groundwater impacts is no longer required to obtain site closure. Since the Session Law was passed in 2015, NCDEQ promulgated guidance and tools to assist environmental consultants, attorneys, and their clients to efficiently and safely close out sites in almost every environmental cleanup program (e.g., the UST program has already established risk-based guidance). Risk-based remedial goals focus remediation efforts and resources where they are truly needed, reduce overall costs to our clients, and lower the burden on the regulatory community while retaining protection of human health and the environment.

Since the Session Law enactment, practitioners colloquially may refer to this new risk-based guidance as a tool to “risk a site away” or “risk a site to closure,” rather than “remediating the site to closure.” This tends to have the negative connotation, suggesting that the regulations now allow for unprotective levels of contaminants to remain in the environment. However, it is important to recognize that the risk-based remedial approach principally addresses sites where the existing contaminant levels do not pose an unacceptable risk to the environment. This change in policy will refocus remedial actions and resources to sites where an unacceptable cumulative risk level exists, and intrusive remedial alternatives are more appropriate to retain protection of human health and the environment.

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### AEG’s Vapor Intrusion: The Conference II a Big Success

By Rick Kolb

The Carolinas Chapter of the Association of Environmental & Engineering Geologists (AEG) held its second vapor intrusion (VI) conference at the Hilton Charlotte University Place on Oct. 5 and 6, 2017. During our 2014 conference in Raleigh, which we held after the U.S. EPA had released their draft guidance for VI, we had 225 registrants, speakers, exhibitors, sponsors, and planners, and numerous registrants requested a follow-up conference. The 2017 conference drew a total registration of 241, including many members of the NCBA Environmental, Energy and Natural Resources Law Section. Grady Shields of Wyrick Robbins was one of the eight conference planners.

We had 23 speakers from across the United States. Our keynote speakers were Henry Schuver of the U.S. EPA in Washington, D.C., Dr. Blayne Harman of Hartman Environmental Geoscience in Solana Beach, California, and Rod Thompson of August Mack Environmental in Indianapolis. On Thursday afternoon, we had a special session on trichloroethene, with four speakers of varying backgrounds who presented the latest on this topic. At the end of their four presentations, they convened a panel and took questions from the audience. Representatives from the North Carolina Department of Environmental Quality (NCDEQ) presented the new Vapor Intrusion Calculator, and discussed the impact of vapor intrusion on risk-based closure in North Carolina. Several speakers also addressed the role of VI in redevelopment (and particularly in the Brownfields context). Finally, some of the other panels included speakers in the consulting and legal fields who addressed recent legal cases related to VI and vapor intrusion considerations in business and real estate transactions. The presentation slides for all of our speakers at the conference are in a public Dropbox at: https://www.dropbox.com/sh/no0f3qkzai6jii/AADMmuAjl6icDK9qwXpSmzUa?dl=0

We offered a 50% discount of the registration fee for employees in the public sector and as a result, we had over 55 employees from local, state, and federal governments, due in large part to the support Jim Bateson, chief of the Superfund Section of the NCDEQ, and Michael Scott, Director of the Division of Waste Management of NCDEQ.

Our conference attracted 18 exhibitors and three sponsors, whose fees helped keep the registration cost down, much like the sponsors do for the annual meeting of the Environment, Energy and Natural Resources Section of the NCBA. While many of the exhibitors and sponsors were already yearly sponsors of the Carolinas Chapter of AEG, others came from other Mid-Atlantic and Eastern states.

We offered 12 continuing education units for licensed geologists and professional engineers, and with Grady’s help, continuing legal education units for attorneys in five states. The 12 hours of continuing education credit fulfilled the recently implemented annual requirement for licensed geologists in North Carolina.

The conference was a huge success. The Carolinas Chapter of AEG will host AEG’s 3-day annual meeting in Asheville in September 2019. A one-day symposium on emerging contaminants is among the topics planned for this meeting.

Rick Kolb is a Senior Geologist at Duncklee & Dunham and has been a consulting geologist for 27 years in the Triangle. He currently manages environmental projects and serves as peer reviewer for all the reports the company prepares. He has been a member of the Environment, Energy and Natural Resources Section since the mid-1990’s, is past chair of the section’s Consultants and Membership committees, and is now a co-chair of the Cleanup & Waste Programs Committee.