15A NCAC 13B .1635 ASSESSMENT OF CORRECTIVE MEASURES

(a) Within 90 days of finding that any of the constituents listed in Appendix II exceeded the ground-water protection standards, the owner or operator shall initiate assessment of corrective action measures. Such an assessment must be completed within 120 days.

(b) The owner or operator shall continue to monitor in accordance with the approved assessment monitoring program.

(c) The assessment of corrective measures shall include an analysis of the effectiveness of potential corrective measures in meeting all of the requirements and objectives of the remedy as described under Rule .1636 of this Section, addressing at least the following, as provided for in 40 CFR 258:

(1) The performance, reliability, ease of implementation, and potential impacts of potential remedies, including safety impacts, cross-media impacts, and control of exposure to any residual contamination;

(2) The time required to begin and complete the remedy;

(3) The costs of remedy implementation; and

(4) The institutional requirements such as State and Local permit requirements or other environmental or public health requirements that may affect implementation of the remedy(s).

(d) The owner or operator shall discuss the results of the corrective measures assessment, prior to the selection of remedy, in a public meeting with interested and affected parties. The owner or operator shall provide a public notice of the meeting at least 30 days prior to the meeting. The notice shall include the time, place, date, and purpose of the meeting required by this Paragraph. A copy of the public notice shall be forwarded to the Division at least five days prior to publication. The owner or operator shall mail a copy of the public notice to those persons requesting notification. Public notice shall include:

(1) a legal advertisement placed in a newspaper or newspapers serving the county; and

(2) provision of a news release to at least one newspaper, one radio station, and one television station serving the county.

History Note: *Authority G.S. 130A-294;*
Eff. October 9, 1993.
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