

GOVERNMENT OF THE DISTRICT OF COLUMBIA
District Department of the Environment



Toxic Substances Division

Voluntary Cleanup Program

Certificate of Completion (COC) and No Further Action (NFA)
Requirements

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A. Scope

Prior to approving a request for COC and NFA, the Branch shall be satisfied of the following:

- 1) That the cleanup action plan has been properly implemented;
- 2) That all cleanup action plan objectives have been met;
- 3) That all contamination has been removed;
- 4) That the site does not pose a threat to human health and the environment;
- 5) That soil contaminant levels have been reduced to District of Columbia standards or to levels approved by the Branch;
- 6) That surface water contaminant levels have been reduced to District of Columbia standards; and
- 7) One of the following:
 - a) That the remediation standards for groundwater have been met; or
 - b) That it is infeasible to reduce groundwater contaminant levels further.

If a Participant requests a certificate of completion, while claiming that it is technically infeasible to reduce groundwater or soil contaminant levels to the standards set forth above, the Branch may also require an exposure assessment as defined in these regulations in compliance with Departmental protocols.

Request for Certificate of Completion (COC) and No Further Action (NFA)

The Participant shall submit a request for COC and NFA signed by the Participant or the Participant's authorized representative. The request for COC and NFA shall include a summary of major events and accomplishments during the investigation/remediation process, including to the extent possible:

- 1) The cause of the release if known;
- 2) The estimated amount and type of product released; and
- 3) The estimated amount of product recovered.

C. Documentation

Cleanup completion documentation shall include a demonstration and analysis that cleanup objectives for the site have been met as outlined. The Participant shall also submit all documents (permits, certificates, approvals, etc.) relating to the transportation and disposal of wastes from the site (i.e., tanks, soils, product, water).

All records documenting the transport and disposal of any contaminant, contaminated water and soil, or other waste that is generated at the site while the cleanup action plan is being performed, shall be maintained by the Participant for a period of at least three years from the date of transport and disposal.

D. Certificate of Completion Approval

The Branch shall review each request for completion. If the Branch is satisfied that the requirements for completion set forth above have been met, the Branch shall issue a COC and NFA.

E. Post Closure Activities

Upon receiving notice from the COC and NFA that the cleanup requirements have been met, the Participant shall remove all equipment, and ensure that all wells are closed down and removed, grouted and sealed, unless otherwise authorized by the certificate of completion.

Certificate of Completion (COC) and No Further Action (NFA)

Within thirty (30) days after the Cleanup Action Plan has been completed, the Participant must submit the Cleanup Completion Report. This report outlines the cleanup that was implemented at the site and details the results of the final outcome. A brief summary should follow each heading:

I. SITE DESCRIPTION

Provide a description that includes the following information:

- A. Address.
- B. Location Map (map of a size and scale appropriate to a depiction of site location.).

II. SITE HISTORY

Previous site owners and operators, material storage and release history.

III. COMPREHENSIVE ASSESSMENT OF THE EXTENT OF CONTAMINATION

Summarize Phase I and Phase II Site Assessments along with any other site investigations.

IV. CLEANUP ACTION PLAN

Summarize all activities completed to date, and describe in detail the cleanup action plan approved and implemented.

V. PLAN IMPLEMENTATION AND EVALUATION

The Participant will evaluate the site after the implementation and completion of the approved Cleanup Action Plan.

VI. RECOMMENDATIONS

Certificate of Completion or No Further Action

Upon review of all information transmitted to the Branch pertaining to the contaminated property, the office may authorize the Certificate of Completion in accordance with the provisions of section 305 of the District of Columbia Brownfield Revitalization Amendment Act of 2000 (Act).

A judgment by the Branch about the site will be made regarding significant adverse effects on human health and the environment. The requirements of the cleanup action plan must have been implemented, applicable cleanup standards must be met and the Participant must have demonstrated that implementation of the cleanup action plan at the eligible property has achieved the applicable cleanup standards regarding the contamination addressed in the cleanup action

plan. This COC and NFA releases the Participant from further liability under the Act and any other District law or regulation, for cleanup of the eligible property and for any contamination identified in the environmental assessment of the property, and the Participant shall not be subject to a contribution action instituted by a responsible person. Long-term monitoring and maintenance may be necessary for the property under the direction of the Branch. The permissible uses of the property will be determined by the Branch and will be stated in the certificate of completion.