

WAC 173-303-64650 Corrective action management unit (CAMU). (1)

Except as provided in subsection (2) of this section, CAMUs are subject to the requirements of this section and WAC 173-303-64660 and 173-303-64670.

(2) CAMUs that were approved before April 22, 2002, or for which substantially complete applications (or equivalents) were submitted to the department on or before November 20, 2000, are subject to the requirements in WAC 173-303-64640 for grandfathered CAMUs; CAMU waste, activities, and design will not be subject to the standards in WAC 173-303-64650 and 173-303-64660, so long as the waste, activities, and design remain within the general scope of the CAMU as approved.

(3) In accordance with the requirements of this section, the applicable portions of WAC 173-303-64610 through 173-303-64630, and with WAC 173-303-64660, the department may designate an area at a facility as a corrective action management unit for the purpose of treating, storing or disposing of CAMU-eligible waste that originates at the same facility in order to implement remedies under this section or to implement other cleanup actions. Corrective action management unit means an area within a facility that is used only for managing CAMU-eligible 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.

(a) CAMU-eligible waste means:

(i) All solid and dangerous wastes, and all media (including groundwater, surface water, soils, and sediments) and debris, that are managed for implementing cleanup. As-generated wastes (either dangerous or nondangerous) from ongoing industrial operations at a site are not CAMU-eligible wastes.

(ii) Wastes that would otherwise meet the description in (a)(i) of this subsection are not "CAMU-Eligible Wastes" where:

(A) The wastes are dangerous wastes found during cleanup in intact or substantially intact containers, tanks, or other nonland-based units found above ground, unless the wastes are first placed in the tanks, containers or nonland-based units as part of cleanup, or the containers or tanks are excavated during the course of cleanup; or

(B) The department exercises the discretion in (b) of this subsection to prohibit the wastes from management in a CAMU.

(iii) Notwithstanding (a)(i) of this subsection, where appropriate, as-generated nondangerous waste may be placed in a CAMU where such waste is being used to facilitate treatment or the performance of the CAMU.

(b) The department may prohibit, where appropriate, the placement of waste in a CAMU where the department has or receives information that such wastes have not been managed in compliance with applicable land disposal treatment standards of WAC 173-303-140(2), or applicable unit design requirements of WAC 173-303-600 through 173-303-695, or applicable unit design requirements of WAC 173-303-400, or that non-compliance with other applicable requirements of this chapter likely contributed to the release of the waste.

(c) Prohibition against placing liquids in CAMUs.

(i) The placement of bulk or noncontainerized liquid dangerous waste or free liquids contained in dangerous waste (whether or not sorbents have been added) in any CAMU is prohibited except where placement of such wastes facilitates the remedy selected for the waste.

(ii) The requirements in WAC 173-303-140 (4)(b)(ii) for placement of containers holding free liquids in landfills apply to placement in a CAMU except where placement facilitates the remedy selected for the waste.

(iii) The placement of any liquid which is not a dangerous waste in a CAMU is prohibited unless such placement facilitates the remedy selected for the waste or a demonstration is made pursuant to WAC 173-303-140 (4)(b)(v).

(iv) The absence or presence of free liquids in either a containerized or a bulk waste must be determined in accordance with WAC 173-303-140 (4)(b)(iii). Sorbents used to treat free liquids in CAMUs must meet the requirements of WAC 173-303-140 (4)(b)(iv).

(d) Placement of CAMU-eligible waste into or within a CAMU does not constitute land disposal of dangerous waste.

(e) Consolidation or placement of CAMU-eligible waste into or within a CAMU does not constitute creation of a unit subject to minimum technology requirements.

(4) Designation of a CAMU will not in any way affect the department's existing authorities, including authority under chapter 70.105D RCW, to address clean-up levels, media-specific points of compliance, or other remedy selection decisions.

(5) Designation of a CAMU will not in any way affect the timing or scope of review of any actions taken under the Model Toxics Control Act pursuant to WAC 173-303-64630 to fulfill the corrective action requirements of WAC 173-303-64620 or the corrective action requirements of WAC 173-303-645.

[Statutory Authority: Chapters 70.105, 70.105D, and 15.54 RCW and RCW 70.105.007. WSR 04-24-065 (Order 03-10), § 173-303-64650, filed 11/30/04, effective 1/1/05.]