

Texas Commission on Environmental Quality

CHECKLIST WORKSHEET

MSW CME CHECKLIST D CORRECTIVE ACTION

Reg Ent Name : _____

Date : _____

Add ID _____

Investigator Name _____

Item No.	Description	Answer	Citations	Notes
	SECTION A: ASSESSMENT OF CORRECTIVE MEASURES 330.411			
1	Has the owner/operator initiated an assessment of corrective measures within 90 days of finding that any of the 40 Code of Federal Regulations Part 258, Appendix II constituents have been detected at a statistically significant level above the groundwater protection standards defined under §330.409(h), (i), or (j) of this title relating to Assessment Monitoring Program)?			
2	Has the owner/operator continued to monitor in accordance with the assessment monitoring program as specified in §330.409 of this title.		330.411(b)	
3	Has the owner/operator completed an assessment of corrective measures by a deadline approved by the executive director which addresses effectiveness of potential corrective measures as described in 30 TAC 330.411(c).		330.411(c)	
4	Has the owner/operator discussed the results of the corrective measures assessment, prior to the selection of a remedy, in a public meeting with interested and affected parties?		330.411(d)	
	SECTION B: SELECTION OF REMEDY 330.413			
5	Has the owner/operator within 30 days of completing the assessment of corrective action submitted a report to the executive director for review and approval that describes the selected remedy(ies) and meets standards in 30 TAC 330.411(b)?		330.413(a)	
6	If not, has the owner/operator demonstrated to the executive director that selected remedies are not required because they have demonstrated that: (If any of the answers to question 6A through 6D are yes, skip the remainder of the checklist.)			
6A	The concentration of contaminants in ground water from another source are present in such quantities that remediation of the release from the MSWLF unit provides no significant reduction in risk to actual/potential receptors.			
6B	Groundwater is not currently or reasonably expected to be a source of drinking water and that no hydraulic connection exists that would cause migration of concentrations that would exceed ground water protection standards?			

CHECKLIST WORKSHEET

MSW CME CHECKLIST D CORRECTIVE ACTION (Cont)

6C	Remediation of the release is technically impracticable?			
6D	Remediation of the release results in unacceptable cross-media impacts?			
	SECTION C: IMPLEMENTAION OF CORRECTIVE ACTION 330.415			
7	Has the owner/operator established and implemented a corrective action groundwater monitoring program that meets the following:			
7A	At least meets the requirements of an assessment monitoring program?		330.415(a)(1)(A)	
7B	Indicates the effectiveness of the corrective action remedy?		330.415(a)(1)(B)	
7C	Demonstrates compliance with ground water protection standards?		330.415(a)(1)(C)	
8	Has the owner/operator implemented the selected corrective action remedy(ies)?		330.415(a)(2)	
9	Has the owner/operator taken necessary interim measures to ensure the protection of human health and the environment, while considering factors found in 30 TAC 330.415(3)(A) through (G)?		330.415(a)(3)	
10	Has the owner/operator sought approval from the executive director to implement another remedy when the selected remedy failed to meet the requirements of 30 TAC 330.413(b)?		330.415(b)	
	SECTION E: COMPLIANCE WITH 330.413(B) CANNOT BE ACHEIVED			
11	Has the owner/operator determined and certified by a qualified ground water scientist that compliance with Selection of Remedy requirements cannot be practically achieved with available methods and implemented alternate measures approved by the executive director that control exposure of residual contamination to protect humans health and the environment?		330.415(b)	
12	Are all solid wastes managed in a manner that complies with applicable RCRA requirements and is protective of human health and the environment?		330.415(d)	
13	Did the owner or operator submit an annual correction action report containing the items listed in 330.415(e)(1) to (6) by March 1st after implementation of a corrective action program?		330.415(d)	
	SECTION E: CORRECTIVE ACTION COMPLETE			
14	Are the remedies selected considered complete because the owner/operator has demonstrated compliance with items below?			
14A	All points within the plume of contamination that lie within or beyond the ground water monitoring system comply with the ground water protection standard?			

CHECKLIST WORKSHEET

MSW CME CHECKLIST D CORRECTIVE ACTION (Cont)

14B	Compliance with the ground water protection standard has been achieved by demonstrating that no concentration of assessment constituents has exceeded the ground water protection standards for a period of three consecutive years or an alternate time period as specified by the executive director by use of statistical procedures and performance standards?			
14C	All actions required to complete the remedy have been satisfied?			
15	Has the owner/operator submitted within 15 days of completion of the remedy, a certification by a qualified ground water scientist that the remedy has been completed in compliance with the requirements of 30 TAC 330.415(g)?			
16	Based on submittal of satisfactory certification of the completion of the corrective action remedy, has the executive director elected to release the owner/operator from requirements for financial assurance for corrective action as required in 30 TAC 330.415(h)?			

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