FDEP as your Waste Clean-up Partner

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Paradigm Shift

• What does a partnership look like?
  • Buyer
  • Seller
  • City/County
  • EPA
  • DEP

• How do you convince your client, consultant, etc?

• Have you openly shared your challenges with DEP?
  • Challenges are opportunities we solve together.
  • Avoid the reputation of “Chicken Little” in continuous crisis mode.
Communication

• One person communicates with the DEP.
  • No mixed messages.

• Provide all the information you possess at the outset.
  • Lessons learned: Information brought in after the fact creates delays.
  • Why waste time and money? Why squander trust?

• Know and communicate your vision for your project.
  • Backward plan from the end state to develop a plan and timeline for everyone to understand and follow.
Critical Information

• How does site rehabilitation fit into:
  • Timeline/Milestones
    • Assessment Approval/Closure Order required for financing?

• How complete is site assessment?
  • What is the degree and extent of contamination?
    • Does contamination extend beyond the property boundary?
      • *If so, have you notified the adjacent property owners?*
    • Have you demonstrated that natural or anthropogenic background conditions may apply?
      • *BaPs*
      • Arsenic.
Critical Information

• Do you have a conceptual development plan?
  • Overlay development plan with contaminated areas.

• Will remediation be accomplished via development?

• Is the property owner willing to use controls?
  • Institutional controls.
  • Engineering controls.

• Are other permits required from the DEP or WMD?
  • Dewatering, wetlands, docks, dredging, storm water.

• Items not required by DEP: Health and Safety Plans.
Coordination

• Meet with the Department to discuss your project.
  • Identify team personnel.
  • Communicate the end state vision of development.
  • Discuss timeline/development schedule and critical milestones.
• Provide all assessment information in advance.
  • Soil and groundwater data.
  • Maps and overlays.
  • Planned activities (source removal/remediation).
  • Use of controls.

• Let’s get started!