

**3745-57-71 Grandfathered corrective action management units (CAMUs).**

- (A) To implement remedies under rule 3745-54-101 of the Administrative Code or RCRA Section 3008(h), or to implement remedies at a permitted facility that is not subject to rule 3745-54-101 of the Administrative Code, the director may designate an area at the facility as a corrective action management unit under the requirements in this section. Corrective action management unit (CAMU) means an area within a facility that is used only for managing remediation wastes for implementing corrective action or cleanup at the facility. A CAMU must be located within the contiguous property under the control of the owner or operator where the wastes to be managed in the CAMU originated. One or more CAMUs may be designated at a facility.
- (1) Placement of remediation wastes into or within a CAMU does not constitute land disposal of hazardous wastes.
  - (2) Consolidation or placement of remediation wastes into or within a CAMU does not constitute creation of a unit subject to minimum technology requirements.
- (B)
- (1) The director may designate a regulated unit [as defined in paragraph (A)(2) of rule 3745-54-90 of the Administrative Code] as a CAMU, or may incorporate a regulated unit into a CAMU, if:
    - (a) The regulated unit is closed or closing, meaning it has begun the closure process under rule 3745-55-13 or 3745-66-13 of the Administrative Code; and
    - (b) Inclusion of the regulated unit will enhance implementation of effective, protective, and reliable remedial actions for the facility.
  - (2) The requirements of rules 3745-54-90 to 3745-54-101, 3745-55-10 to 3745-55-20, and 3745-55-40 to 3745-55-51 of the Administrative Code and the unit-specific requirements of Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code or Chapters 3745-65 to 3745-69 and 3745-256 of the Administrative Code that applied to that regulated unit will continue to apply to that portion of the CAMU after incorporation into the CAMU.
- (C) The director will designate a CAMU in accordance with the following:
- (1) The CAMU must facilitate the implementation of reliable, effective, protective, and cost-effective remedies;
  - (2) Waste management activities associated with the CAMU must not create unacceptable risks to humans or to the environment resulting from exposure to hazardous wastes or hazardous constituents;

- (3) The CAMU must include uncontaminated areas of the facility, only if including such areas for the purpose of managing remediation waste is more protective than management of such wastes at contaminated areas of the facility;
  - (4) Areas within the CAMU, where wastes remain in place after closure of the CAMU, must be managed and contained so as to minimize future releases, to the extent practicable;
  - (5) The CAMU must expedite the timing of remedial activity implementation, when appropriate and practicable;
  - (6) The CAMU must enable the use, when appropriate, of treatment technologies (including innovative technologies) to enhance the long-term effectiveness of remedial actions by reducing the toxicity, mobility, or volume of wastes that will remain in place after closure of the CAMU; and
  - (7) The CAMU must, to the extent practicable, minimize the land area of the facility upon which wastes will remain in place after closure of the CAMU.
- (D) The owner/operator must provide sufficient information to enable the director to designate a CAMU in accordance with the criteria in rule 3745-57-72 of the Administrative Code.
- (E) The director will specify, in the permit or order, requirements for CAMUs to include the following:
- (1) The areal configuration of the CAMU.
  - (2) Requirements for remediation waste management to include the specification of applicable design, operation and closure requirements in the hazardous waste rules.
  - (3) Requirements for ground water monitoring that are sufficient to:
    - (a) Continue to detect and to characterize the nature, extent, concentration, direction, and movement of existing releases of hazardous constituents in ground water from sources located within the CAMU; and
    - (b) Detect and subsequently characterize releases of hazardous constituents to ground water that may occur from areas of the CAMU in which wastes will remain in place after closure of the CAMU.
  - (4) Closure and post-closure requirements.
    - (a) Closure of CAMUs must:
      - (i) Minimize the need for further maintenance; and

- (ii) Control, minimize, or eliminate, to the extent necessary to protect human health and the environment, for areas where wastes remain in place, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated runoff, or hazardous waste decomposition products to the ground, to surface waters, or to the atmosphere.
  - (b) Requirements for closure of CAMUs must include the following, as appropriate and as deemed necessary by the director for a given CAMU:
    - (i) Requirements for excavation, removal, treatment or containment of wastes;
    - (ii) For areas in which wastes will remain after closure of the CAMU, requirements for capping of such areas; and
    - (iii) Requirements for removal and decontamination of equipment, devices, and structures used in remediation waste management activities within the CAMU.
  - (c) In establishing specific closure requirements for CAMUs under paragraph (E) of rule 3745-57-72 of the Administrative Code, the director will consider the following factors:
    - (i) CAMU characteristics;
    - (ii) Volume of wastes which remain in place after closure;
    - (iii) Potential for releases from the CAMU;
    - (iv) Physical and chemical characteristics of the waste;
    - (v) Hydrological and other relevant environmental conditions at the facility which may influence the migration of any potential or actual releases; and
    - (vi) Potential for exposure of humans and environmental receptors if releases were to occur from the CAMU.
  - (d) Post-closure requirements as necessary to protect human health and the environment, to include, for areas where wastes will remain in place, monitoring and maintenance activities, and the frequency with which such activities must be performed to ensure the integrity of any cap, final cover, or other containment system.
- (F) The director will document the rationale for designating CAMUs and must make such documentation available to the public.

- (G) Incorporation of a CAMU into an existing permit must be approved by the director according to the procedures for permit modifications under rule 3745-50-51 of the Administrative Code.
- (H) The designation of a CAMU does not change Ohio EPA's existing authority to address clean-up levels, media-specific points of compliance to be applied to remediation at a facility, or other remedy selection decisions.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see rule 3745-50-11 of the Administrative Code titled "Incorporated by reference."]

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