Arkansas Department of Environmental Quality, Hazardous Waste Division	2/24/2015 11:12 AM
33	UDEQ/DERR/NPL Section	2/23/2015 5:59 PM
34	New Mexico Environment Depart - Ground Water Quality Bureau	2/23/2015 5:59 PM
35	UDEQ - DERR,	2/22/2015 10:27 PM
36	Cal/EPA, DTSC	2/20/2015 6:48 PM
37	TCEQ/Remediation Division	2/20/2015 2:21 PM
38	Remediation and Redevelopment Division / Office of Waste Management and Radiological Protection MDEQ	2/20/2015 1:04 PM
39	VT Agency of Natural Resources	2/19/2015 5:55 PM
40	MDEQ - GARD	2/16/2015 10:48 PM
41	Nebraska Department of Environmental Quality	2/12/2015 1:09 PM
42	Indiana Dept. of Environmental Management	2/12/2015 8:49 AM
43	DNR/DEQ/HWP	2/11/2015 3:13 PM
44	Oregon Dept. of Environmental Quality	2/11/2015 10:54 AM
45	Department of Environmental Quality	2/4/2015 9:32 AM
46	KDHE/Environment	2/4/2015 9:15 AM
47	Delaware Department of Natural Resources and Environmental Control	1/15/2015 1:19 PM
48	Maryland Department of the Environment, Land Management Administration, Land Restoration Program	1/12/2015 7:40 AM
<b>#</b>	<b>Address:</b>	<b>Date</b>
1	PO Box 200901	8/10/2015 3:04 PM
2	523 E Capitol Ave	7/30/2015 1:00 PM
3	17 State House Stn.	7/27/2015 11:54 AM
4	PO Box 8471	7/27/2015 8:36 AM

## ITRC Long-Term Contaminant Management Using Institutional Controls

5	2 M. L. King, Jr. Dr., SE	7/22/2015 9:34 AM
6	918 E Divide Ave	7/22/2015 7:25 AM
7	1410 North Hilton	7/21/2015 12:58 PM
8	200 Fair Oaks Lane	7/14/2015 2:44 PM
9	2600 Bull Street	7/10/2015 3:16 PM
10	3900 Commonwealth Blvd. MS 35	7/10/2015 12:15 PM
11	50 W. Toiwn Street, Suite 700	7/9/2015 9:16 AM
12	1400 Coliseum Boulevard	7/9/2015 7:12 AM
13	2030 East Flamingo	7/7/2015 10:32 AM
14	1110 W Washington St	7/7/2015 8:47 AM
15	610 University Avenue	7/6/2015 12:46 PM
16	2031 Pleasant Valley Road	7/6/2015 10:48 AM
17	225 Green Street	7/6/2015 9:32 AM
18	15 W Yakima Ave	5/26/2015 9:56 AM
19	195 North 1950 West	5/24/2015 8:54 PM
20	919 Ala Moana Blvd., Room 206	5/21/2015 6:28 PM
21	79 Elm Street	5/12/2015 9:20 AM
22	520 Lafayette Ave N	5/8/2015 1:48 PM
23	152 South Columbia Drive	3/23/2015 8:36 AM
24	401 E. State St.,	3/11/2015 2:07 PM
25	235 Promenade Street	3/4/2015 6:56 AM
26	520 Lafayette Road	3/2/2015 2:03 PM
27	PO Box 7921	3/2/2015 11:08 AM
28	P.O. Box 4312	3/2/2015 11:00 AM
29	1021 N. Grand Ave. E	3/2/2015 10:44 AM
30	625 Broadway	3/2/2015 10:37 AM
31	312 Rosa L. Parks Avenue	3/2/2015 10:27 AM
32	HMWMD-B2	3/2/2015 10:12 AM
33	5301 Northshore Drive	2/24/2015 11:12 AM
34	195 North 1950 West	2/23/2015 5:59 PM
35	1190 St. Francis Drive	2/23/2015 5:59 PM
36	195 North 1950 West	2/22/2015 10:27 PM
37	8800 Cal Center Drive	2/20/2015 6:48 PM
38	MC-133	2/20/2015 2:21 PM
39	525 West Allegan Street	2/20/2015 1:04 PM
40	Land of Ice and Snow	2/19/2015 5:55 PM
41	PO Box 2261	2/16/2015 10:48 PM
42	1200 N Street, Suite 400	2/12/2015 1:09 PM
43	100 North Senate Ave.	2/12/2015 8:49 AM
44	PO Box 176	2/11/2015 3:13 PM
45	811 SW 6th Ave.	2/11/2015 10:54 AM

## ITRC Long-Term Contaminant Management Using Institutional Controls

46	629 East Main Street	2/4/2015 9:32 AM
47	1000 SW Jackson St.	2/4/2015 9:15 AM
48	Site Investigation and Restoration Section	1/15/2015 1:19 PM
49	1800 Washington Boulevard	1/12/2015 7:40 AM
<b>#</b>	<b>Address 2:</b>	<b>Date</b>
1	Suite 1066	7/22/2015 9:34 AM
2	3rd Floor	7/22/2015 7:25 AM
3	2nd Floor	7/14/2015 2:44 PM
4	P.O. Box 1049	7/9/2015 9:16 AM
5	Suite 230	7/7/2015 10:32 AM
6	Suite#1	7/6/2015 10:48 AM
7	RR/5	3/2/2015 11:08 AM
8	14th Floor, TN Towers	3/2/2015 10:27 AM
9	4300 Cherry Creek Drive South	3/2/2015 10:12 AM
10	P.O. Box 144840	2/23/2015 5:59 PM
11	P. O. Box 13087	2/20/2015 2:21 PM
12	5th Floor South / 4th Floor South	2/20/2015 1:04 PM
13	IGCN 1101	2/12/2015 8:49 AM
14	Suite 410	2/4/2015 9:15 AM
15	391 Lukens Drive	1/15/2015 1:19 PM
<b>#</b>	<b>City/Town:</b>	<b>Date</b>
1	Helena	8/10/2015 3:04 PM
2	Pierre	7/30/2015 1:00 PM
3	Augusta	7/27/2015 11:54 AM
4	Harrisburg	7/27/2015 8:36 AM
5	Atlanta	7/22/2015 9:34 AM
6	Bismarck	7/22/2015 7:25 AM
7	Boise	7/21/2015 12:58 PM
8	Frankfort	7/14/2015 2:44 PM
9	Columbia	7/10/2015 3:16 PM
10	Tallahassee	7/10/2015 12:15 PM
11	Columbus	7/9/2015 9:16 AM
12	Montgomery	7/9/2015 7:12 AM
13	Las Vegas	7/7/2015 10:32 AM
14	Phoenix	7/7/2015 8:47 AM
15	Fairbanks	7/6/2015 12:46 PM
16	Fairmont	7/6/2015 10:48 AM
17	Fayetteville	7/6/2015 9:32 AM
18	Yakima	5/26/2015 9:56 AM
19	SLC	5/24/2015 8:54 PM
20	Honolulu	5/21/2015 6:28 PM

## ITRC Long-Term Contaminant Management Using Institutional Controls

21	Hartford	5/12/2015 9:20 AM
22	St. Paul	5/8/2015 1:48 PM
23	Oak Ridge	3/23/2015 8:36 AM
24	Trenton	3/11/2015 2:07 PM
25	Providence	3/4/2015 6:56 AM
26	St. Paul	3/2/2015 2:03 PM
27	Madison	3/2/2015 11:08 AM
28	Baton Rouge	3/2/2015 11:00 AM
29	Springfield	3/2/2015 10:44 AM
30	Albany	3/2/2015 10:37 AM
31	Nashville	3/2/2015 10:27 AM
32	Denver	3/2/2015 10:12 AM
33	North Little Rock	2/24/2015 11:12 AM
34	Salt Lake City	2/23/2015 5:59 PM
35	Santa Fe	2/23/2015 5:59 PM
36	Salt Lake City	2/22/2015 10:27 PM
37	Sacramento	2/20/2015 6:48 PM
38	Austin	2/20/2015 2:21 PM
39	Lansing	2/20/2015 1:04 PM
40	Frozen Town	2/19/2015 5:55 PM
41	Jackson	2/16/2015 10:48 PM
42	Lincoln	2/12/2015 1:09 PM
43	Indianapolis	2/12/2015 8:49 AM
44	Jefferson City	2/11/2015 3:13 PM
45	Portland	2/11/2015 10:54 AM
46	Richmond	2/4/2015 9:32 AM
47	Topeka	2/4/2015 9:15 AM
48	New Castle	1/15/2015 1:19 PM
49	Baltimore	1/12/2015 7:40 AM
<b>#</b>	<b>State:</b>	<b>Date</b>
1	MT	8/10/2015 3:04 PM
2	SD	7/30/2015 1:00 PM
3	ME	7/27/2015 11:54 AM
4	PA	7/27/2015 8:36 AM
5	GA	7/22/2015 9:34 AM
6	ND	7/22/2015 7:25 AM
7	ID	7/21/2015 12:58 PM
8	KY	7/14/2015 2:44 PM
9	SC	7/10/2015 3:16 PM
10	FL	7/10/2015 12:15 PM
11	OH	7/9/2015 9:16 AM

## ITRC Long-Term Contaminant Management Using Institutional Controls

12	AL	7/9/2015 7:12 AM
13	NV	7/7/2015 10:32 AM
14	AZ	7/7/2015 8:47 AM
15	AK	7/6/2015 12:46 PM
16	WV	7/6/2015 10:48 AM
17	NC	7/6/2015 9:32 AM
18	WA	5/26/2015 9:56 AM
19	UT	5/24/2015 8:54 PM
20	HI	5/21/2015 6:28 PM
21	CT	5/12/2015 9:20 AM
22	MN	5/8/2015 1:48 PM
23	TN	3/23/2015 8:36 AM
24	NJ	3/11/2015 2:07 PM
25	RI	3/4/2015 6:56 AM
26	MN	3/2/2015 2:03 PM
27	WI	3/2/2015 11:08 AM
28	LA	3/2/2015 11:00 AM
29	IL	3/2/2015 10:44 AM
30	NY	3/2/2015 10:37 AM
31	TN	3/2/2015 10:27 AM
32	CO	3/2/2015 10:12 AM
33	AR	2/24/2015 11:12 AM
34	UT	2/23/2015 5:59 PM
35	NM	2/23/2015 5:59 PM
36	UT	2/22/2015 10:27 PM
37	TX	2/20/2015 2:21 PM
38	MI	2/20/2015 1:04 PM
39	VT	2/19/2015 5:55 PM
40	MS	2/16/2015 10:48 PM
41	NE	2/12/2015 1:09 PM
42	IN	2/12/2015 8:49 AM
43	MO	2/11/2015 3:13 PM
44	OR	2/11/2015 10:54 AM
45	VA	2/4/2015 9:32 AM
46	KS	2/4/2015 9:15 AM
47	DE	1/15/2015 1:19 PM
48	MD	1/12/2015 7:40 AM
<b>#</b>	<b>ZIP:</b>	<b>Date</b>
1	59620--0901	8/10/2015 3:04 PM
2	57501	7/30/2015 1:00 PM
3	04333	7/27/2015 11:54 AM



## ITRC Long-Term Contaminant Management Using Institutional Controls

4	17105	7/27/2015 8:36 AM
5	30334	7/22/2015 9:34 AM
6	58501-194	7/22/2015 7:25 AM
7	83706	7/21/2015 12:58 PM
8	40601	7/14/2015 2:44 PM
9	29201	7/10/2015 3:16 PM
10	32399-3000	7/10/2015 12:15 PM
11	43216	7/9/2015 9:16 AM
12	36110-2400	7/9/2015 7:12 AM
13	89119	7/7/2015 10:32 AM
14	85007	7/7/2015 8:47 AM
15	99709	7/6/2015 12:46 PM
16	26554	7/6/2015 10:48 AM
17	28301	7/6/2015 9:32 AM
18	98902	5/26/2015 9:56 AM
19	84116	5/24/2015 8:54 PM
20	96814	5/21/2015 6:28 PM
21	06106	5/12/2015 9:20 AM
22	55155	5/8/2015 1:48 PM
23	37830	3/23/2015 8:36 AM
24	08625	3/11/2015 2:07 PM
25	02908	3/4/2015 6:56 AM
26	55155	3/2/2015 2:03 PM
27	53711	3/2/2015 11:08 AM
28	70821-4312	3/2/2015 11:00 AM
29	62702	3/2/2015 10:44 AM
30	37243	3/2/2015 10:27 AM
31	80246-1530	3/2/2015 10:12 AM
32	72118	2/24/2015 11:12 AM
33	84114-4840	2/23/2015 5:59 PM
34	87111	2/23/2015 5:59 PM
35	84116	2/22/2015 10:27 PM
36	95826	2/20/2015 6:48 PM
37	78711-3087	2/20/2015 2:21 PM
38	48933-7926	2/20/2015 1:04 PM
39	39225	2/16/2015 10:48 PM
40	68509	2/12/2015 1:09 PM
41	46142	2/12/2015 8:49 AM
42	65102-0176	2/11/2015 3:13 PM
43	97204	2/11/2015 10:54 AM
44	23218	2/4/2015 9:32 AM

## ITRC Long-Term Contaminant Management Using Institutional Controls

45	66612	2/4/2015 9:15 AM
46	19701	1/15/2015 1:19 PM
47	21230	1/12/2015 7:40 AM
<b>#</b>	<b>Country:</b>	<b>Date</b>
	There are no responses.	
<b>#</b>	<b>Email Address:</b>	<b>Date</b>
1	sgestring@mt.gov	8/10/2015 3:04 PM
2	john.mcvey@state.sd.us	7/30/2015 1:00 PM
3	iver.j.mcleod@maine.gov	7/27/2015 11:54 AM
4	ghartenste@pa.gov	7/27/2015 8:36 AM
5	Will.Steele@dnr.ga.gov	7/22/2015 9:34 AM
6	sradig@nd.gov	7/22/2015 7:25 AM
7	bruce.wicherski@deq.idaho.gov	7/21/2015 12:58 PM
8	jerri.martin@ky.gov	7/14/2015 2:44 PM
9	longkd@dhec.sc.gov	7/10/2015 3:16 PM
10	mary.stewart@dep.state.fl.us & dan.blackwell@dep.state.fl.us	7/10/2015 12:15 PM
11	kelly.kaletsky@epa.ohio.gov	7/9/2015 9:16 AM
12	lan@adem.state.al.us	7/9/2015 7:12 AM
13	mpfriend@ndep.nv.gov	7/7/2015 10:32 AM
14	gez@azdeq.gov	7/7/2015 8:47 AM
15	fred.vreeman@alaska.gov	7/6/2015 12:46 PM
16	pasupathy.ramanan@wv.gov	7/6/2015 10:48 AM
17	james.brown@ncdenr.gov	7/6/2015 9:32 AM
18	jeff.newschwander@ecy.wa.gov	5/26/2015 9:56 AM
19	dbacon@utah.gov	5/24/2015 8:54 PM
20	lynn.bailey@doh.hawaii.gov	5/21/2015 6:28 PM
21	peter.hill@ct.gov	5/12/2015 9:20 AM
22	shanna.schmitt@state.mn.us	5/8/2015 1:48 PM
23	sidney.garland@ettp.doe.gov	3/23/2015 8:36 AM
24	bob.soboleski@dep.nj.gov	3/11/2015 2:07 PM
25	kelly.owens@dem.ri.gov	3/4/2015 6:56 AM
26	allen.dotson@state.mn.us	3/2/2015 2:03 PM
27	Jane.Lemcke@wisconsin.gov	3/2/2015 11:08 AM
28	john.halk@la.gov	3/2/2015 11:00 AM
29	Joyce.Munie@Illinois.gov	3/2/2015 10:44 AM
30	Jim.Harrington@dec.ny.gov	3/2/2015 10:37 AM
31	Robert.Powell@tn.gov	3/2/2015 10:27 AM
32	eric.jacobs@state.co.us	3/2/2015 10:12 AM
33	kilburn@adeq.state.ar.us	2/24/2015 11:12 AM
34	dbacon@utah.gov	2/23/2015 5:59 PM
35	michelle.hunter@state.nm.us	2/23/2015 5:59 PM

## ITRC Long-Term Contaminant Management Using Institutional Controls

36	jmenatti@utah.gov	2/22/2015 10:27 PM
37	ctatoian@dtsc.ca.gov	2/20/2015 6:48 PM
38	paul.lewis@tceq.texas.gov	2/20/2015 2:21 PM
39	yordanichd@michigan.gov / tysonk@michigan.gov	2/20/2015 1:04 PM
40	patricia.coppolino@state.vt.us	2/19/2015 5:55 PM
41	Willie_McKercher@deq.state.ms.us	2/16/2015 10:48 PM
42	carrie.wiese@nebraska.gov	2/12/2015 1:09 PM
43	ndollar@idem.in.gov	2/12/2015 8:49 AM
44	tim.chibnall@dnr.mo.gov	2/11/2015 3:13 PM
45	wistar.gil@deq.state.or.us	2/11/2015 10:54 AM
46	michelle.hollis@deq.virginia.gov	2/4/2015 9:32 AM
47	btavener@kdheks.gov	2/4/2015 9:15 AM
48	wendy.march@state.de.us	1/15/2015 1:19 PM
49	James.Carroll @maryland.gov	1/12/2015 7:40 AM
<b>#</b>	<b>Phone Number:</b>	<b>Date</b>
1	(406) 444-6471	8/10/2015 3:04 PM
2	6057735488	7/30/2015 1:00 PM
3	207-287-8010	7/27/2015 11:54 AM
4	717-783-3006	7/27/2015 8:36 AM
5	404-463-0080	7/22/2015 9:34 AM
6	7013285166	7/22/2015 7:25 AM
7	208-373-0246	7/21/2015 12:58 PM
8	502-564-6716	7/14/2015 2:44 PM
9	803-898-0774	7/10/2015 3:16 PM
10	(850) 245-2287	7/10/2015 12:15 PM
11	614-644-2304	7/9/2015 9:16 AM
12	334-279-3053	7/9/2015 7:12 AM
13	7024862850	7/7/2015 10:32 AM
14	602-771-4177	7/7/2015 8:47 AM
15	907-451-2181	7/6/2015 12:46 PM
16	304-368-2000 ext. 3730	7/6/2015 10:48 AM
17	9104333300	7/6/2015 9:32 AM
18	5094547842	5/26/2015 9:56 AM
19	801-536-4282	5/24/2015 8:54 PM
20	808-586-4249	5/21/2015 6:28 PM
21	860-424-3912	5/12/2015 9:20 AM
22	651-757-2697	5/8/2015 1:48 PM
23	865-574-8581	3/23/2015 8:36 AM
24	609-984-2990	3/11/2015 2:07 PM
25	401-222-2797	3/4/2015 6:56 AM
26	651-757-2315	3/2/2015 2:03 PM

## ITRC Long-Term Contaminant Management Using Institutional Controls

27	608 267-0554	3/2/2015 11:08 AM
28	225-219-3652	3/2/2015 11:00 AM
29	217.524.3300	3/2/2015 10:44 AM
30	518-402-9624	3/2/2015 10:37 AM
31	615-532-0916	3/2/2015 10:27 AM
32	303-692-3430	3/2/2015 10:12 AM
33	501-682-0844	2/24/2015 11:12 AM
34	8015364282	2/23/2015 5:59 PM
35	505 827 2242	2/23/2015 5:59 PM
36	801-536-4159	2/22/2015 10:27 PM
37	916 255 3771	2/20/2015 6:48 PM
38	512-239-2341	2/20/2015 2:21 PM
39	517-284-5174 / 517-284-6574	2/20/2015 1:04 PM
40	802-249-5822	2/19/2015 5:55 PM
41	601-961-5731	2/16/2015 10:48 PM
42	402-471-6411	2/12/2015 1:09 PM
43	317 234-4814	2/12/2015 8:49 AM
44	573-522-1833	2/11/2015 3:13 PM
45	(503) 229-5512	2/11/2015 10:54 AM
46	804-698-4014	2/4/2015 9:32 AM
47	wendy.march@state.de.us	1/15/2015 1:19 PM
48	410-537-3459	1/12/2015 7:40 AM