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## RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

JULY 86

### 3. Ground-Water Monitoring: Establishing Background Values

According to 40 CFR 264.98(c) the owner/operator (o/o) of a land disposal facility must establish background values for the ground-water monitoring parameters specified in the facility permit. The o/o must establish these background values using the procedure specified in 40 CFR 264.97(q) which requires that background data be based on quarterly sampling of upgradient wells for one year.

(a) Interim status facilities may not have the necessary ground-water monitoring data needed for a permit since the 40 CFR 265 ground-water monitoring requirements are very general and not specific for individual constituents. How does an o/o of an interim status facility meet the 40 CFR 264.98(c) standard?

(b) New facility owner/operators must obtain a permit prior to construction of the facility per 40 CFR 270.10(f) (50 FR 28751). Does drilling ground-water monitoring wells constitute construction? If so, how does the o/o meet the 40 CFR 264.98(c) standard?

(a) An interim status facility may fulfill the background data requirement for permitting in a number of ways. Assuming the facility o/o has been conducting an indicator evaluation program as required by 40 CFR 265.92 and 265.93(b), the o/o may submit the data that have been collected to that point with the permit application. As required by 40 CFR 270.14(c)(6), the o/o must also submit a proposed list of indicator parameters or hazardous constituents which could reasonably appear in the ground-water at the site, and background values for each proposed constituent (40 CFR 264.98). If the o/o cannot submit background values for every one of the proposed constituents, the o/o must submit procedures to calculate these values (40 CFR 270.14(c)(6)(iii) and (iv)). The o/o would then generate the background data during the first year of the permit. The final background values would automatically become part of the permit. (See the July 26, 1982 Federal Register, 47 FR 32306.

(b) 40 CFR 270.14(c)(6) requires owners and operators of new

facilities to submit only plans for detection networks prior to permit issuance. Well installation may take place after the permit issues. Well construction could continue facility construction.

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