

## **2. The Use of Maximum Contaminant Levels (MCLs) in Groundwater Monitoring**

*Part 264, Subpart F outlines three phases of groundwater monitoring for permitted land-based hazardous waste management units: detection monitoring (' 264.98), compliance monitoring (' 264.99), and corrective action monitoring (' 264.100). When a facility enters into compliance monitoring, the groundwater protection standard (GWPS) is established in the facility permit. Setting the GWPS involves designating hazardous constituents (' 264.93), concentration limits (' 264.94), point of compliance (' 264.95), and the compliance period (' 264.96). One of the following must be used in developing the concentration limits for the hazardous constituents: the background level of hazardous constituents found at the facility (' 264.94(a)(1)), the maximum contaminant levels (MCLs) in Table 1 of ' 264.94(a)(2), or an alternate concentration limit (ACL) established in accordance with ' 264.94(a)(3). MCLs were originally established pursuant to the Safe Drinking Water Act (SDWA). Some of these MCLs were incorporated into Table 1 of ' 264.94(a)(2) on July 26, 1982 (47 FR 32274). Since 1982, several MCLs have changed under the SDWA regulations, but those changes have not been incorporated into Part 264, Subpart F. In addition, there are a number of MCLs that have never been incorporated into Table 1 of ' 264.94(a)(2). Can MCLs that have not been codified in Table 1 of ' 264.94(a)(2) be used as concentration limits when the groundwater protection standard is established in the facility permit?*

Yes, MCLs, promulgated under the SDWA, that have not been codified in Table 1 of 264.94(a)(2) may be used as concentration limits when establishing the GWPS in the facility's permit by designating them as ACLs under 264.94(a)(3). EPA encourages the use of these MCLs in developing ACLs under 264.94(a)(3).

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