

V. CORRECTIVE MEASURES FOR THE MIXED WASTE LANDFILL (SWMU 76)

1. The report *Mixed Waste Landfill Corrective Measure Study Final Report, Sandia National Laboratories, New Mexico*, dated May 2003, is incorporated herein by reference.
2. The remedy to be implemented by Permittees for the Mixed Waste Landfill shall be as defined as Alternative III.c--Vegetative Soil Cover with Bio-Intrusion Barrier, as set forth in the report referenced in V.1 of this section.
3. A Corrective Measures Implementation (CMI) Plan that incorporates the final remedy described in Section V.2 of this section shall be submitted by the Permittees for the Mixed Waste Landfill for the Administrative Authority's approval no later than 180 days following the selection of the remedy by the Administrative Authority. The CMI Plan shall provide details on the design, construction, operation, maintenance, and performance monitoring for the selected remedy, and a schedule for implementation. The CMI Plan shall, at a minimum, include:
 - a. A description of the selected remedy;
 - b. A description of the remediation system objectives;
 - c. An identification and description of the qualifications of key persons, consultants, and contractors that will be implementing the remedy;
 - d. Detailed engineering design drawings and systems specifications for all elements of the remedy;
 - e. A construction and construction quality assurance work plan;
 - f. An operation and maintenance plan;
 - g. The results of any remedy pilot tests, such as landfill cover test plots;
 - h. A schedule for submission to the Administrative Authority of periodic progress reports;
 - i. A schedule for implementation of the remedy;
 - j. A health and safety plan;
 - k. A comprehensive fate and transport model that studies and predicts future movement of contaminants in the landfill and whether they will eventually move further down the vadose zone and/or to groundwater;

1. Triggers for future action that identify and detail specific monitoring results that will require additional testing or the implementation of an additional or different remedy.
4. A CMI Report for the Mixed Waste Landfill shall be submitted by the Permittees to the Administrative Authority for approval within 180 days after implementation of the remedy is complete. The CMI Report shall, at a minimum, include:
 - a. A summary of the work completed;
 - b. A statement signed by a registered professional engineer, that the remedy has been completed in full satisfaction of the specifications in the CMI Plan;
 - c. As-built drawings and specifications signed and stamped by a registered professional engineer;
 - d. Copies of the results of all monitoring, including sampling and analysis, and other data generated during the remedy implementation, if not already submitted in a progress report; and
 - e. A certification, signed by a responsible Permittee official stating: “I certify under penalty of law that this document and all attachments were prepared under my direction or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations”.
 5. The Permittees shall submit to the Administrative Authority progress reports during implementation of the remedy in accordance with a schedule approved in the CMI Plan for the Mixed Waste Landfill. Each of the progress reports shall, at a minimum, include the following information.
 - a. A description of the work completed during the reporting period;
 - b. A summary of all problems, potential problems, or delays encountered during the reporting period;

- c. A description of all actions taken to eliminate or mitigate problems, potential problems, or delays;
 - d. A discussion of the work projected for the next reporting period, including all sampling events; and
 - e. Copies of the results of all monitoring, including sampling and analysis, and other data generated during the reporting period.
6. A long-term monitoring and maintenance plan, which includes all necessary physical and institutional controls to be implemented in the future shall be submitted by the Permittees to the Administrative Authority for approval within 180 days after the Administrative Authority's approval of the CMI Report. The Administrative Authority may require monitoring, maintenance, and physical and institutional controls different than those specified in the Corrective Measures Study report referenced in V.1 of this section. The plan shall also include contingency procedures that must be implemented by the Permittees if the remedy set forth in Section V.2 above fails to be protective of human health and the environment.
7. The Permittees shall provide a convenient method for the public to review the Permittees' Corrective Measures Implementation Plan, Corrective Measures Implementation Report, progress reports, long-term monitoring and maintenance plan, and any other major documents developed by the Permittees for the MWL, including but not limited to, posting the documents on a publicly-accessible website.
8. The Permittees shall allow interested members of the public to review and comment on the documents referenced in Section V.7 above. The Administrative Authority will review, consider and respond to these public comments prior to approving any of these documents (with the exception of any documents, such as progress reports, that the Administrative Authority does not approve in the normal course of permit review and oversight).
9. The Permittees shall prepare a report every 5 years, re-evaluating the feasibility of excavation and analyzing the continued effectiveness of the selected remedy. The report shall include a review of the documents referenced in Section V.7 above, monitoring reports and any other pertinent data, and anything additional required by the Administrative Authority. In each 5-year report, the Permittees shall update the fate and transport model for the site with current data, and re-evaluate any likelihood of contaminants reaching groundwater. Additionally, the report shall detail all efforts to ensure any future releases or movement of contaminants are detected and addressed well before any effect on groundwater or increased risk to public health or the environment. The Permittees shall make the report and supporting information readily available to the public, before it is approved by the Administrative Authority. The Administrative Authority will provide a

process whereby members of the public may comment on the report and its conclusions, and will respond to those comments in its final approval of the report.