

PART III

POST-CLOSURE CARE CONDITIONS AND REQUIREMENTS

III.A. POST CLOSURE PROCEDURES AND USE OF PROPERTY

III.A.1. Surface Impoundment

The Permittee shall comply with the requirements of 40 CFR 264 Subpart K, Surface Impoundments, referencing the existing capped surface impoundment and surrounding security fence, pursuant to 20.4.1.500 NMAC (incorporating 40 CFR 264.228(b)), and as follows:

- a. Maintain the integrity and effectiveness of the final cover, including making repairs to the cover, as necessary, to correct the effects of settling, subsidence, erosion, damage, or other events;
- b. Prevent run-on and run-off from eroding or otherwise damaging the final cover;
- c. Protect and maintain surveyed benchmarks used in complying with the surveying and recordkeeping requirements in accordance with the approved post-closure plan;
- d. Protect and maintain all monitoring wells located within the enclosed area; and
- e. Maintain the integrity of the eight-foot high chain link security fence in place around the perimeter of the capped surface impoundment in accordance with the Permit Application and 20.4.1.500 NMAC (incorporating 40 CFR 264.14).

III.A.2. Post-Closure Security

The Permittee shall maintain security at the Facility during the post-closure care period, in accordance with the Post-Closure Plan and all security requirements specified in Permit Condition II.D, the Consent Decree, and in accordance with 20.4.1.500 NMAC (incorporating 40 CFR 264.14 and 40 CFR 264.117 (b)).

III.A.3. Facility Use

The Permittee shall not allow any use of the Facility which will disturb the integrity of the surface impoundment final cover or the function of the Facility's

monitoring systems under the Consent Decree during the post-closure care period, in accordance with 20.4.1.500 NMAC (incorporating 40 CFR 264.117 (c)).

III.A.4. Post-Closure Activities

All post closure care activities shall be in accordance with the provisions of the approved Post-Closure Plan as specified in the Permit Application and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.117 (d)).