



# PCPG

Pennsylvania Council of Professional Geologists  
116 Forest Drive • Camp Hill, PA 17011  
Phone (717) 730-9745 • pcpge.org

## **Act 2 Toolkit: The Act 2 Process in 30 Minutes Plus**

June 22, 2017  
PSU Great Valley, Malvern, PA

### **Course Overview**

PCPG has revamped its prior course Act 2 Overview (and Dive In To) in response to numerous requests for a day long course that explains the Act 2 process. The revamped course is designed for both the experienced as well as the newer practitioner and uses actual project examples to demonstrate attainment of the four Act 2 Standards.

Equally important is the discussion of what is needed beyond an understanding of Act 2 and the application of good science to deliver the client's desired outcome. It will be shown that the science behind Act 2 is founded on a well-constructed Conceptual Site Model. We will also discuss the administrative requirements and required deliverables for each Act 2 standard and their review time frames.

### **Agenda**

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| <b>7:30 – 8:00</b> | <b>Registration – Morning Refreshments</b>  |
| <b>8:00 – 8:10</b> | <b>Welcome and Opening Remarks (Vincent Carbone, P.G.)</b>  |
| <b>8:10 – 8:40</b> | <b>Act 2 Closure in 30 Minutes (Vincent Carbone, P.G.)</b><br>Using a successful redevelopment project, we will walk through the Act 2 process beginning with the desired outcome, scope of work, project schedule/costs, remedy implementation, post remedial care and administrative process.   |
| <b>8:40 – 8:50</b> | <b>Why Do We Do Act 2? (Don Wagner, P.G.)</b> <ul style="list-style-type: none"><li>• Voluntary/Mandatory</li><li>• Environmental liability relief</li></ul>  |
| <b>8:50 – 9:10</b> | <b>Act 2 Applications (Don Wagner, P.G.)</b><br>We will use examples to show that there is no such thing as a typical Act 2 project   |
| <b>9:10 – 9:30</b> | <b>Act 2's Foundation – The Conceptual Site Model (Don Wagner, P.G.)</b> <ul style="list-style-type: none"><li>• Recognizing the three elements of environmental risk</li><li>• The importance of site characterization</li><li>• What is the client's goal?</li><li>• What will each standard get you?</li><li>• Important Takeaways</li></ul> |
| <b>9:30 – 9:40</b> | <b>Break</b>  |

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- 9:40 – 10:20 Act 2 Deliverables and Deadlines (C. David Brown, Ph.D., P.G.)**  
Each Act 2 Standard has its own set of deliverables. We will discuss:
- What is required for each
  - Deliverable submittal and review timeframes and review fees
  - Interface with other programs
- 10:20 – 11:30 Attaining the Statewide Health Standard (Vincent Carbone, P.G.)**  
Using a successful project as an example we will discuss:
- Selecting MSCs – Soil Buffer Distance, SPLP, Equivalency
  - Groundwater - Used or Nonuse Aquifer
  - Ecological Risk Assessment
  - Attainment Demonstration
- (10 minute break at discretion of instructor)**
- 11:30 – 12:00 Management of Fill (Vincent Carbone, P.G.)**
- 12:00 – 12:40 Lunch**
- 12:40 - 2:10 Attaining the Site Specific Standard (Vincent Carbone, P.G.)**  
Using a successful project as an example we will discuss:
- Pathway elimination
  - Risk-based numerical standards as alternatives to soil and groundwater MSCs
  - Ecological Risk Assessment
  - Risk Assessment, if necessary
  - Attainment demonstration
  - Activity and Use Limitations/Post Remedial Care
- 2:10 - 2:25 Break**
- 2:25 – 3:25 Vapor Intrusion (C. David Brown, Ph.D., P.G.)**
- Overview of DEP's 2017 guidance
  - Statewide health and site-specific standards
- 3:25 – 3:55 Attaining the Background Standard (C. David Brown, Ph.D., P.G.)**
- Establishing background concentrations for soil and/or groundwater
  - Attainment demonstration
- 3:55 – 4:05 Break**
- 4:05 – 4:35 Special Industrial Areas (SIA) (Vincent Carbone, P.G.)**
- Eligibility criteria
  - Baseline Remedial Investigation and Work Plan
  - Cleanup Obligations
  - SIA Consent Order and Agreement
- 4:35 – 5:00 Question & Answers/Open Discussion (All)**
- 5:00 Evaluations, Adjournment, Sign-Out, Course Certificates**

### About our Presenters

**C. David Brown, Ph.D., P.G. (DEP)** - David Brown is a Licensed Professional Geologist at the Pennsylvania Department of Environmental Protection. He began his career at DEP 15 years ago and works in the Environmental Cleanup and Brownfields Program at the Southeast Regional Office. David served on DEP's vapor intrusion workgroup and presented at PCPG's recent VI training courses. David has played a significant role in revising the Land Recycling Program's technical guidance. He also authored DEP's "Quick Domenico User's Manual" for groundwater fate-and-transport modeling. David earned a bachelor's degree in Physics from Harvey Mudd College and a doctorate in Geology from Arizona State University.

**Vincent Carbone, PG, CPG (HDR Engineering, Inc.)** - Vinny is a Professional Associate at HDR with over 25 years of experience in the completion of environmental due diligence, environmental liability and risk management. Vinny has performed many brownfields redevelopment projects within Pennsylvania including the Bethlehem Steel Property and the Slate belt YMCA. His experience includes brownfields grant programs and incentives to help redevelop properties. Vinny is the Due Diligence Technical Service Lead for HDR having performed numerous environmental reviews and environmental liability risk management for clients in the United States and Canada. Vinny is experienced in determining critical liabilities associated with power acquisition or decommissioning and providing cost estimation for those liabilities. Vinny has worked with large power companies to understand, evaluate and cost liabilities in both Canada and the United States. Vinny has been the environmental manager for several complex coal fire decommissioning projects for Tennessee Valley Authority including providing initial cost estimates for environmental liabilities. Vinny has also completed critical flaw and environmental due diligence, risk evaluation and costing for over 30 hydroelectric acquisitions in the United States and Canada. Vinny has also performed risk evaluation and costing for environmental insurance carriers, having completed portfolios of hundreds of sites. His experience also encompasses ASTM 1527E-13 Phase I and Phase II assessments, remedial investigations, geophysical studies, feasibility studies, interim remedial measures, site management, and operations, maintenance and monitoring. Vinny is responsible for the geologic and hydrogeologic interpretation of geology and hydrogeology projects.

**Don Wagner, PG, Attorney (Stevens & Lee)** - A former consulting geologist, Don has 30 years of experience providing professional environmental services to commercial, industrial and manufacturing clients, developers, municipalities and economic development agencies. In addition to being a lawyer, Don is a Pennsylvania-licensed professional geologist and concentrates his practice on the various environmental issues associated with a wide variety of industries, including the increasingly important domestic natural gas industry and its development of unconventional shale gas plays, such as the Marcellus and Utica Shales, and related natural gas gathering, processing, transportation and other infrastructure projects.

Using his considerable expertise and technical background, Don remains current on rapidly evolving legal issues affecting the natural gas industry, counsels clients on state voluntary cleanup programs and assists them in formulating and implementing cost-effective cleanup strategies. He also advises clients in the due diligence process, identifying, evaluating and allocating environmental risks associated with corporate M&A and real estate transactions and in negotiating and obtaining environmental insurance coverage to facilitate deals.

With respect to Brownfields development, Don assists municipal entities, economic development agencies and private developers to obtain financial incentives, conduct due diligence, procure environmental insurance coverage and formulate and implement cleanup plans to achieve the liability protection necessary to acquire blighted property for redevelopment purposes.

Don is also a Pennsylvania licensed property and casualty insurance producer, is a member of Pennsylvania's Cleanup Standards Scientific Advisory Board, and is past president of PCPG and past chair its Governmental Affairs Committee.