



MCP Amendments: Active Exposure Pathway Mitigation Measures (AEPMMs)

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Updated definition of AEPMM (310 CMR 40.0006)

A type of Exposure Pathway Mitigation Measure that relies upon the continual use of mechanical or electro-mechanical device that is designed and operated for the sole purpose of:

- a) Preventing or mitigating the migration of subsurface OHM vapors into a building by creating and maintaining a negative pressure field beneath and/or surrounding a building or by creating and maintaining a positive pressure field within the living and working space of the building; or*
- b) Treating OHM present in a private water system associated with a private water supply well.*

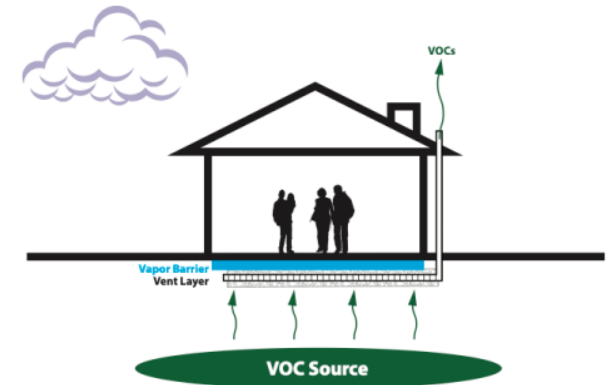


AEPMMs are Remedial Systems, Require RMRs

- Previously, the definition of “Remedial System” excluded exposure pathway mitigation measures. This exclusion was removed [40.0006]
 - Remedial Monitoring Reports (RMRs) required for AEPMMs [40.0027] during ongoing response actions
 - RMRs no longer required after submittal of Permanent Solution with Conditions [40.0027(3)(b) and 40.1025(3)(h)]
- Post-Temporary Solution Status Reports are required every six months where Active Operation and Maintenance is ongoing (i.e., an AEPMM).

Operating Regimen for Vapor Intrusion Mitigation AEPMMS [310 CMR 40.1025(3)(d)]

- Negative Pressure AEPMMs shall:
 - Establish acceptable vacuum range at area/ zone served by each fan or blower, and
 - Continuously monitor **vacuum** at each area/ zone
- Positive Pressure AEPMMs shall:
 - Establish acceptable operation range to maintain positive pressure, and
 - Continuously monitor and transmit **pressure level** at each monitoring point
- An annual certification is required:
 - New: Requires property owner to acknowledge requirement to notify DEP and non-transient occupants if suspension or failure of the AEPMM lasts 30 or more consecutive days [40.1025(8)(b)]



Telemetry for Vapor Intrusion Mitigation AEPMMS

- Telemetry system must be capable of transmitting an alert when vacuum or pressure level data is outside of acceptable range, and again when returns to normal range (not just at shutdown/restart)
 - Must transmit vacuum alerts in the format specified by MassDEP (negative pressure systems) [40.1026(3)(d)(1)]
 - Must transmit pressure level data to a website that meets MassDEP specifications [40.1026(3)(d)(2)]
- Must register telemetry devices/ systems with MassDEP prior to achieving Permanent Solution that relies upon a vapor intrusion mitigation AEPMM [40.1027]
 - Operator must perform a shutdown and restart test
 - Written confirmation must be received by MassDEP that registration is complete

Existing Telemetry Systems

- If you achieved a Permanent Solution prior to March 1, 2024 for a site which relies upon an AEPMM
 - Existing telemetry systems are grandfathered (can monitor vacuum or shutdown/ restart)
- If you are operating an AEPMM under ROS or Temporary Solution, must meet new telemetry requirements prior to achieving Permanent Solution

Need Help?

<https://www.mass.gov/info-details/remote-telemetry-for-active-exposure-pathway-mitigation-measures-aepmmNotice-format-requirements>

MassDEP Telemetry Q&A (June 2017)

- How to register with MassDEP
- Manufacturers of equipment meeting MassDEP criteria

Stay tuned for updated MassDEP Vapor Intrusion Guidance

Operating Regimen for Drinking Water Treatment Systems [310 CMR 40.1025(3)(e)]

- For treatment of drinking water from private water supply wells (POETs), the regulations require establishment of an operating regimen, but do not require the use of remote telemetry for these purposes.
- POET Operating Regimen Requirements:
 - Provide a schedule for activities and frequencies for inspecting, maintaining, replacing, or recharging media employed for OHM removal. The frequency should be based on a conservative estimate of the system's performance (i.e., estimated breakthrough time) and demonstrated to be adequate by confirmatory testing;
 - Establish proper disposal practices for spent media; and
 - Requiring the maintenance of records documenting all activities to maintain the system.



Requirements for Discontinuance of AEPMMs

40.1026(6) establishes requirements for discontinuance of AEPMMs implemented as part of a Temporary Solution (TS) or Remedy Operation Status (ROS) to assess whether the remedial goals have been achieved.

TS or ROS Status may be maintained as long as:

- *Notify MassDEP of the shutdown plans,*
- *Evaluate shutdown and monitor site conditions,*
- *Continue to submit status reports as required following system shut down,*
- *Notify MassDEP if operation of AEPMM is resumed, and*
- *Notify appropriate persons (40.1026(6)(d)) if shutdown lasts longer than 30 or more consecutive days*