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Corrective Action Plan Approvals at LUST Sites

Recently the UST Section was made aware of corrective action activities involving proposed active treatment of contaminated groundwater at LUST sites for which approval of a corrective action plan (via CADR, CA teleconference plan, or other) was not obtained from the UST Section. The groundwater professionals had proceeded with obtaining either discharge permits or permission from EPA for chemical injections prior to submitting and receiving plan approval from the DNR. While we do encourage proactive planning, active treatment of groundwater at a LUST site is NOT considered an expedited corrective action that can proceed without plan approval of the UST Section. Please review IAC—135.12(11) for activities that qualify as expedited corrective action (primarily soil excavation, and receptor removal / replacement), and note that the DNR must be notified at least 30 days prior to commencing with expedited corrective action.

For LUST sites where remediation other than expedited corrective action will be proposed, a written corrective action plan MUST be submitted to the UST Section for review and approval. These plans may be in the form of a CADR, modified CADR, post-Tier 2 worksheet, or other written plan submitted as part of the corrective action meeting process. It's in everyone's best interest to have an agreed upon plan prior to spending efforts (perhaps needlessly) on obtaining permits, permissions, and funding approval.

Further, regardless of whether corrective action is performed as expedited or as voluntary remediation for low risk sites, the UST Section must be notified of the intent to proceed, and provided an explanation of the planned activities. We particularly want to ensure the applicable discharge permits (air, water), or injection permits have been obtained when active treatment will be conducted. For sites where remedial actions will involve chemical injection or system operation, we also need to know how these actions will be monitored.

Often DNR LUST project managers and DNR Field staff are contacted by the public when atypical activities are occurring in their communities. We need to be informed and prepared to answer their questions.