

9481.1985(06)

RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

DECEMBER 85

Compliance to Detection Groundwater Monitoring

6. As part of his RCRA permit, the owner/operator of a land disposal facility must conduct compliance monitoring in accordance with §264.99. If, after several years of compliance monitoring, the owner/operator can show that Appendix VIII constituent levels are no longer present above background levels, it is possible for the owner/operator to revert to detection monitoring levels per §264.98?

Once the facility has been triggered into compliance monitoring and it becomes part of the permit, the owner/operator must conduct compliance monitoring for the number of years equal to the active life of the facility (including any waste management activity prior to permitting, and the closure period per §264.96(a)). Upon conclusion of the compliance period, the owner/operator may be able to return to detection monitoring for any remaining period of post-closure care, provided that: (1) no corrective action is required (§264.99(i) or §264.100); (2) the constituent levels are at or below background levels; (since the detection monitoring program is designed to detect increases over background levels, a facility which was meeting a ground-water protection standard set at a level above background would continually be required to switch from detection monitoring to compliance monitoring; hence, the return to detection monitoring would not have any practical value unless constituent levels were at or below background levels); and (3) the owner/operator submits an application for a permit modification (§270.41(a)(5)(v)).

Source: Mark Salee (202) 382-5742