

## Webinar

12:00 Noon, Wednesday, June 24th

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### **Institutional Controls 101: Hazard Advisories and Access Restrictions vs. Active Cleanup, What You Need to Know.**

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Institutional Controls (ICs), consist of methods used to prevent or limit human and environmental exposure to residual contaminants and other hazards. Those methods can be warning signs, hazard advisories, deed restrictions and other legal means of restricting access. One example would be signs warning boaters not to anchor over a cap. Another would be fish advisory signs warning of the danger of eating fish. EPA considers ICs a tool to use alongside active cleanup methods like dredging and capping.

However, there are many limitations in the use of ICs. People do not have to heed signs or warnings and there is often little or no enforcement. They can be forgotten or ignored after a long period of time. Too much reliance on ICs can lead to ineffective protection from contamination especially if they take the place of active cleanup.

In spite of debatable effectiveness, “[the impetus to use institutional controls results, in part, from the high cost and lengthy process of cleaning up polluted sites.](#)” (see footnote) Do ICs achieve CERCLA’s legal standard that “remedial action must be ‘protective of human health and the environment,’ be ‘cost effective.’ and use ‘permanent solutions and alternative treatment technologies or resource recovery technologies to the maximum extent practicable’”?

Webinar presenters, Dr. Peter deFur and Professor Cliff Villa, are noted scholars with hands on experience. They will address the limitations and legal issues of ICs in this free lunch time presentation.

Dr. Peter deFur is an independent environmental scientist with experience and expertise in the fields of ecological and human health risk assessment, toxicology, dioxin and PCB toxicity, contaminated site clean-up and related issues. He was an Affiliate Associate Professor in the



Center for Environmental Studies at Virginia Commonwealth University in Richmond VA until 2015. He has served on numerous state and federal advisory committees on a variety of topics.

Professor Cliff Villa served for 22 years as legal counsel for the U.S. Environmental Protection Agency, first with EPA Headquarters in Washington, D.C., and later with EPA Regional offices in Denver, Colorado, and Seattle, Washington. Over time, his EPA practice included administrative, civil, and criminal enforcement of federal laws such as the Clean Air Act and Clean Water Act. In 2006, Professor Villa joined the adjunct faculty at Seattle University School of Law, where he taught courses in environmental law and developed new courses including Disaster Law.



**Footnote:** The Use of Institutional Controls in Superfund and Similar State Laws, Fordham Environmental Law Review, Volume 7, Number 1 2011 Article 5, by Susan Borinsky

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