



Fact Sheet

Commonwealth of Pennsylvania • Department of Environmental Protection
Bureau of Land Recycling & Waste Management • Land Recycling Program Fact Sheet 4

Cleanups Using The Background Standard

Explanation

Under Act 2, anyone who is proposing or is required to clean up a site and wants cleanup liability protection must select one or a combination of three environmental remediation standards (background, Statewide health, and site-specific) or remediate the site as a special industrial area.

The background standard is defined as the concentration of a contaminant that is present at the site but is not related to any release of contamination at the site. For example, the contaminant could be present because it is a natural component of soil or because it has been released from an off-site facility.

Anyone choosing to use the background standard must meet the standard for each contaminant in each environmental medium (such as soil and groundwater) for which they want to demonstrate attainment. The standard will generally be met through the use of treatment and removal technologies.

Final certification that a site meets the background standard must be documented as follows:

- Attainment of the background standard must be demonstrated by collection and analysis of representative samples from environmental media of concern, including soils and groundwater.

- A final report that documents the attainment of the background standard must be submitted to the Department of Environmental Protection (DEP).
- Institutional controls such as fencing and land use restrictions may not be used to attain the background standard. A deed notice is not necessary when a site is cleaned up to background.

Procedures

When remediating to background, the following procedures must be followed to notify the department and the public about the cleanup:

- A **notice of intent to remediate** must be sent to DEP. DEP will publish an acknowledgment of receipt in The Pennsylvania Bulletin.
- A copy of the **notice of intent to remediate** must be sent to the municipality where the site is located. A summary of the notice must be published in a local newspaper.
- **Notice of submission of the final report** demonstrating attainment of the background standards must be sent to the municipality, published in a local newspaper, and published in The Pennsylvania Bulletin.
- DEP will review the final report within 60 days. If DEP does not approve the report or respond with a notice of deficiency within 60 days, the final report shall be deemed approved.

Contact Information

For information concerning this initiative and the Pennsylvania Land Recycling Program, call (717) 783-7816 or the Information Request Line at (717) 787-6264 to request written material or to place a message on voice mail. You may also visit our web site at website at <http://www.state.pa.us>. (PA Keyword: "Land Recycling"). Questions and comments may be directed to Tom Fidler, Program Manager, at tfidler@state.pa.us.

Environmental Cleanup Program Managers

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This fact sheet and related environmental information are available electronically via Internet. For more information, visit us through the PA PowerPort at <http://www.state.pa.us> PA Keyword "Land Recycling".



www.GreenWorks.tv - A web space dedicated to helping you learn how to protect and improve the environment. The site features the largest collection of environmental videos available on the Internet and is produced by the nonprofit Environmental Fund for Pennsylvania, with financial support from the Pennsylvania Department of Environmental Protection, 877-PA-GREEN.