

Table 12
Description of ARARs for Selected Remedy

Authority	Medium	Regulation / Requirement	Status	Synopsis of Requirement	Action to be Taken to Attain Requirement
Federal Regulatory Requirement	Air	40 CFR 50–National Primary and Secondary Ambient Air Quality Standards	Applicable	Establishes Ambient Air Quality Standards. Compliance is achieved through compliance with state and local rules established pursuant to a State Implementation Plan (SIP).	The selected remedy, including thermal source-area treatment and residential indoor air vapor mitigation systems, will comply with these regulations. The vapor mitigation systems are not anticipated to emit vapor at concentrations exceeding any regulated levels.
Federal Regulatory Requirement	Air	40 CFR 61 Subpart V–National Emission Standards for Hazardous Air Pollutants: Equipment Leaks	Potentially applicable if remedial alternative includes regulated compounds or equipment.	Establishes requirements for controlling fugitive emissions of volatile hazardous air pollutants from designated equipment.	The selected remedy, including thermal source-area treatment and residential indoor air vapor mitigation systems, will be designed to control fugitive emissions.
Federal Regulatory Requirement	Air	40 CFR 264.AA–Air Emission Standards for Process Vents	Potentially applicable if RCRA hazardous waste is treated in designated equipment.	Requires total organic emissions from air strippers or steam strippers to be reduced below 1.4 kg/hr and 2.8 Mg/yr or that total organic emissions be reduced by 95 percent by weight.	Off-gas controls for treatment systems (such as thermal treatment at source areas) will be designed to meet the emissions reduction requirements.
State Regulatory Requirement	Air	20.2 New Mexico Administrative Code (NMAC)	Potentially applicable if remedial activities involve sources subject to regulation.	Establishes ambient air quality standards, performance standards for specific sources of air pollutants, and specifies monitoring methods.	The selected remedy, including thermal source-area treatment and residential indoor air vapor mitigation systems, will be designed to comply with these regulations.
Federal Regulatory Requirement	Surface Discharges of Treated Ground Water	Federal Water Pollution Control Act as amended by the Clean Water Act of 1977, Section 208(b)	Relevant and appropriate	The proposed action must be consistent with regional water quality management plans as developed under Section 208 of Clean Water Act. Substantive requirements adopted by the state pursuant to Section 208 of the Clean Water Act would be applicable to direct discharge of treatment system effluent or other discharges to surface water.	Treated ground water effluent from treatment systems will comply with these regulations, if discharged to surface water.
Federal Regulatory Requirement	Surface Discharges of Treated Ground Water	Federal Water Pollution Control Act as amended by the Clean Water Act of 1977, Section 304	Water quality criteria may be relevant and appropriate to groundwater or other discharges to surface water.	Establishes water quality criteria for specific pollutants for the protection of human health and for the protection of aquatic life. These federal water quality criteria are non-enforceable guidelines used by the state to set water quality standards for surface water.	Treated ground water effluent from treatment systems will comply with enforceable regulations, if discharged to surface water.
Federal Regulatory Requirement	Surface Discharges of Treated Ground Water	Federal Water Pollution Control Act as amended by the Clean Water Act of 1977, Section 402	Although remedial alternatives are unlikely to include a source category subject to NPDES effluent limitations, some limitations may be relevant and appropriate to discharges to surface water if the remedial alternative includes a technology substantially similar to that employed by a regulated source category.	Establishes effluent limitations for the discharge of specific pollutants. Section 402 establishes the National Pollutant Discharge Elimination System (NPDES), which enforces effluent limitations on point source discharges through site-specific and general permits.	Treated ground water effluent from treatment systems will comply with these regulations, if discharged to surface water.
Federal Regulatory Requirement	Surface Discharges of Treated Ground Water	40 CFR Part 122 Subpart B	Although NPDES permit coverage is not required for on-site discharges of storm water, substantive requirements, including implementing best management practices to prevent discharge of pollutants to storm water, are applicable to construction activities disturbing one acre or more.	Requires obtaining an NPDES permit for discharge of storm water from specified industrial and construction activities, developing a storm water pollution prevention plan, implementing best management practices to prevent discharge of pollutants to storm water, and monitoring storm water discharges.	The substantive requirements for discharge would be completed, if applicable.

Table 12
Description of ARARs for Selected Remedy

Authority	Medium	Regulation / Requirement	Status	Synopsis of Requirement	Action to be Taken to Attain Requirement
Federal Regulatory Requirement	Surface Discharges of Treated Ground Water	40 CFR 122.41(l)–Monitoring Requirements	Administrative requirement applicable only for discharges to offsite surface water (potentially the Rio San Jose).	Requires monitoring of discharges to ensure compliance. Monitoring programs shall include data on the mass, volume, and frequency of all discharge events.	A compliance monitoring program would be conducted, if applicable.
State Regulatory Requirement	Surface Discharges of Treated Ground Water	20.6.4 NMAC–Water Quality Standards for Interstate and Intrastate Surface Waters	Applicable to direct discharge of treatment system effluent or other process waters.	States are granted enforcement jurisdiction over direct discharges and may adopt reasonable standards to protect or enhance the uses and qualities of surface water bodies in the state.	The direct surface water discharge standards imposed by the State would be met, if applicable.
Federal Regulatory Requirement	Surface Discharges of Treated Ground Water	40 CFR 136–Guidelines Establishing Test Procedures for the Analysis of [Water] Pollutants (40 CFR 136.1-136.4)	Applicable to analyses performed under NPDES permit; relevant and appropriate to analyses of onsite direct discharge of treatment system effluent or other process waters.	These sections require adherence to specified test methods and sample preservation procedures including container materials and sample holding times for analyses performed to comply with NPDES permit requirements.	Substantive requirements for appropriate testing procedures would be followed within the compliance monitoring program.
Federal Regulatory Requirement	Ground Water	40 CFR 141–National Primary Drinking Water Regulations	MCLs are applicable if the water will be supplied directly to a drinking water distribution system with a specified number of consumers or connections. MCLs are relevant and appropriate if the water could be used for drinking. MCLGs	Establishes maximum contaminant levels (MCLs) and maximum contaminant level goals (MCLGs) for specific chemicals to protect drinking water quality.	The preliminary remediation goals (PRGs) for treatment of ground water have been established as the Federal MCLs.
State Regulatory Requirement	Ground Water	20.6.2 NMAC – New Mexico Water Quality Control Regulations	The substantive provisions of these regulations must be met as part of a reinjection program. These regulations must be complied with should the NM standards be more stringent than EPA MCLs.	Establishes the New Mexico Water Quality Control Commission Regulations regarding the re-injection of water into the subsurface. Establishes the New Mexico Water Quality Control Commission Regulations regarding discharges to ground water.	The substantive provisions of the NMWQCC regulations would be complied with for any re-injection of water. The NMWQCC regulations will apply for chemicals where the NMWQCC regulated concentration is lower than the Federal MCL.

Table 12
Description of ARARs for Selected Remedy

Authority	Medium	Regulation / Requirement	Status	Synopsis of Requirement	Action to be Taken to Attain Requirement
Federal Regulatory Requirement	Hazardous Waste	40 CFR 261—Identification and Listing of Hazardous Waste	Applicable for determining which wastes are hazardous and potentially subject to the hazardous waste management requirements in Parts 262-268.	Identifies those wastes subject to regulation as hazardous wastes	Investigation-derived waste generated during investigation and construction activities will be sampled and analyzed to determine whether it is a hazardous waste, and appropriate waste storage and disposal practices will be followed.
Federal Regulatory Requirement	Hazardous Waste	40 CFR 262-Hazardous Waste Generator Requirements	Substantive management standards are applicable to hazardous waste generated during remedial activities.	Specifies standards for management of hazardous waste by hazardous waste generators, including management in tanks and containers.	Investigation-derived waste generated during investigation and construction activities will be sampled and analyzed to determine whether it is a hazardous waste, and appropriate waste storage and disposal practices will be followed.
Federal Regulatory Requirement	Hazardous Waste	40 CFR 264, 265	Substantive management standards are applicable to remedial activities involving on-site treatment, storage or disposal of hazardous waste.	Specifies standards for hazardous waste treatment, storage and disposal facilities, including requirements for construction, design, monitoring, operation, and closure.	Investigation-derived waste generated during investigation and construction activities will be sampled and analyzed to determine whether it is a hazardous waste, and appropriate waste storage and disposal practices will be followed.
Federal Regulatory Requirement	Hazardous Waste	40 CFR 268-Land Disposal Restrictions	Applicable to off-site land disposal of listed or characteristic hazardous wastes, and to on-site remedies that include placement of these wastes.	The land disposal restrictions prohibit land-based disposal of listed and characteristic hazardous wastes that do not meet specified treatment standards.	Investigation-derived waste generated during investigation and construction activities will be sampled and analyzed to determine whether it is a hazardous waste, and appropriate waste storage and disposal practices will be followed.
Federal Regulatory Requirement	Building Structures or Archaeological Artifacts	National Historical Preservation Act 16 USC 661 et seq. 36 CFR Part 65	Will be relevant and appropriate at the GCSP site during the remedial activities if scientific, historic, or archaeological artifacts are identified during implementation of the remedy.	Establishes procedures to provide for preservation of scientific, historical, and archaeological data that might be destroyed through alteration of terrain as a result of a federal construction project or a federally licensed activity or program.	If scientific, historical, or archaeological artifacts are discovered at the site, work in the area of the site affected by such discovery will be halted pending the completion of any data recovery and preservation activities required pursuant to the act and its implementing regulations.