

APPENDIX A

DEFINITIONS

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CERCLA, as defined in the National Oil and Hazardous Pollution Contingency Plan, is the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986.

Decision Document, as defined in the EPA Region 4 Policy, refers to Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Records of Decision, Resource Conservation and Recovery Act (RCRA) Statement of Basis/Notices of Decision, and RCRA Permit Modifications.

Facility, as defined in the EPA Region 4 Policy, refers to a military base or other entire federal installation.

Land Use Control (LUC), as defined in the EPA Region 4 Policy and in regard to real property on federal facilities, means any restriction or control that limits the use of and/or exposure to any portion of that property, including water resources, arising from the need to protect human health and the environment. The term encompasses “institutional controls”, such as those involved in real estate interests, governmental permitting, zoning, public advisories, deed notices, and other “legal” restrictions. The term may also include restrictions on access, whether achieved by means of engineered barriers (e.g., fence or concrete pad) or by human means (e.g., the presence of security guards). Additionally, the term may involve both affirmative measures to achieve the desired restrictions (e.g., night lighting of an area) and prohibitive directives (e.g., no drilling of drinking water wells). Considered altogether, the LUCs for a facility will provide a tool for how its property should be used in order to maintain the level of protectiveness that one or more remedial/corrective actions were designed to achieve.

Land Use Control Assurance Plan (LUCAP), as defined in the EPA Region 4 Policy, is a written facility-wide plan that sets out the procedure to assure LUCs remain effective over the long-term for all areas at the particular facility where they are required.

Land Use Control Implementation Plan (LUCIP), as defined in the EPA Region 4 Policy, is a written plan, normally developed after a decision document has required one or more LUCs for some particular area (e.g., operable unit, contaminated unit, and/or solid waste management unit), that

- (1) identifies each LUC objective for that area (e.g., to restrict public access to the area for recreational use) and
- (2) specifies those actions required to achieve each identified objective (e.g., install/maintain a fence, post warning signs, record notice in deed records).

LUCIPs specify what must be done to impose and maintain the required LUCs, and are therefore analogous to design and/or operation and maintenance plans developed for active remedies.

Monitoring, as defined in the EPA Region 4 Policy, is used to indicate a variety of investigative activities, ranging from “drive-by” visual observations to detailed scientific sampling and testing. The nature of the particular LUCs being implemented will determine the type(s) and extent of any “monitoring” activities provided at an operable unit.

Proposed Plan(s), as defined in the FFA, mean the report(s) describing the corrective/remedial action(s) recommended for a waste unit, Section 117(a) of CERCLA, 42 USC § 9617.

RCRA is the Resource Conservation and Recovery Act, 1976, a Federal law that established a regulatory system to track hazardous substances from their generation to disposal. The law requires safe and secure procedures to be used in treating, transporting, storing, and disposing of hazardous substances. RCRA is designed to prevent the creation of new, uncontrolled hazardous waste units.

Record(s) of Decision (RODs), as defined in the FFA, mean the document(s) issued as the final corrective/remedial action plan for a waste unit, Section 117(b) of CERCLA, 42 USC § 9617

Statement(s) of Basis, as defined in the FFA, mean the report(s) describing the corrective measure(s)/remedial action(s) being conducted pursuant to South Carolina Hazardous Waste Management Regulations, as amended.

Waste Unit refers to a particular area (such as an “operable unit”) that makes up only a portion of the facility.

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