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*ELECTRONIC NEWS BRIEF***Suggestions for NFR Compliance***Maintaining the Integrity of Engineered Barriers*

Last month we reported on the Illinois EPA's decision to inspect sites that received No Further Remediation or "NFR" letters in 1997 to see if they were in compliance with the terms of their letter. All but three were meeting their commitments. In two cases, engineered barriers had been breached and in the third case, residential construction had occurred on a site restricted to industrial/commercial use.

Since Illinois EPA intends to make such inspections a fixture of the Site Remediation Program, we have been asked what can be done to insure compliance.

Engineered Barrier Maintenance Protocol™

One approach that Carlson has developed is a protocol for owners and/or tenants of facilities where contaminated soil is located beneath engineered barriers (such as asphalt or concrete parking lots). *The Engineered Barrier Maintenance Protocol™* is designed to insure the integrity of the barriers if they are breached due to wear, subsurface maintenance work or other activities. The Protocol includes a description of the remediation program, location of barriers, description of contaminants, provisions for periodic inspection and maintenance, procedures for dealing with a breach of the barrier, restrictions on access during subsurface work, and a health and safety plan for activities that involve exposing affected soils.

"This approach is particularly appropriate for sites with extensive barrier systems and multiple tenants," says Carlson Vice President Ed Garske. "It protects the site owner by providing an orderly system for inspecting the premises, identifying and quickly solving problems. It also provides a convenient vehicle for modifying lease agreements to insure that tenants don't inadvertently put owners into non-compliance with their NFR letters."

FOR FURTHER INFORMATION CONTACT:

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To Recipients of *The Carlson Report*:

I hope you found this information useful. We will continue to augment our regular editions of *The Carlson Report* with breaking news of interest to you. Please give me a call with questions or comments.

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