

1 Pollution Control Agency

2

3 Adopted Permanent Rules Relating to Optional Federal Corrective

4 Action Management Units

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6 Rules as Adopted

7 7001.0010 DEFINITIONS.

8 Subpart 1. **Scope.** The definitions in part 7000.0100 in
9 the agency's procedural rules apply to the terms used in parts
10 7001.0010 to 7001.0210 and the definitions in part 7045.0020 in
11 the agency's hazardous waste rules apply to the terms used in
12 parts 7001.0500 to 7001.0730 unless the terms are defined as
13 follows.

14 [For text of subps 2 to 4, see M.R.]

15 7045.0020 DEFINITIONS.

16 [For text of subps 1 to 13, see M.R.]

17 Subp. 13a. **Corrective action management unit or CAMU.**

18 "Corrective action management unit" or "CAMU" means an area
19 within a facility that is designated by the commissioner under
20 parts 7045.0545 and 7045.0546, for the purpose of implementing
21 corrective action requirements under part 7045.0275, subpart 3,
22 or 7045.0485 and, or RCRA, section 3008(h). CAMUs typically
23 consist of land-based units such as, but not limited to, waste
24 piles, landfills, or surface impoundments approved by the
25 commissioner. A CAMU shall only be used for the management of
26 remediation wastes pursuant to implementing such corrective
27 action requirements at the facility.

28 Subp. 13b. **Corrosion expert.** "Corrosion expert" means a
29 person who, by reason of knowledge of the physical sciences and
30 the principles of engineering and mathematics, acquired by a
31 professional education and related practical experience, is
32 qualified to engage in the practice of corrosion control on
33 buried or submerged metal piping systems and metal tanks. Such
34 a person must be certified as being qualified by the National
35 Association of Corrosion Engineers (NACE) or be a registered

1 professional engineer who has certification or licensing that
2 includes education and experience in corrosion control on buried
3 or submerged metal piping systems and metal tanks.

4 Subp. 13c. **Corrosion protection.** "Corrosion protection"
5 means a method used to protect a metal tank, piping, or other
6 components from corroding. Corrosion protection includes, but
7 is not limited to, cathodic protection, keeping the metal of the
8 tank from being in direct contact with other surfaces, and the
9 application of coatings designed and maintained to prevent
10 corrosion.

11 [For text of subps 14 to 19, see M.R.]

12 Subp. 20. **Disposal facility.** "Disposal facility" means a
13 facility or part of a facility at which hazardous waste is
14 intentionally placed into or on any land or water, and at which
15 waste will remain after closure. The term disposal facility
16 does not include a corrective action management unit into which
17 remediation wastes are placed.

18 [For text of subps 20a to 23a, see M.R.]

19 Subp. 24. **Facility.** "Facility" means:

20 A. all contiguous land and structures, other
21 appurtenances, and improvements on the land used for treating,
22 storing, or disposing of hazardous waste. A facility may
23 consist of several treatment, storage, or disposal operational
24 units, such as one or more landfills, surface impoundments, or
25 combinations thereof; and

26 B. for the purpose of implementing corrective action
27 under part 7045.0485, all contiguous property under the control
28 of an owner or operator seeking a permit under parts 7001.0010
29 to 7001.0730 or subtitle C of RCRA, including facilities
30 implementing corrective action under part 7045.0275, subpart 3,
31 or RCRA, section 3008(h).

32 [For text of subps 24a to 47, see M.R.]

33 Subp. 47a. **Land disposal.** "Land disposal" means placement
34 in or on the land, except in a corrective action management
35 unit, and includes, but is not limited to, placement in a
36 landfill, surface impoundment, waste pile, injection well, land

1 treatment facility, salt dome formation, salt bed formation,
2 underground mine or cave, or placement in a concrete vault or
3 bunker intended for disposal purposes.

4 [For text of subp 48, see M.R.]

5 Subp. 49. **Landfill.** "Landfill" means a disposal facility
6 or part of a facility where hazardous waste is placed in or on
7 land and which is not a pile, a land treatment facility, a
8 surface impoundment, an underground injection well, a salt dome
9 formation, a salt bed formation, an underground mine, a cave, or
10 a corrective action management unit.

11 [For text of subps 50 to 58, see M.R.]

12 Subp. 58a. **Miscellaneous unit.** "Miscellaneous unit" means
13 a hazardous waste management unit where hazardous waste is
14 treated, stored, or disposed of and that is not a container,
15 tank, surface impoundment, pile, land treatment unit, landfill,
16 incinerator, boiler, industrial furnace, underground injection
17 well with appropriate technical standards under Code of Federal
18 Regulations, title 40, part 146, containment building,
19 corrective action management unit, or unit eligible for a
20 research, development, and demonstration permit under part
21 7001.0712.

22 [For text of subps 58b to 73f, see M.R.]

23 Subp. 73g. **Remediation waste.** "Remediation waste" means
24 all solid and hazardous wastes, and all media (including
25 groundwater, surface water, soils, and sediments) and debris,
26 which contain listed hazardous wastes or which themselves
27 exhibit a hazardous waste characteristic, that are managed for
28 the purpose of implementing corrective action requirements under
29 part 7045.0275, subpart 3, or 7045.0485 and, or RCRA, section
30 3008(h). For a given facility, remediation wastes may originate
31 only from within the facility boundary, but may include waste
32 managed in implementing part 7045.0275, subpart 3, or RCRA,
33 section 3004(v) or 3008(h), for releases beyond the facility
34 boundary.

35 Subp. 73h. **Replacement unit.** "Replacement unit" means a
36 landfill, surface impoundment, or waste pile unit (1) from which

1 all or substantially all of the waste is removed, and (2) that
2 is subsequently reused to treat, store, or dispose of hazardous
3 waste. Replacement unit does not apply to a unit from which
4 waste is removed during closure, if the subsequent reuse solely
5 involves the disposal of waste from that unit and other closing
6 units or corrective action areas at the facility, in accordance
7 with an approved closure plan or EPA or state-approved
8 corrective action.

9 [For text of subps 74 to 90a, see M.R.]

10 Subp. 90b. **Temporary unit.** "Temporary unit" means a tank
11 or container used to treat or store remediation waste for a
12 period of less than one year, as governed by part 7045.0546.

13 [For text of subps 91 to 109, see M.R.]

14 7045.0450 FACILITIES GOVERNED BY FACILITY STANDARDS.

15 [For text of subpart 1, see M.R.]

16 Subp. 2. **Relationship to interim status standards.** A
17 facility owner or operator who has fully complied with the
18 requirements for interim status under part 7045.0554 shall
19 comply with parts 7045.0552 to 7045.0642 in lieu of parts
20 7045.0450 to 7045.0544 until final administrative disposition of
21 the permit application is made. The treatment, storage, or
22 disposal of hazardous waste is prohibited except in accordance
23 with a permit and except for the extent to which parts 7045.0552
24 to 7045.0642 provide for the continued operation of an existing
25 facility which meets certain conditions until final
26 administrative disposition of the owner's or operator's permit
27 application is made, except as provided under parts 7045.0485,
28 7045.0545, and 7045.0546.

29 [For text of subp 3, see M.R.]

30 7045.0485 CORRECTIVE ACTION FOR SOLID AND HAZARDOUS WASTE
31 MANAGEMENT UNITS.

32 [For text of subpart 1, see M.R.]

33 Subp. 2. **Conditions.** Corrective action as required under
34 subpart 1 and parts 7045.0545 and 7045.0546 must be specified in
35 the permit. The permit must contain schedules of compliance for

1 corrective action and assurances of financial responsibility for
2 completing corrective action. Assurance of financial
3 responsibility must be provided in addition to the applicable
4 requirements of parts 7045.0498 to 7045.0524.

5 [For text of subp 3, see M.R.]

6 7045.0545 CORRECTIVE ACTION MANAGEMENT UNITS (CAMU).

7 Subpart 1. **Applicability.** For the purpose of implementing
8 remedies under part 7045.0275, subpart 3, or 7045.0485, or RCRA,
9 section 3008(h), the commissioner ~~may~~ shall designate an area at
10 the facility as a corrective action management unit, as defined
11 in part 7045.0020, subpart 13a, in accordance with the
12 requirements of this part. One or more CAMUs may be designated
13 at a facility. In addition:

14 A. placement of remediation wastes into or within a
15 CAMU does not constitute land disposal of hazardous wastes; and

16 B. consolidation or placement of remediation wastes
17 into or within a CAMU does not constitute creation of a unit
18 subject to minimum technology design and operating requirements.

19 Subp. 2. **Regulated units.**

20 A. The commissioner ~~may~~ shall designate a regulated
21 unit as defined in part 7045.0484, subpart 1, item A, subitem
22 (2), as a CAMU, or ~~may~~ shall incorporate a regulated unit into a
23 CAMU, if:

24 (1) the regulated unit is closed or closing,
25 meaning it has begun the closure process under part 7045.0488 or
26 7045.0596; and

27 (2) inclusion of the regulated unit will enhance
28 implementation of effective, protective, and reliable remedial
29 actions for the facility.

30 B. The groundwater protection, closure and
31 postclosure, and financial requirements and the unit-specific
32 requirements of facility or interim-status facility standards
33 found in parts 7045.0450 to 7045.0548 or 7045.0552 to 7045.0648
34 that applied to that regulated unit will continue to apply to
35 that portion of the CAMU after incorporation into the CAMU.

1 Subp. 3. **Conditions of designation.** The commissioner
2 shall designate a CAMU in accordance with the following:

3 A. the CAMU shall be designed to facilitate the
4 implementation of reliable, effective, protective, and
5 cost-effective remedies;

6 B. waste management activities associated with the
7 CAMU will not create unacceptable risks to humans or to the
8 environment resulting from exposure to hazardous wastes or
9 hazardous constituents;

10 C. the CAMU shall include uncontaminated areas of the
11 facility, only if including such areas for the purpose of
12 managing remediation waste is more protective than managing such
13 wastes at contaminated areas of the facility;

14 D. areas within the CAMU, where wastes remain in
15 place after closure of the CAMU, shall be managed and contained
16 so as to minimize future releases, to the extent practicable;

17 E. the CAMU shall expedite the timing of remedial
18 activity implementation, when appropriate and practicable;

19 F. the CAMU shall enable the use, when appropriate,
20 of treatment technologies (including innovative technologies) to
21 enhance the long-term effectiveness of remedial actions by
22 reducing the toxicity, mobility, or volume of wastes that will
23 remain in place after closure of the CAMU; and

24 G. the CAMU shall, to the extent practicable,
25 minimize the land area of the facility upon which wastes will
26 remain in place after closure of the CAMU.

27 Subp. 4. **Information requirement.** The owner/operator
28 shall provide sufficient information to enable the commissioner
29 to designate a CAMU in accordance with the criteria in this part.

30 Subp. 5. **CAMU permit or order requirements.** The
31 commissioner shall specify in the permit or order requirements
32 for CAMUs to include the following:

33 A. the areal configuration of the CAMU;

34 B. requirements for remediation waste management to
35 include the specification of applicable design, operation, and
36 closure requirements;

1 C. requirements for groundwater monitoring that are
2 sufficient to:

3 (1) continue to detect and to characterize the
4 nature, extent, concentration, direction, and movement of
5 existing releases of hazardous constituents in groundwater from
6 sources located within the CAMU; and

7 (2) detect and subsequently characterize releases
8 of hazardous constituents to groundwater that may occur from
9 areas of the CAMU in which wastes will remain in place after
10 closure of the CAMU;

11 D. closure and postclosure requirements:

12 (1) closure of corrective action management units
13 shall:

14 (a) minimize the need for further
15 maintenance; and

16 (b) control, minimize, or eliminate, to the
17 extent necessary to protect human health and the environment,
18 for areas where wastes remain in place, postclosure escape of
19 hazardous waste, hazardous constituents, leachate, contaminated
20 runoff, or hazardous waste decomposition products to the ground,
21 to surface waters, or to the atmosphere;

22 (2) requirements for closure of CAMUs shall
23 include the following, as appropriate and as deemed necessary by
24 the commissioner for a given CAMU:

25 (a) requirements for excavation, removal,
26 treatment, or containment of wastes;

27 (b) for areas in which wastes will remain
28 after closure of the CAMU, requirements for capping of such
29 areas; and

30 (c) requirements for removal and
31 decontamination of equipment, devices, and structures used in
32 remediation waste management activities within the CAMU;

33 (3) in establishing specific closure requirements
34 for CAMUs under this subpart, the commissioner shall consider
35 the following factors:

36 (a) CAMU characteristics;

- 1 (b) volume of wastes which remain in place
2 after closure;
- 3 (c) potential for releases from the CAMU;
- 4 (d) physical and chemical characteristics of
5 the waste;
- 6 (e) hydrogeological and other relevant
7 environmental conditions at the facility which may influence the
8 migration of any potential or actual releases; and
- 9 (f) potential for exposure of humans and
10 environmental receptors if releases were to occur from the CAMU;
11 and

12 (4) the corrective action management unit shall
13 comply with postclosure requirements as necessary to protect
14 human health and the environment, including, for areas where
15 wastes will remain in place, monitoring and maintenance
16 activities, and the frequency with which such activities shall
17 be performed to ensure the integrity of any cap, final cover, or
18 other containment system.

19 Subp. 6. **Documentation of reasoning.** The commissioner
20 shall document the rationale for designating CAMUs and shall
21 make such documentation available to the public.

22 Subp. 7. **Adding CAMU to existing permit or order.**
23 Incorporation of a CAMU into an existing permit or order must be
24 approved by the commissioner according to the procedures for
25 permit modifications under parts 7001.0170; 7001.0190, subparts
26 1, 2, and 4; and 7001.0730, subparts 1, 2, 3, and 5.

27 Subp. 8. **Other authority.** The designation of a CAMU does
28 not change the commissioner's existing authority to address
29 clean-up levels, media-specific points of compliance to be
30 applied to remediation at a facility, or other remedy selection
31 decisions.

32 7045.0546 TEMPORARY UNITS.

33 Subpart 1. **Applicability.** For temporary tanks and
34 container storage areas used for treatment or storage of
35 hazardous remediation wastes, during remedial activities

1 required under part 7045.0275, subpart 3, or 7045.0485, or RCRA,
2 section 3008(h), ~~the commissioner may determine that a design,~~
3 ~~operating, or closure standard applicable to such units may be~~
4 ~~replaced by alternative requirements which are protective of~~
5 ~~human health and the environment~~ if the commissioner determines
6 that there is an alternative requirement to a design, operating,
7 or closure standard applicable to such units and determines that
8 the alternative requirement is protective of human health and
9 the environment, the commissioner shall apply the alternative
10 requirement to such units.

11 Subp. 2. **Requirements.** Any temporary unit to which
12 alternative requirements are applied in accordance with subpart
13 1 shall be:

- 14 A. located within the facility boundary; and
15 B. used only for treatment or storage of remediation
16 wastes.

17 Subp. 3. **Conditions for designation.** In establishing
18 standards to be applied to a temporary unit, the commissioner
19 shall consider the following factors:

- 20 A. length of time such unit will be in operation;
21 B. type of unit;
22 C. volumes of wastes to be managed;
23 D. physical and chemical characteristics of the
24 wastes to be managed in the unit;
25 E. potential for releases from the unit;
26 F. hydrogeological and other relevant environmental
27 conditions at the facility which may influence the migration of
28 any potential releases; and
29 G. potential for exposure of humans and environmental
30 receptors if releases were to occur from the unit.

31 Subp. 4. **Permit or order conditions.** The commissioner
32 shall specify in the permit or order the length of time a
33 temporary unit will be allowed to operate, to be no longer than
34 a period of one year. The commissioner shall also specify the
35 design, operating, and closure requirements for the unit.

36 Subp. 5. **Time extension conditions.** The commissioner may

1 shall extend the operational period of a temporary unit once for
2 no longer than a period of one year beyond that originally
3 specified in the permit or order, if the commissioner determines
4 that:

5 A. continued operation of the unit will not pose a
6 threat to human health and the environment; and

7 B. continued operation of the unit is necessary to
8 ensure timely and efficient implementation of remedial actions
9 at the facility.

10 **Subp. 6. Adding temporary units to existing permit.**

11 Incorporation of a temporary unit or a time extension for a
12 temporary unit into an existing permit shall be:

13 A. approved in accordance with the procedures for
14 agency-initiated permit modifications under parts 7001.0170;
15 7001.0190, subparts 1, 2, and 4; and 7001.0730, subparts 1, 2,
16 3, and 5; or

17 B. requested by the owner/operator according to the
18 procedures under parts 7001.0190, subparts 1, 2, and 4; and
19 7001.0730, subparts 1, 2, 3, and 5.

20 **Subp. 7. Documentation of reasoning.** The commissioner
21 shall document the rationale for designating a temporary unit
22 and for granting time extensions for temporary units and shall
23 make such documentation available to the public.

24 **7045.0552 FACILITIES GOVERNED BY INTERIM STATUS.**

25 **Subpart 1. General requirements.** Parts 7045.0552 to
26 7045.0642 establish minimum standards for the management of
27 hazardous waste during the period of interim status and until
28 certification of final closure or, if the facility is subject to
29 postclosure requirements, until postclosure responsibilities are
30 fulfilled. These standards, and those in parts 7045.0545 and
31 7045.0546, apply to owners and operators of existing facilities
32 who have fully complied with the requirements for state or
33 federal interim status until a permit is issued or until
34 applicable interim status closure and postclosure
35 responsibilities are fulfilled, and those who have failed to

1 achieve state or federal interim status. These standards apply
2 to all treatment, storage, or disposal of hazardous waste at
3 these facilities after July 16, 1984, except as specifically
4 provided otherwise.

5 For existing facilities which were not required to obtain
6 federal interim status under the Resource Conservation and
7 Recovery Act, United States Code, title 42, sections 6901 to
8 6986, as amended through June 30, 1983, but are required to
9 obtain state interim status, the requirements of parts
10 7045.0590; 7045.0592; 7045.0632, subpart 4, items A and B;
11 7045.0634, subpart 2; 7045.0638, subparts 2, 7, and 8, become
12 effective 12 months after July 16, 1984, and the requirements of
13 parts 7045.0608 to 7045.0624 become effective 90 days after July
14 16, 1984.

15 Parts 7045.0552 to 7045.0642 apply to the owners and
16 operators of all facilities that treat, store, or dispose of
17 hazardous waste referred to in parts 7045.1300 to 7045.1380,
18 land disposal restrictions, and those restrictions are
19 considered material conditions or requirements of parts
20 7045.0552 to 7045.0642, interim status standards.

21 [For text of subps 1a to 4, see M.R.]