

15A NCAC 02L .0111 REPORTS

(a) Any person subject to the requirements in Rule .0106 of this Section shall submit to the Director, plans or reports including those associated with initial response, site assessment, and corrective action. Reports shall be submitted in accordance with a schedule established by the Director. In establishing a schedule, the Director shall consider a proposal by the person submitting the plan or report.

(b) A site assessment conducted pursuant to the requirements of Paragraphs (c) or (e) in Rule .0106 of this Section shall include:

- (1) a description of the site including current and historical operations at the facility and all current and historical waste streams;
- (2) the source and cause of contamination;
- (3) any imminent hazards to public health and any actions taken to mitigate them;
- (4) a description of the initial response actions taken in accordance with Rule .0106(f) of this Section;
- (5) all potential receptors and expected exposure pathways;
- (6) the horizontal and vertical extent of soil and groundwater contamination and all significant factors affecting contaminant transport;
- (7) background threshold values for affected media;
- (8) geological and hydrogeological features influencing the movement, chemical, and physical character of the contaminants;
- (9) the nature and extent of any surface water or sediment contamination resulting from interactions with contaminated soil or groundwater;
- (10) a description of the sampling procedures followed, and methods of chemical analyses used;
- (11) all technical data utilized in support of any interpretations, conclusions, determinations, or evaluations made; and
- (12) the results of predictive calculations or modeling, including a copy of the calculations or model runs and all supporting technical data.

(c) Corrective action plans submitted pursuant to Paragraphs (c) or (e) in Rule .0106 of this Section for active remediation shall include:

- (1) a summary of the results of the site assessment submitted in accordance with Paragraph (b) of this Rule;
- (2) the technical basis for the requested corrective action;
- (3) an evaluation of risk to receptors within the contaminant plume and in areas where the plume is expected through professional judgment or predicted through modeling to migrate;
- (4) an evaluation of projected groundwater use within 1,500 feet of the predicted impacted area based on current State or local government planning efforts;
- (5) a summary of the available technology that could feasibly be used as a potential remedial strategy based on the specific site conditions and nature and extent of the contamination that includes the predicted time to return to compliance with the standards and the estimated costs to implement each potential strategy;
- (6) the proposed remedial technology that the person proposes to implement that includes:
 - (A) the rationale for selecting the proposed technology;
 - (B) plans and specifications, including engineering details;
 - (C) a schedule for implementation and operation of the technology;
 - (D) the predicted time to return to compliance with the standards;
 - (E) the estimated costs to implement and operate the technology;
 - (F) a monitoring plan to evaluate the effectiveness of the technology; and
 - (G) the results of any modeling or predictive calculations that shows the projected movement of the contaminant plume until the predicted time to return to compliance with the standards;
- (7) all technical data utilized in support of any interpretations, conclusions, determinations, or evaluations made;
- (8) a copy of the calculations or model runs and all supporting technical data; and
- (9) a demonstration that:
 - (A) all necessary access agreements needed to monitor groundwater quality have been or can be obtained; and
 - (B) the proposed corrective action plan would be consistent with all other environmental laws.

(d) Corrective action plans submitted pursuant to Paragraphs (c) or (e) in Rule .0106 of this Section for natural attenuation shall include:

- (1) a summary of the results of the site assessment submitted in accordance with Paragraph (b) of this Rule;
- (2) the technical basis for the requested corrective action;
- (3) an evaluation of risk to receptors within the contaminant plume and in areas where the plume is expected through professional judgment or predicted through modeling to migrate;
- (4) an evaluation of projected groundwater use within 1,500 feet of the predicted impacted area based on current State or local government planning efforts;
- (5) the predicted time to return to compliance with the standards;
- (6) the results of any modeling or predictive calculations that show the projected movement of the contaminant plume until the predicted time to return to compliance with the standards;
- (7) all technical data utilized in support of any interpretations, conclusions, determinations, or evaluations made;
- (8) a copy of the calculations or model runs and all supporting technical data;
- (9) a monitoring plan to evaluate the effectiveness of the natural attenuation; and
- (10) a demonstration that:
 - (A) all sources of contamination and free product have been removed or controlled pursuant to Rule .0106(f) of this Section;
 - (B) the contaminant has the capacity to degrade or attenuate under the site-specific conditions;
 - (C) the time and direction of contaminant travel can be predicted based on subsurface conditions and the contaminant's physical and chemical properties;
 - (D) contaminant migration will not result in any violation of applicable standards at any existing or potential receptor;
 - (E) contaminants have not and will not migrate onto adjacent properties, or that:
 - (i) such properties are served by an existing public water supply system dependent on surface waters or hydraulically isolated groundwater; or
 - (ii) the owners of such properties have consented in writing to the request;
 - (F) if the contaminant plume is expected through professional judgment or predicted through modeling to intercept surface waters, the groundwater discharge will not possess contaminant concentrations that would result in violations of the surface water standards established under 15A NCAC 02B .0200;
 - (G) all necessary access agreements needed to monitor groundwater quality have been or can be obtained;
 - (H) public notice of the request has been provided in accordance with Rule .0114(b) and (c) of this Section; and
 - (I) the proposed corrective action plan would be consistent with all other environmental laws.

(e) All reports and plans shall be prepared under the charge of a professional engineer, licensed soil scientist, or licensed geologist if required under G.S. 89C, G.S. 89E, or G.S. 89F.

*History Note: Authority G.S. 143-215.1(b); 143-215.3(a)(1); 143-215.65; 143B-282;
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