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Title 22@ Social Security

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Division 4.5@ Environmental Health Standards for the Management of Hazardous Waste

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Chapter 14@ Standards for Owners and Operators of Hazardous Waste Transfer, Treatment, Storage, and Disposal Facilities

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Article 6@ Water Quality Monitoring and Response Programs for Permitted Facilities

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Section 66264.100@ Corrective Action Program

66264.100 Corrective Action Program

(a)

An owner or operator required pursuant to section 66264.91 to establish a corrective action program for a regulated unit shall, at a minimum, comply with the requirements of this section for that unit.

(b)

The owner or operator shall take corrective action to remediate releases from the regulated unit and to ensure that the regulated unit achieves compliance with the water quality protection standard under section 66264.92. The Department shall specify the water quality protection standard for corrective action in the facility permit.

(c)

The owner or operator shall implement corrective action measures that ensure that constituents of concern achieve their respective concentration limits at all monitoring points and throughout the zone affected by the release, including any portions of the affected zone that extend beyond the facility boundary, by removing the waste constituents or treating them in place. The owner or operator shall take other action specified by the Department to prevent noncompliance with those limits due to a continued or subsequent release from the regulated unit including, but not limited to, source control. The permit shall specify the specific measures that will be taken.

(d)

In conjunction with the corrective action measures, the owner or operator shall establish and implement a water quality monitoring program to demonstrate the effectiveness of the corrective action program. Such a monitoring program may be based on the requirements for an evaluation monitoring program under section 66264.99, and shall be effective in determining compliance with the water quality protection standard under section 66264.92 and in determining the success of the corrective action measures under subsection (c) of this section.

(e)

Corrective action measures taken pursuant to this section shall be initiated and completed by the owner or operator within a period of time specified by the Department in the facility permit.

(f)

Corrective action measures taken pursuant to this section may be terminated when the owner or operator demonstrates to the satisfaction of the Department that the concentrations of all constituents of concern are reduced to levels below their respective concentration limits.

(g)

After terminating the corrective action measures pursuant to subsection (f) of this section, the owner or operator shall remain in the corrective action program until:

- (1) the owner or operator demonstrates to the satisfaction of the Department that the regulated unit is in compliance with the water quality protection standard. This demonstration shall be based on the results of sampling and analysis for all constituents of concern for a period of one year; and
- (2) the owner or operator submits and the Department approves an application for a permit modification to establish a detection monitoring program meeting the requirements of section

66264.98.

(1)

the owner or operator demonstrates to the satisfaction of the Department that the regulated unit is in compliance with the water quality protection standard. This demonstration shall be based on the results of sampling and analysis for all constituents of concern for a period of one year; and

(2)

the owner or operator submits and the Department approves an application for a permit modification to establish a detection monitoring program meeting the requirements of section 66264.98.

(h)

The owner or operator shall report, in writing, to the Department on the effectiveness of the corrective action program. The owner or operator shall submit these reports at least annually. More frequent reporting shall be required by the Department as necessary to ensure the protection of human health or the environment.

(i)

If the owner or operator determines that the corrective action program does not satisfy the requirements of this section, the owner or operator shall, within 90 days of making the determination, submit an application for a permit modification to make any appropriate changes to the program.

(j)

Any time the Department determines that the corrective action program does not satisfy the requirements of this section, the owner or operator shall, within 90 days of notification of such determination by the Department, submit an application for a permit modification to make any appropriate changes to the

program.