**Section 724.651 Grandfathered Corrective Action Management Units**

a) To implement remedies pursuant to Section 724.201 or RCRA section 3008(h), or to implement remedies at a permitted facility that is not subject to Section 724.201, the Agency may designate an area at the facility as a corrective action management unit in accordance with the requirements of this Section. "Corrective action management unit" or "CAMU" means an area within a facility that is used only for managing remediation wastes for implementing corrective action or cleanup at that 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.

1) Placement of remediation wastes into or within a CAMU does not constitute land disposal of hazardous wastes.

2) Consolidation or placement of remediation wastes into or within a CAMU does not constitute creation of a unit subject to minimum technology requirements.

b) Designation of a CAMU

1) The Agency may designate a regulated unit (as defined in Section 724.190(a)(2)) as a CAMU, or it may incorporate a regulated unit into a CAMU, if the following is true:

A) The regulated unit is closed or closing, meaning it has begun the closure process pursuant to Section 724.213 or 35 Ill. Adm. Code 725.213; and

B) Inclusion of the regulated unit will enhance implementation of effective, protective, and reliable remedial actions for the facility.

2) The requirements of Subparts F, G, and H and the unit-specific requirements of this Part or the 35 Ill. Adm. Code 725 requirements that applied to that regulated unit will continue to apply to that portion of the CAMU after incorporation into the CAMU.

c) The Agency must designate a CAMU in accordance with the following factors:

1) The CAMU must facilitate the implementation of reliable, effective, protective, and cost-effective remedies;

2) Waste management activities associated with the CAMU must not create unacceptable risks to humans or to the environment resulting from exposure to hazardous wastes or hazardous constituents;

3) The CAMU must include uncontaminated areas of the facility only if including such areas for the purpose of managing remediation waste is more protective than managing such wastes at contaminated areas of the facility;

4) Areas within the CAMU where wastes remain in place after its closure must be managed and contained so as to minimize future releases to the extent practicable;

5) The CAMU must expedite the timing of remedial activity implementation, when appropriate and practicable;

6) The CAMU must enable the use, when appropriate, of treatment technologies (including innovative technologies) to enhance the long-term effectiveness of remedial actions by reducing the toxicity, mobility, or volume of wastes that will remain in place after closure of the CAMU; and

7) The CAMU must, to the extent practicable, minimize the land area of the facility upon which wastes will remain in place after closure of the CAMU.

d) The owner or operator must provide sufficient information to enable the Agency to designate a CAMU in accordance with the standards of this Section.

e) The Agency must specify in the permit the requirements applicable to a CAMU, including the following:

1) The areal configuration of the CAMU.

2) Requirements for remediation waste management, including the specification of applicable design, operation, and closure requirements.

3) Requirements for groundwater monitoring that are sufficient to do the following:

A) Continue to detect and to characterize the nature, extent, concentration, direction, and movement of existing releases of hazardous constituents in groundwater from sources located within the CAMU; and

B) Detect and subsequently characterize releases of hazardous constituents to groundwater that may occur from areas of the CAMU in which wastes will remain in place after closure of the CAMU.

4) Closure and Post-Closure Care Requirements

A) Closure of a CAMU must do the following:

i) Minimize the need for further maintenance; and

ii) Control, minimize, or eliminate, to the extent necessary to adequately protect human health and the environment, for areas where wastes remain in place, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground, to surface waters, or to the atmosphere.

B) Requirements for closure of a CAMU must include the following, as appropriate:

i) Requirements for excavation, removal, treatment, or containment of wastes;

ii) For areas in which wastes will remain after closure of the CAMU, requirements for the capping of such areas; and

iii) Requirements for the removal and decontamination of equipment, devices, and structures used in remediation waste management activities within the CAMU.

C) In establishing specific closure requirements for a CAMU pursuant to this subsection (e), the Agency must consider the following factors:

i) The characteristics of the CAMU;

ii) The volume of wastes that remain in place after closure;

iii) The potential for releases from the CAMU;

iv) The physical and chemical characteristics of the waste;

v) The hydrological and other relevant environmental conditions at the facility that may influence the migration of any potential or actual releases; and

vi) The potential for exposure of humans and environmental receptors if releases were to occur from the CAMU.

D) Post-closure care requirements as necessary to adequately protect human health and the environment, including, for areas where wastes will remain in place, monitoring and maintenance activities and the frequency with which such activities must be performed to ensure the integrity of any cap, final cover, or other containment system.

f) The Agency must document the rationale for designating the CAMU and must make such documentation available to the public.

g) Incorporation of a CAMU into an existing permit must be approved by the Agency according to the procedures for Agency-initiated permit modifications pursuant to 35 Ill. Adm. Code 703.270 through 703.273 or according to the permit modification procedures of 35 Ill. Adm. Code 703.283.

h) The designation of a CAMU does not change the Agency's existing authority to address cleanup levels, media-specific points of compliance to be applied to remediation at a facility, or other remedy selection decisions.

(Source: Amended at 43 Ill. Reg. 5999, effective May 2, 2019)