

revise the Work Plan and notify the Permittee of the revisions. This modified Work Plan becomes the approved Work Plan. All Approved Work Plans become part of this Permit. Submission of inadequate or insufficient information, or submission of grossly deficient Work Plans (required under special permit conditions) will be considered a permit violation and may subject the Permittee to enforcement action under Section 3008 of RCRA

C.3 Corrective Measures for SWMU 6-1, Landfill 1 (LF-001); SWMU 6-2, Landfill 2 (LF-002); and SWMU 6-4, Landfills 4, 5, and 6 (LF-008)

- a.) The report (prepared by the Permittee) *Final Corrective Measure Study Report for SWMU 6-1, Landfill 1 (LF-001); SWMU 6-2, Landfill 2 (LF-002); and SWMU 6-4, Landfills 4, 5, and 6 (LF-008)*, dated November 2003, is incorporated herein by reference.
- b.) The remedy for SWMU 6-1, Landfill 1 (LF-001); SWMU 6-2, Landfill 2 (LF-002); and SWMU 6-4, Landfills 4, 5, and 6 (LF-008) shall be an evapotranspiration (ET) cover for each landfill as defined as Alternative 4 in the report referenced in C.3.a of this section.
- c.) A Corrective Measures Implementation (CMI) Plan that incorporates the final remedy described in Section C.3.b of this section shall be submitted by the Permittee for each landfill (LF-001, LF-002, and LF-008) for the Administrative Authority's approval no later than September 30, 2004. Each CMI Plan shall provide details on the design, construction, operation, maintenance, and performance monitoring for the selected remedy, and a schedule for implementation. Each CMI Plan shall, at a minimum, include:
  1. A description of the selected remedy;
  2. A description of the remediation system objectives;
  3. An identification and description of the qualifications of all persons, consultants, and contractors that will be implementing the remedy;
  4. Detailed engineering design drawings and systems specifications for all elements of the remedy;
  5. A construction and construction quality assurance work plan;
  6. An operation and maintenance plan;
  7. The results of any remedy pilot tests (such as landfill cover test plots);

8. A plan for monitoring the performance of the remedy, including sampling and laboratory analysis of all affected media;
  9. A waste management plan;
  10. A proposed schedule for submission to the Administrative Authority of periodic progress reports;
  11. A proposed schedule for implementation of the remedy;
  12. A health and safety plan.
- d.) A CMI Report for each landfill shall be submitted by the Permittee to the Administrative Authority for approval within 180 days after implementation of the remedy is complete. Each CMI Report shall, at a minimum, include:
1. A summary of the work completed;
  2. A statement signed by a registered professional engineer, that the remedy has been completed in full satisfaction of the specifications in the CMI Plan.
  3. As-built drawings and specifications signed and stamped by a registered professional engineer;
  4. 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;
  5. Copies of all waste disposal records, if not already submitted in a progress report;
  6. 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."

- e.) For each landfill, the Permittee shall submit to the Administrative Authority progress reports during implementation of the remedy in accordance with a schedule approved in the CMI Plan for that landfill. Each of the progress reports shall, at a minimum, include the following information.
1. A description of the work completed during the reporting period;
  2. A summary of all problems, potential problems, or delays encountered during the reporting period;
  3. A description of all actions taken to eliminate or mitigate problems, potential problems, or delays;
  4. A discussion of the work projected for the next reporting period, including all sampling events;
  5. Copies of the results of all monitoring, including sampling and analysis, and other data generated during the reporting period; and
  6. Copies of all waste disposal records generated during the reporting period.
- f.) For each landfill, 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 Permittee 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 C.3.a of this section. Each of the plans shall also include contingency procedures that must be implemented by the Permittee if the corrective measure (Section C.3.b) fails to be protective of human health and the environment.

#### D. STANDARD CONDITIONS

1. Section 3004(u) of RCRA, as amended by HSWA, and 40 CFR 264.101 require that permits issued after November 8, 1984, address corrective action for releases of hazardous waste including hazardous constituents from any solid waste management unit (SWMU) at the facility, regardless of when the waste was placed in the unit.

Section 3004(v) of RCRA (Section 207 of the Hazardous and Solid Waste Amendments of 1984) and Federal regulations promulgated as 40 CFR 264.101, require corrective action beyond the facility boundary, where necessary to protect human health and the environment, unless

the owner or operator was unable to obtain the necessary permission to undertake such actions. The Permittee is not relieved of all responsibility to clean up a release that has migrated beyond the facility boundary where offsite access is denied.

2. Failure to submit the information required in this Module, or falsification of any submitted information, is grounds for termination of this Permit (40 CFR 270.43). The Permittee shall ensure that all plans, reports, notifications, and other submissions to the Administrative Authority required in this Module are signed and certified in accordance with 40 CFR 270.11. Three (3) copies of these plans, reports, notifications or other submissions shall be submitted to the Administrative Authority and sent by Certified Mail or hand delivered to:

Program Manager  
Permits Management Program  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Dr. East, Bldg. 1  
Santa Fe, New Mexico 87505-6303

3. All plans and schedules required by the conditions of this Module are, upon approval of the Administrative Authority, incorporated into this Schedule of Compliance by reference and become an enforceable part of this Permit. Any