

# HSW's Successful, Innovative, and Cost-Saving Regulatory Approaches to Environmental Compliance and Facility Restoration

*"I needed a firm with an in-depth knowledge of the complexities of the regulations, an understanding of EPA's changing philosophy toward RCRA cleanups, and respect within the regulatory community. I also needed a firm that I could rely on to meet critical permitting schedules. HSW has demonstrated their superior qualifications in each of these areas."*

**Terry Zinn, esquire**  
Florida Department of  
Transportation



*"[Carol Henry] understands how the RCRA process is supposed to work, can ascertain what the problem(s) are in instances when the process is not working, and can recommend cost-effective methods to make the process run smoothly. Equally important to Pratt & Whitney has been her success in pursuing aggressive, innovative solutions to complex regulatory issues."*

**David Alberghini**  
Environment/Health & Safety  
Manager  
Pratt & Whitney

HSW has built a reputation among our clients and the regulatory agencies for our use of innovative and streamlined approaches to traditional methods of project performance, administration, and reporting. The success of these approaches hinges on three recommendations that we make to our clients facing environmental cleanup:

1. Develop a clear Exit Strategy;
2. Build flexibility into regulatory drivers so program activities can be guided by good science and engineering, and by corporate goals; and
3. Think out-of-the box. Many "cookbooks" have been created for environmental cleanup. While they provide important task information and procedures, the best overall solutions require far more creativity.

HSW's project success is demonstrated by cost and time savings, and it is reflected in testimonials from our clients.

**Department of Transportation.** DOT needed a hazardous waste permit that would allow the implementation of aggressive, cost-effective solutions to environmental contamination within the time and budget constraints of the state legislature. HSW developed and negotiated a performance-based permit that is self-implementing. The permit was issued in 2001, and its success was immediately apparent. DOT completed the excavation of 86,000 cubic yards of soil in a source area within 6 months of the submittal of a streamlined work plan, an unprecedented schedule under RCRA. DOT estimates the permitting approach saved the agency over \$3 million. The first of its kind in the nation, the permit has been featured at multiple RCRA national meetings.

**NASA.** HSW established consistent field procedures and reporting to increase efficiency of data collection and interpretation, resulting in project cost savings and higher quality work for a team of consultants working at the Kennedy Space Center. We consolidated information common to many sites handled by different consultants. One common report included

geology, sampling procedures, QA/QC, and project management. A second report summarized risk assessment conclusions applicable to all sites at the facility. This approach not only reduced duplicative reporting but also significantly shortened comment/response cycles with agencies. Also notable were the templates for streamlined reports established by HSW, which focus on tables, figures, and conclusions with minimum text.

**Pratt & Whitney.** P&W had an environmental consultant, but brought HSW on-board because complex permit issues needed to be negotiated. HSW assisted our client in successfully designing permit conditions that could accommodate transferring portions of the property to the county and other third parties within the life of the permit. The conditions that allow the transfer to occur are simple and straightforward – P&W must provide a notification to the agency, with no follow-up or agency approval required.

**U.S. Navy.** With HSW leading a meeting of the Navy's Tier II Partnering Team, we developed a plan to achieve the U.S. EPA environmental indicators under the RCRA program at all high priority Navy facilities nationwide. Achieving the environmental indicators requires demonstrating that migration of contaminated groundwater is not occurring and that human exposures to contaminated environmental media are not occurring. At the request of the Navy, HSW (Carol Henry) presented the plan at the Pentagon to representatives from each of the military branches. HSW also developed a data base to track achievement of the indicators at hundreds of sites nationwide.

**Major International Airport in the Southeast (Confidential Client).** HSW assisted airport executives with negotiating a non-RCRA cleanup where hazardous constituents were present. The regulatory arguments involved the source of contamination presumption, retroactivity of hazardous waste listings, the domestic sewage exclusion, and the wastewater treatment unit exemption. By allowing cleanup under an alternative regulatory mechanism, the airport saved hundreds of thousands of dollars and was able to continue with a multi-million dollar expansion without interruption.

*“The HSW staff played a key role in the DOE’s ability to promptly and cost-effectively complete the regulatory closure.”*

**David Ingle**  
**Environmental Restoration**  
**Program Manager**  
**U.S. Department of Energy**



*“Their ability to work cooperatively with the various regulatory agencies has proved to be extremely valuable to this project...”*

**Ibrahim F. Ayoub, P.E.**  
**V.P. of Environmental Matters**  
**General Components, Inc.**



**U.S. Department of Energy.** Through its contractors Martin Marietta, MACTEC, and Stoller, DOE hired HSW to provide RCRA and air permitting support. HSW conducted site-wide assessment and restoration activities, and assisted in the closure of this DOE facility that manufactured nuclear components from the mid-50s to 1997. Closure involved the inventory, characterization (radioactive, hazardous, nonhazardous, mixed waste), and disposition (disposal, available for sale or donation) of every item (office and lab equipment, doors, vents, chemicals, wallboard) in the entire facility at an accelerated pace. HSW prepared RCRA closure permit applications, implemented closure activities, and achieved clean closure at 4 RCRA units with no regulatory comments or delays. The facility remains under a RCRA permit, but it has been turned over to the County. Despite groundwater contamination, the County has successfully leased over 90% of the over 11 acres of office space to more than 25 firms employing over 1600 workers, and a day care facility is located on site.

**General Components, Inc.** HSW has served as the environmental contractor for GCI for over 10 years. Regulatory tasks include negotiation, reporting, and permitting compliance and renewal. Technical project tasks include assessment, design and construction of remedial technologies, and operations and maintenance. HSW has constructed horizontal and vertical wells, excavated contaminated soil, installed off-gas treatment, and designed an air sparging system. We have been able to efficiently implement these activities through effective communication and flexible regulatory mechanisms that minimize reporting and separate agency approval cycles.

**Lockheed Martin.** HSW developed an air permitting strategy and completed negotiations with the Texas Natural Resources Conservation Commission (TNRCC) to simplify and reduce the facility’s air emission source list and to use Standard Exemptions for most emission sources. The strategy represented an innovative, defensible regulatory approach that minimized redundant reporting while maintaining environmental stewardship. As a result, LM obtained a 5-year deferral from Title V permit application requirements for chrome plating facilities that are not major sources.

**DOD Contractor (Confidential Client).** HSW assisted in negotiating a flexible Consent Agreement. Our client can proceed

efficiently with remedial activities without prior agency approval, allowing significant savings in time and fees associated with reporting and comment/response cycles. HSW also successfully presented to the state agency an advanced RCRA argument known as the source of contamination presumption to establish that environmental media (soil, sediment and groundwater) at the facility are not hazardous via the contained-in rule. Given that the plant remains active and at times, under construction, this argument can potentially save the client hundreds of thousands of dollars in media handling costs.

**DOE Contractor (Confidential Client).** HSW implemented four RCRA streamlining measures that saved this client over \$200,000, not including the projected savings associated with the shorter time required for remediation due to implementation of these measures.

- Through negotiation, we combined requirements from three regulatory documents and two agencies into one permit issued by a single agency;
- Utilized presumptive remedies when applicable, thereby reducing reporting requirements.
- Developed performance standards to allow the final remedial design to change over time, without requiring a permit modification for each design change.
- Developed logic diagrams that allow self-implementation of cost-cutting measures such as reducing sampling or pumping rates as cleanup progresses.

These measures are consistent with the basic principles that define the Exit Strategy at this facility: (1) maintain selected remedial measures systems at maximum efficiency to reduce long-term cleanup time and (2) adjust corrective measures activities as necessary for effective and efficient cleanup.

*Ms. Carol Henry, Vice President of HSW, leads HSW’s efforts in streamlining regulatory requirements and developing regulatory options on behalf of our clients to minimize unnecessary expenditure while maintaining environmental compliance and stewardship. If you would like additional information, please contact her by phone at (813) 968-7722 or by e-mail at [chenry@hsweng.com](mailto:chenry@hsweng.com).*