



DERP FORUM

Achieving Greater Success Through Strong Partnerships

November 14-17, 2023 • Kansas City, MO

Land Use Control Implementation Plans

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Purpose of the LUCIP

- LUCIP is a work plan for LUCs
- Designed to
 - Document activities to implement and maintain LUCs
 - Specify those responsible for conducting these activities
- Should explain how and by whom LUCs will be implemented, maintained, enforced, modified, and/or terminated
- If structural LUCs (e.g., fences, protective covers, warning signs, kiosks, etc.) are involved, construction/installation likely to also require a work plan (w/APP)
- LUCIP can be attached to MR-QAPP
 - Should be self-contained as it contains LTM information and is also needed *after* Response Complete has been achieved



“What happens in vagueness, stays in vagueness...”

Preparing, Sharing, and Updating the LUCIP

- Preparing the LUCIP
 - LUCIP is prepared following ROD signature, during the RD phase
 - If the selected remedy includes LUCs
 - Prepared by the project team that is implementing the remedial action
 - LUCIP may not be as useful for sites that
 - Are small in scale
 - Rely on LUCs only for short-term duration
 - Already have an O&M plan, or similar, that lays out roles and responsibilities for LUCs
- Public Involvement
 - LUCIP should be publicly available
 - Helpful outreach steps may include:
 - Informing public where the LUCIP is kept
 - Consulting community groups
 - Holding availability sessions to explain LUCIP
 - Posting LUCIP on a website
- Review and revision of the LUCIP
 - LUCIP can be reviewed and/or revised by the RPM or District Counsel at any time
 - LUCIP should be reviewed/revised if monitoring reports or periodic reviews show conditions have changed such that modifications are warranted
 - Significant or fundamental changes would also require ESD or ROD Amendment

Recommended LUCIP Contents

- Introduction
 - Lead organization, site name, and site location (inc. map)
- Site Description
 - Succinct description of site
- LUC Implementation
 - Description of each LUC component
 - Implementation details
- LUC Monitoring, Maintenance, and Reporting
- LUC Enforcement
 - Enforcement entities and procedures
 - NOTE: LUC enforcement under DERP is very limited
- Appendices

| Section | Topics to be Addressed |
|--|--|
| 1.0 Introduction | <ul style="list-style-type: none"> ▪ Lead Agency that prepared the LUCIP ▪ Name and location of site requiring LUCs |
| 2.0 Site Description | <ul style="list-style-type: none"> ▪ Site Details ▪ Site History ▪ Site Map |
| 3.0 LUC Implementation | <ul style="list-style-type: none"> ▪ LUC Elements (for each LUC): <ul style="list-style-type: none"> ○ LUC name ○ LUC type ○ LUC implementation location ○ Entity responsible for implementation ○ Implementation event and date ○ Substantive use restrictions achieved by this LUC ○ LUC lifespan ○ Potential barriers to LUC implementation ○ Other information specific to each LUC (see Section 8-5.c.(2)) |
| 4.0 LUC Monitoring, Maintenance, and Reporting | <ul style="list-style-type: none"> ▪ Maintenance ▪ Monitoring ▪ Reporting |
| 5.0 LUC Enforcement | <ul style="list-style-type: none"> ▪ Enforcement entities and procedures |
| 6.0 Appendices | <ul style="list-style-type: none"> ▪ Copies of relevant documents (e.g., deed notices, enforcement documents) |