**Section 332.230 Technical Criteria for Byproduct Material Licensed Sites − Groundwater Protection**

a) In order to provide adequate protection of groundwater resources, the licensed site shall be designed, constructed, maintained and operated to conform with the requirements of criterion 5 of 10 CFR 40, appendix A, in effect on January 1, 1994, exclusive of subsequent amendments or editions. In addition, closure shall be performed to conform with the requirements of criterion 5 of 10 CFR 40, appendix A, in effect on January 1, 1994, exclusive of subsequent amendments or editions. Criterion 13 of 10 CFR 40, appendix A, in effect on January 1, 1994, identifies the constituents for which standards shall be set or complied with if the specific constituent is expected to be in or derived from the byproduct material and has been detected in groundwater.

b) The licensee shall establish a detection monitoring program needed for the Agency to set the site-specific groundwater protection standards in subsection (a). The licensee or applicant shall propose for Agency approval as license conditions which constituents are to be monitored on a site-specific basis. A detection monitoring program shall be designed and implemented to accomplish two purposes. The program shall be designed and implemented to detect leakage of the hazardous constituents from the licensed site so that the need to set groundwater protection standards is monitored. If leakage is detected, the program shall be designed and implemented to generate data and information needed for the Agency to establish the standards under subsection (a). The data and information shall provide a sufficient basis to identify those hazardous constituents that require concentration limit standards and to enable the Agency to set the limits for those constituents and the compliance period. The data and information shall also provide the basis for adjustments to the point of compliance, if necessary.

c) Once groundwater protection standards have been established pursuant to subsection (a), the licensee shall establish and implement a compliance monitoring program. The purpose of the compliance monitoring program is to determine that the hazardous constituent concentrations in groundwater continue to comply with the standards set by the Agency. In conjunction with a corrective action program, the licensee shall establish and implement a corrective action monitoring program. The purpose of the corrective action monitoring program is to demonstrate the effectiveness of the corrective actions. Any monitoring program required by this subsection (c) may be based on existing monitoring programs to the extent the existing programs can meet the stated objective for the program.

(Source: Amended at 32 Ill. Reg. 16765, effective October 6, 2008)