

### **15A NCAC 13B .1633 DETECTION MONITORING PROGRAM**

(a) Detection monitoring is required at MSWLF units at all ground-water monitoring wells that are part of the detection monitoring system as established in the approved monitoring plan. At a minimum, as provided for in 40 CFR 258, the detection monitoring program shall include monitoring for the constituents listed in Appendix I of 40 CFR Part 258. "Appendix I Constituents for Detection Monitoring" (Appendix I), is incorporated by reference including subsequent amendments and editions. Copies of this material may be inspected or obtained at the Department of Environment and Natural Resources, Division of Waste Management, Raleigh, North Carolina at no cost.

(b) The monitoring frequency for all Appendix I detection monitoring constituents shall be at least semiannual during the life of the facility (including closure) and the post-closure period. A minimum of four independent samples from each well (background and downgradient) shall be collected and analyzed for the Appendix I constituents during the first semiannual sampling event. At least one sample from each well (background and downgradient) shall be collected and analyzed during subsequent semiannual sampling events.

(c) If the owner or operator determines that there is an exceedance of the ground-water protection standards, as defined in Paragraph (g) or (h) of Rule.1634 for one or more of the constituents listed in Appendix I of this Rule at any monitoring well at the relevant point of compliance, the owner or operator:

- (1) Shall, within 14 days of this finding, report to the Division and place a notice in the operating record indicating which constituents have exceeded ground-water protection standards;
- (2) Shall establish an assessment monitoring program meeting the requirements of this Section within 90 days except as provided for in Subparagraph (3) of this Paragraph; and
- (3) May demonstrate that a source other than a MSWLF unit caused the exceedance, or the exceedance resulted from an error in sampling, analysis, statistical evaluation, or natural variation in ground-water quality. A report documenting this demonstration shall be approved by the Division. If required by G.S. 89C or G.S. 89E, a professional engineer or licensed geologist shall prepare these documents. [Note: The North Carolina Board of Examiners for Engineers and Surveyors and the Board of Licensing of Geologist has determined, via letters dated July 16, 2010 and November 30, 2010 respectively, that preparation of documents pursuant to this Paragraph constitutes practicing engineering or geology under G.S. 89C and G.S. 89E.] A copy of this report shall also be placed in the operating record. If a successful demonstration is made, documented, and approved by the Division, the owner or operator may continue detection monitoring. If after 90 days, a successful demonstration is not made, the owner or operator shall initiate an assessment monitoring program as required by this Section.

*History Note:* Authority G.S. 130A-294;  
Eff. October 9, 1993;  
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