§ 264.253  Response actions.

(a) The owner or operator of waste pile units subject to §264.251 (c) or (d) must have an approved response action plan before receipt of waste. The response action plan must set forth the actions to be taken if the action leakage rate has been exceeded. At a minimum, the response action plan must describe the actions specified in paragraph (b) of this section.

(b) If the flow rate into the leak detection system exceeds the action leakage rate for any sump, the owner or operator must:

(1) Notify the Regional Administrator in writing of the exceedance within 7 days of the determination;

(2) Submit a preliminary written assessment to the Regional Administrator within 14 days of the determination.

§ 264.254  Monitoring and inspection.

(a) During construction or installation, liners (except in the case of existing portions of piles exempt from §264.251(a)) and cover systems (e.g., membranes, sheets, or coatings) must be inspected for uniformity, damage, and imperfections (e.g., holes, cracks, thin spots, or foreign materials). Immediately after construction or installation:

(1) Assess the source of liquids and amounts of liquids by source,

(2) Conduct a fingerprint, hazardous constituent, or other analyses of the liquids in the leak detection system to identify the source of liquids and possible location of any leaks, and the hazard and mobility of the liquid; and

(3) Assess the seriousness of any leaks in terms of potential for escaping into the environment; or

(4) Document why such assessments are not needed.

[57 FR 3489, Jan. 29, 1992, as amended at 71 FR 40273, July 14, 2006]