



**DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL  
DIVISION OF WASTE AND HAZARDOUS SUBSTANCES  
SITE INVESTIGATION & RESTORATION SECTION**

**Policy Concerning Non-Intrusive Operation & Maintenance Requirements  
Issued: June 14, 2011**

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This Policy addresses the requirements stipulated in Subsection 8.8 of the Delaware Regulations Governing Hazardous Substances Cleanup (the Regulations), amended February 2002, which requires the Site Investigation and Restoration Section (SIRS) to "implement the final plan of remedial action. The implementation of the remedy may include the following distinct phases. Remedial Design, Engineering design report, Construction plans and specifications, Operation, maintenance and compliance monitoring plans, [and] Remedial Action."

The purpose of this Policy is to address the non-intrusive activities required in the approved Operation, Maintenance (O&M) and Compliance plans. Non-intrusion, as it pertains to this Policy, is defined as actions required by SIRS for the property owner, or his or her designee, to visually inspect the remedy (i.e. protective cap) and document the inspection findings, as required in the Site specific Operation and Maintenance (O&M) Plan.

This Policy does not affect the requirements in Subsection 13.11 of the Regulations that states "consultants or contractors who have been approved by the Department" must perform all other activities that are not considered non-intrusive ( i.e. groundwater monitoring, O&M treatment systems, etc.) activities as defined in the approved O&M Plan for the Site.

Please note that SIRS is currently amending the Regulations which will address Non-Intrusive and Intrusive requirements. Once these new regulations are promulgated, the amended regulations will supersede this Policy.

Concurrence: Timothy Ratsep, Program Manager *TTR 6/14/11*  
Qazi Salahuddin, Program Manager *QS 6/14/11*  
Paul Will, Program Manager *PW 6/14/11*

Approved: \_\_\_\_\_

*Marjorie Crofts*  
Marjorie Crofts  
Division Director

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