

**VOLUNTARY REMEDIATION PROGRAM (VRP)
VIRGINIA WASTE MANAGEMENT BOARD – AMENDMENT 2
TECHNICAL ADVISORY COMMITTEE**

**FINAL MEETING NOTES
TAC MEETING – THURSDAY, DECEMBER 18, 2008**

Meeting Attendees

| <i>TAC Members</i> | <i>Interested Public</i> | <i>DEQ Staff</i> |
|--------------------------|--------------------------|------------------|
| Brian Brown | Steve Warner | Ahmet Bulbulkaya |
| Henry J.H. Harris | | James Golden |
| David Johnson | | Kevin Greene |
| Channing Martin | | William Lindsay |
| Thomas Numbers | | William Norris |
| Marina Phillips | | Durwood Willis |
| David Sayre | | Meade Anderson |
| Jim Succop | | |
| James A. “Jim” Thornhill | | |
| Robert “Bob” Williams | | |

NOTE: The following VRP TAC Member was absent from the meeting: Robert W. List

1. Welcome & Introductions (Bill Norris):

Bill Norris, Regulation Writer with DEQ's Office of Regulatory Affairs, welcomed all of the meeting participants and thanked all of the Technical Advisory Committee Members for returning to participate in this important regulatory the process. Members of the TAC introduced themselves.

2. Meeting Notes Discussion (Bill Norris):

The TAC briefly discussed the Meeting Notes from the TAC Meeting held on Monday, October 27, 2008 and noted a minor correction. The TAC accepted the Meeting Notes as amended.

3. Proposed VRP Regulation Revisions (Bill Norris/VRP Program Staff/VRP TAC)

Bill Norris introduced a summary of the currently proposed edits to the VRP Regulations that had been developed by combining the TAC member proposed edits with those of the Program Staff and with the addition of comments and suggestions received since the last meeting. In order to fully address some of the areas of the regulation that may not have received full consideration at the last meeting, is suggested that the discussions should start at the end of the document and move in reverse order through the document. The TAC agreed to this concept with the understanding that the discussions might result in addressing additional sections of the regulations out of order.

4. Review of Proposed VRP Regulation Revisions – Group Discussion (Bill Norris/TAC Members/Staff) – The various sections of the regulation and proposed edits were discussed by the TAC and staff members.

- Staff informed the TAC members that a date would have to be set in the regulation and in the Documents Incorporated by Reference listing of each document (the CFR, the ASTM, the Risk Table and any other document listed in the regulation) that is being imposed on the regulated entities. A date has to be included since the Board can not impose future requirements in the regulation because they would be imposing unknown requirements without due process and notice and it would also be a form of delegating their authority to adopt final regulations which is prohibited by statute.

5. Staff TAC Meeting Wrap-Up/Summary (Bill Norris)

The TAC members discussed the need to have a “clean” version of the proposed revisions to the regulations to review and comment on and requested that the staff provide a copy of the regulations with all of the proposed revisions incorporated into a “final” version of the regulations. In addition the TAC requested a copy of the “cross-out”/“underline” version so that they could track the changes as they reviewed the documents.

Staff noted that they would produce these versions of the documents and after input from and concurrence with program staff on the proposed language they would provide these documents to the TAC for review. The goal is to have these comments back via email to Bill Norris for incorporation into another version of the regulations by the end of January or the middle of February. It was decided that if possible that the remaining activities of the TAC would be conducted via email if possible. It was noted that depending on the comments received from the next versions of the regulation edits that an additional meeting might be required, but that meeting will not be scheduled at this time.

TAC members were thanked for their participation in the meeting and their commitment to review the versions of the document and to provide their comments for development of the final document.