

Appendix J

Sediment Remedy Institutional Controls Implementation and Assurance Plan Outline

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This appendix provides an outline of the Sediment Remedy Institutional Controls Implementation and Assurance Plan (ICIAP) for the LDW upper reach remedial design (RD). The Final (100%) RD will prepare an annotated outline of the Sediment Remedy ICIAP. The Implementing Entity will complete and implement the Sediment Remedy ICIAP after construction is complete. This ICIAP does not include seafood consumption related institutional controls because those have been developed separately by EPA (Lee et al. 2019).

1. Introduction
2. Site Details
 - a. Site Description
 - b. Brief Site History
 - c. Property Information and Stakeholder Contacts
3. Elements of Planned/Implemented Institutional Controls (ICs)
 - a. Objectives of ICs
 - b. Elements Specific to IC Agreement
 - i. Proprietary Controls
 - ii. Governmental Controls
 - iii. Enforcement and Permit Tools with IC Components
 - iv. Informational Devices
 - c. General Institutional Control Elements
 - i. Example IC #1
 - ii. Example IC #2
 - iii. Example IC #3
 - d. IC Relationship Matrix
4. Maintenance
 - a. IC Assurance Monitoring
 - i. Responsible parties
 - ii. Frequency of Inspections and IC monitoring
 - iii. Monitoring Activities
 - iv. Events and Activities to be Monitored
 - b. Reporting
 - i. Procedures
 - ii. Frequency
 - iii. Events and Activities to be Reported
 - iv. Entity Responsible for Reporting

- v. Regulatory Entity Contacts
- 5. Enforcement
 - a. Enforcement Entities and Procedure
 - i. Triggering events
 - ii. Responsible Entity
 - iii. Procedure and Time Frame
 - iv. Enforcing Entity and Notification Procedures
 - v. Legal Authority for Enforcing
 - vi. Contingency Plans
 - vii. Financial Assurances
- 6. IC Modification and Termination Elements
 - a. Modification Process
 - i. Conditions for Modification
 - ii. Responsible Parties
 - b. Termination Process
 - i. Conditions for Termination
 - ii. Responsible Parties
- 7. Attachments
 - a. IC Agreements

References

EPA, 2012. Institutional Controls: A Guide to Planning, Implementing, Maintaining and Enforcing Institutional Controls at Contaminated Sites. EPA 540-R-09-001. OSWER 9355.0-89. December 2012.

Lee S., Tippens K., and Ho K. ,2019. US EPA's Institutional Control Implementation and Assurance Plan (ICIAP) for Seafood Consumption at the Lower Duwamish Waterway (LDW) Superfund Site, Final, August 2019. Prepared by Public Health – Seattle & King County for the United States Environmental Protection Agency Region 10.