

Checklist for Implementing ICs

During the initial phase of cleanup (i.e., RI/FS or RFI/CMS), the site manager should:

- establish clear objectives (what are you trying to accomplish through the use of ICs?)
- discuss future land use plans with the community and local government to help in analyzing the appropriate ICs and other remedial alternatives
- evaluate ICs using the appropriate threshold, balancing, and modifying criteria
- coordinate with regional attorneys on legal matters and the State as appropriate
- be innovative/creative but realistic



During remedy selection, the site manager should:

- present information that helps the public understand the impacts of the specific ICs and their relationship with the overall remedy
- clearly describe the objectives to be attained by ICs
- specify performance standards (e.g., prevent exposure to contaminated ground water by prohibiting well drilling)
- consider layering ICs to enhance their overall effectiveness
- discussions with entities (e.g., local/state governments) involved in implementing ICs
- discuss the kinds of controls envisioned and include enough information to show that effective implementation of the ICs can reasonably be expected
- discuss plans for monitoring land use and other aspects of the remedy that depend on ICs
- discuss the enforcement mechanisms that are anticipated to ensure the long-term reliability of the ICs
- continue coordination with attorneys



During remedy implementation (i.e., RD/RA and CMI), the site manager should:

- ensure that appropriate measures are taken to implement the ICs (e.g., arrange discussions between PRPs, other property owners, and local government or state officials)
- be aware that ICs need to be fully implemented to obtain a RCRA permit termination, or for CERCLA sites, fully implemented to obtain RA completion, a site completion, and partial or full deletion
- prepare an ESD or ROD amendment for CERCLA sites or a permit modification or order revision for RCRA sites if the ICs will not result in the remedy being protective of human health and the environment; if this becomes necessary, also ensure that the public is provided an opportunity to comment on the proposed replacement ICs



During Post-Remediation activities (e.g., a CERCLA five-year review), the site manager should:

- Evaluate both the administrative/legal components as well as the physical evidence to ensure that ICs are both implemented and fully effective
- Document these results in the Five-Year Review Report (for CERCLA sites)