

Hazardous Waste Remedial Action Plans (RAP)

Program Description

A Remedial Action Plan is a special form of a RCRA permit that authorizes the party performing remedial action on a site of environmental contamination to treat, store or dispose of hazardous remediation waste generated within or in close proximity to the contaminated area. Remedial action is the effort to reduce site contamination to minimize health risks or negative environmental impact. This may include cleanup, removal, containment, isolation or treatment of hazardous substances released or threatened to be released into the environment from a site.

Who Can Apply

The owner or operator of a facility that generates hazardous remediation wastes may request approval for a Remedial Action Plan that authorizes the facility to treat, store or dispose of the waste at the remediation waste management site.

Application Process

There is no formal application form for submittal of a Remedial Action Plan, but the owner/operator must include specific information as required in the regulations, sign it and submit the information to the Division for approval. The Remedial Action Plan application can be a stand-alone document or be part of another document that includes information for other activities at the waste management site. If the Remedial Action Plan is part of another document, the components of the document to be included in the RAP must be clearly identified.

Duration of Permit

Remedial Action Plans are issued for a fixed term not to exceed 10 years. They may be renewed by the Division in fixed increments of no more than 10 years. The Division must review any Remedial Action Plan for hazardous waste land disposal five years after the date of issuance or re-issuance to determine if modifications are necessary.

Fees

Remedial Action Plans approved under this rule are subject to document review and activity fees as described in Section 100.32 of the Colorado Hazardous Waste Regulations. Time spent reviewing and approving remedial action plans, completion reports and any other documents generated in response to the activities performed at the site are subject to an hourly fee of \$135.

Approved plans would also be subject to annual operating fees as described in Section 100.31(a)(1). This fee is to partially offset the cost of monitoring and compliance and is based on the waste management method.

Public Participation

Public notice will be provided of the Division's intention to approve or deny a Remedial Action Plan application. The public will have at least 45 days to submit written comments on the draft Plan or notice of intent to deny. If written opposition to the intent to approve or deny is received by the Division within this comment period, the Division will hold an informal public hearing to discuss issues relating to the application. The Division will respond to any

significant comments raised during the public comment period or hearing before issuing a final decision.

Statutes and Regulations

CRS 25-15-101 et. seq.

Colorado Hazardous Waste Regulations 6 CCR 1007-3 Section 100.27

Division Contact

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