

## **66265.713 Preparation, Evaluation and Response for Interim Status Facilities**

### **(a)**

Within one year after July 1, 1991, the owner or operator shall prepare a comprehensive environmental monitoring program capable of determining: (1) whether hazardous waste or hazardous waste constituents have migrated from the facility in air or in soil-pore gas; (2) the rate and extent of migration of hazardous waste or hazardous waste constituents in air and in soil-pore gas; (3) the concentrations of hazardous waste or hazardous waste constituents in air and in soil-pore gas.

#### **(1)**

whether hazardous waste or hazardous waste constituents have migrated from the facility in air or in soil-pore gas;

#### **(2)**

the rate and extent of migration of hazardous waste or hazardous waste constituents in air and in soil-pore gas;

#### **(3)**

the concentrations of hazardous waste or hazardous waste constituents in air and in soil-pore gas.

### **(b)**

If the owner or operator determines through the environmental monitoring

pursuant to section 66265.712, or the comprehensive environmental monitoring pursuant to subsection (a) of this section, that hazardous waste or hazardous waste constituents have migrated from the regulated unit through air or soil-pore gas, the owner or operator shall, within 15 days of such determination, develop and submit to the Department a specific plan, certified by a qualified certified engineering geologist or qualified geologist or geotechnical engineer or civil engineer registered in California, for an environmental quality assessment program at the facility.

**(c)**

The plan to be submitted under subsection (b) of this section shall specify: (1) the number, location and depth of sampling stations; (2) sampling and analytical methods for those hazardous wastes or hazardous waste constituents in the regulated unit; (3) evaluation procedures, including any use of previously gathered information on the chemical characteristics of soil, soil-pore gas, and air; (4) a schedule of implementation.

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**(4)**

a schedule of implementation.

**(d)**

The owner or operator shall implement the environmental quality assessment plan which satisfies the requirements of subsection (c) of this section and, at a minimum, determine: (1) the rate and extent of migration of the hazardous waste or hazardous waste constituents in air or in soil-pore gas; (2) the concentrations of the hazardous waste or hazardous waste constituents in air and in soil-pore gas.

**(1)**

the rate and extent of migration of the hazardous waste or hazardous waste constituents in air or in soil-pore gas;

**(2)**

the concentrations of the hazardous waste or hazardous waste constituents in air and in soil-pore gas.

**(e)**

The owner or operator shall make the first determination under subsection (d) of this section as soon as technically feasible and, within 15 days after that determination, submit to the Department a written report containing an assessment of the environmental quality.

**(f)**

If the owner or operator determines to the satisfaction of the Department, based on the results of the first determination under subsection (d) of this section, that no hazardous waste or hazardous waste constituents have migrated from the regulated unit, then the owner or operator may reinstate the indicator evaluation program described in section 66265.712. If the owner or operator reinstates the indicator evaluation program, the owner or operator shall so notify the Department in the report submitted under subsection (e) of this section.

**(g)**

If the owner or operator determines, based on the first determination under subsection (d) of this section, that hazardous waste or hazardous waste constituents have migrated from the facility, then the owner or operator: (1) shall continue to make the determinations required under subsection (d) of this section on a quarterly basis until final closure of the facility, if the environmental quality assessment plan was implemented prior to final closure of the facility; or (2) may cease to make the determinations required under subsection (d) of this section, if the environmental quality assessment plan was implemented during the post-closure care period.

**(1)**

shall continue to make the determinations required under subsection (d) of this section on a quarterly basis until final closure of the facility, if the environmental quality assessment plan was implemented prior to final closure of the facility; or

**(2)**

may cease to make the determinations required under subsection (d) of this section, if the environmental quality assessment plan was implemented during the post-closure care period.

**(h)**

Notwithstanding any other provision of this article, any environmental quality assessment to satisfy the requirements of section 66265.713(d) which is initiated prior to final closure of the facility shall be completed and reported in accordance with section 66265.713(e).