

Section 7.0 Regulatory Issues

To gain acceptance for the demonstration from the regulatory agencies, the draft Technology Demonstration Plan was provided to both USEPA Region 5 and the MPCA for their review and comment in February 1998. The USAEC Program Manager scheduled a meeting in early March 1998 with representatives from USEPA Region 5 and the MPCA to discuss the demonstration project in more detail and to answer and address any initial questions or concerns. Shortly after the meeting, both agencies provided written comments on the draft Technology Demonstration Plan. The project team then revised the Technology Demonstration Plan and prepared written responses to all of the comments submitted by the regulatory agencies. The team also provided additional follow-up when necessary. The demonstration was conducted in accordance with the revised Technology Demonstration Plan.

To gain acceptance for the demonstration project from the public and to keep the public informed, the USAEC Program Manager gave a presentation about the demonstration project to the TCAAP Restoration Advisory Board (RAB) at the March 1998 RAB meeting. The RAB was also provided with the draft Technology Demonstration Plan and given an opportunity to comment. Several RAB members did review the document and submitted written comments to the project team. After the Technology Demonstration Plan was revised, written responses to the RAB's comments were prepared by the project team; no additional comments or concerns were presented by the RAB to the USAEC Program Manager. In addition, an Environmental Assessment (EA) was prepared for the project and a public notice asking for review and comment of the EA was placed in a high circulation area newspaper. No public comments were received.

This technology was not well accepted by regulators and the public because of the observation of lead and EDTA in the groundwater. It is likely that regulators would require controls such as liners and leachate collection prior to approval of future phytoextraction at sites such as this.