**Section** **845.540 Inspection Requirements for CCR Surface Impoundments**

a) Inspections by a Qualified Person

1) All CCR surface impoundments and any lateral expansion of a CCR surface impoundment must be examined by a qualified person as follows:

A) At intervals not exceeding seven days and after each 25-year, 24-hour storm, inspect for the following:

i) Any appearances of actual or potential structural weakness and other conditions that are disrupting, or have the potential to disrupt, the operation or safety of the CCR surface impoundment;

ii) Deterioration, malfunctions or improper operation of overtopping control systems, where present;

iii) Sudden drops in the level of the CCR surface impoundment's contents;

iv) Erosion that creates rills, gullies, or crevices six inches or deeper, other signs of deterioration including failed or eroded vegetation in excess of 100 square feet, or cracks in dikes or other containment devices; and

v) Any visible releases;

B) At intervals not exceeding seven days, inspect the discharge of all outlets of hydraulic structures that pass underneath the base of the CCR surface impoundment or through the dike, of the CCR surface impoundment, for abnormal discoloration, flow or discharge of debris or sediment; and

C) At intervals not exceeding 30 days, monitor all CCR surface impoundment instrumentation.

2) The owner or operator must prepare a report for each inspection that includes the date of the inspection, condition of the CCR surface impoundment, any repairs made to the CCR surface impoundment, and the date of the repair. The results of the inspection by a qualified person must be recorded in the facility's operating record as required by Section 845.800(d)(13).

3) The owner or operator of a CCR surface impoundment must initiate the inspections required by subsection (a) by April 30, 2021, or by initial receipt of CCR in a CCR surface impoundment if the owner or operator becomes subject to this Part after April 30, 2021. The inspections required by subsection (a) must continue until the completion of closure by removal or the completion of post-closure care.

4) If a 25-year, 24-hour storm is identified more than 48 hours before the next scheduled weekly inspection, an additional inspection must be conducted within 24 hours after the end of the identified storm event, before the scheduled seven-day inspection.

b) Annual Inspections By a Qualified Professional Engineer

1) The CCR surface impoundment must be inspected on an annual basis by a qualified professional engineer to ensure that the design, construction, operation, and maintenance of the CCR surface impoundment is consistent with recognized and generally accepted engineering standards. The inspection must, at a minimum, include:

A) A review of available information regarding the status and condition of the CCR surface impoundment, including files available in the operating record (e.g., CCR surface impoundment design and construction information required by Sections 845.220(a)(1) and 845.230(d)(2)(A), previous structural stability assessments required under Section 845.450, the results of inspections by a qualified person, and results of previous annual inspections);

B) A visual inspection of the CCR surface impoundment to identify signs of distress or malfunction of the CCR surface impoundment and appurtenant structures;

C) A visual inspection of any hydraulic structures underlying the base of the CCR surface impoundment or passing through the dike of the CCR surface impoundment for structural integrity and continued safe and reliable operation;

D) The annual hazard potential classification certification, if applicable (see Section 845.440);

E) The annual structural stability assessment certification, if applicable (see Section 845.450);

F) The annual safety factor assessment certification, if applicable (see Section 845.460); and

G) The inflow design flood control system plan certification (see Section 845.510(c)).

2) Inspection Report. The qualified professional engineer must prepare a report following each inspection that addresses the following:

A) Any changes in geometry of the impounding structure since the previous annual inspection;

B) The location and type of existing instrumentation and the maximum recorded readings of each instrument since the previous annual inspection;

C) The approximate minimum, maximum, and present depth and elevation of the impounded water and CCR since the previous annual inspection;

D) The storage capacity of the impounding structure at the time of the inspection;

E) The approximate volume of the impounded water and CCR at the time of the inspection;

F) Any appearances of an actual or potential structural weakness of the CCR surface impoundment, in addition to any existing conditions that are disrupting or have the potential to disrupt the operation and safety of the CCR surface impoundment and appurtenant structures; and

G) Any other changes that may have affected the stability or operation of the impounding structure since the previous annual inspection.

3) By January 31 of each year, the inspection report must be completed and included with the annual consolidated report required by Section 845.550.

4) Frequency of Inspections. The owner or operator of the CCR surface impoundment must conduct the inspection required by subsections (b)(1) and (2) on an annual basis. The deadline for conducting a subsequent inspection is based on the date of conducting the previous inspection.

5) If a deficiency or release is identified during an inspection, the owner or operator must submit to the Agency documentation detailing proposed corrective measures and obtain any necessary permits from the Agency.