

QUESTION: Facilities which are permitted to treat, store, or dispose of hazardous waste in surface impoundments, waste piles, land treatment units, or landfills must comply with the 264 Subpart F Ground-Water Protection regulations. Permits for such facilities include concentration limits for hazardous constituents in groundwater that must not be exceeded. Regional Administrators have the option of establishing permit concentration limits of hazardous constituents that do not exceed background levels of each hazardous constituent in the groundwater or establishing alternate concentration limits (ACLs) that are also not to be exceeded. Is there any written guidance for permit applicants on ACLs?

ANSWER: Currently, there is no available written guidance on ACLs other than the regulations in §264.94 (b) and the accompanying preamble in the July 26, 1982, Federal Register (47 FR 32298). Section 264.94 (b) (1) and (2) lists 19 factors that a Regional Administrator must consider when determining whether to establish ACLs. A guidance manual for ACL applicants is in draft form. It is expected that a final draft will be made available to the public in February 1985.

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