**PUBLIC NOTICE**

**NOTICE OF VOLUNTARY REMEDIATION**

Pursuant to the Virginia Voluntary Remediation Regulations, Virginia Administrative Code section 9VAC20-160-120, [*participant name, participant address*] hereby provides notice of voluntary remediation at the following site:

[Site Name]

[Site Address]

VRP Number VRP[XXXXX]

(*Provide a brief description of the industry, industrial process, or commercial business from which the release occurred or originated*.) (*Identify contaminants but do not provide overly complex contaminant descriptions or concentrations*) have been detected in (*identify media impacted by contaminants, i.e. soil, groundwater, etc*) at levels which may pose risk to human health or the environment. In order to address potential environmental risks, (*participant*) applied to and was deemed eligible to participate in the Voluntary Remediation Program. A Remedial Action Plan (RAP) has been reviewed and accepted as complete by the Virginia Department of Environmental Quality (DEQ). The RAP includes (*provide a description of any remediation completed or proposed and proposed land use controls, engineering controls, or use restrictions/limitations*).

***or***

Environmental investigation has detected [*specific contaminants or class(es) of contaminants*] in [*media exhibiting contamination, i.e., soil, groundwater, soil gas, surface water, and/or sediments*] at levels that could pose risk to human health or the environment. The contamination likely the result of [*provide a brief description of the industry, industrial process, or commercial business from which the release occurred or originated*] at the Site. To address the potential risk, [*participant name*] applied to and was deemed eligible to participate in the Voluntary Remediation Program. A Remedial Action Plan (RAP) has been reviewed and accepted by the Virginia Department of Environmental Quality. The RAP includes [*description of any proposed or completed remediation and any proposed land use controls or restrictions*].

Persons wishing to comment on the voluntary remedial action or request additional information should contact the following person who is familiar with the Site:

[*Individual Contact Name*]

[*Participant/Consultant Name*]

[*Address*]

[*Phone Number*]

[*Email Address*]

Written comments will be accepted until [*date 30 days from the date of notice unless DEQ extends the comment period to 60 days*].

REGULATORY AUTHORITY

9VAC20-160-120. Public Notice. (Statutory Authority § [10.1-1232](https://law.lis.virginia.gov/vacode/10.1-1232/) of the Code of Virginia.)

A. The participant shall give public notice of the proposed voluntary remediation. The notice shall be made after the department accepts the Site Characterization component of the Voluntary Remediation Report and the proposed or completed remediation and shall occur prior to the department's issuing a certificate. Such notice shall be paid for by the participant.

B. The participant shall:

1. Provide written notice to the local government in which the facility is located; *(Typically sent to the city or county manager)*

2. Provide written notice to all adjacent property owners and other owners whose property has been affected by contaminants as determined pursuant to the provisions of subdivision A 1 of [9VAC20-160-70](https://law.lis.virginia.gov/admincode/title9/agency20/chapter160/section70/); and *(The Public Notice should be provided to property owners who own property across linear features such as streets or rail lines as well as across creeks and streams. Also anyone affected by the contaminants must be notified, this would include all owners of property where a groundwater plume or soil gas with concentrations above residential screening levels has migrated. Entities holding right of way on the Site or through areas of contamination should also be notified.)*

3. Publish a notice once in a newspaper of general circulation in the area affected by the voluntary action. *(A copy of the notice must be provided to the DEQ project manager to meet agency requirements for all notices to be published on the DEQ webpage.)*

C. A comment period of at least 30 days must follow issuance of the notices pursuant to this section. The department, at its discretion, may increase the duration of the comment period to 60 days. The contents of each public notice required pursuant to subsection B of this section shall include:

1. The name and address of the participant and the location of the proposed voluntary remediation;

2. A brief description of the general nature of the release, any remediation, and any proposed land use controls;

3. The address and telephone number of a specific person familiar with the remediation from whom information regarding the voluntary remediation may be obtained; and

4. A brief description of how to submit comments.

D. The participant shall send all commenters a letter acknowledging receipt of written comments and providing responses to the same.

E. The participant shall provide the following as documentation of public notice required in subdivision A 5 of [9VAC20-160-70](https://law.lis.virginia.gov/admincode/title9/agency20/chapter160/section70/):

1. A signed statement that the participant has sent a copy of the public notice as required by subsection B of this section;

2. A copy of the public notice and a list of names and addresses of all persons to whom the notice was sent; and

3. Copies of all written comments received during the public comment period, copies of acknowledgement letters, and copies of any response to comments, as well as an evaluation of the comment's impact on the planned or completed action or actions.

**Suggestions for developing a complete and successful Public Notice:**

1. A best practice is to discuss and provide a draft Public Notice to the DEQ VRP Remediation Project Manager to ensure the process proceeds smoothly.
2. The project manager may be able to provide actual examples of projects with similar public notices which can be helpful.
3. Prior to publishing, please provide a copy of the final public notice to the DEQ VRP Remediation Project Manager for placement on the DEQ website. DEQ has an internal requirement for all public notices to be published on the DEQ website, therefore DEQ requires a copy of the final PN language prior to publishing so the PN can run concurrently on the DEQ website.
4. Double check “adjacent property owner” list including all property owners who may have been affected by contaminants. Double check that letter(s) are being sent to the local government. These typically are sent to the city, county, or town manager.
5. It is requested that the Documentation of Public Notice to be provided to DEQ as required by 9 VAC20-160-70.A.5 and 9VAC20-160-120.E be made as a single document.
6. Document and respond as appropriate to all commenters.
7. Provide a signed statement that PN has been sent to all appropriate parties.
8. The minimum public comment period is 30 days; a participant may hold a longer comment period.
9. Please note DEQ may extend the comment period to 60 days if significant public comment is received.
10. There is no requirement for a public meeting. In certain situations, participants have held public meetings to inform interested parties of the remediation work at the site.