

PROPOSED RULE
Part 14.C (Closure Testing)

C. The operator shall test the soils beneath the containment for contamination with a five-point composite sample which includes stained or wet soils, if any, and that sample shall be analyzed for the constituents listed in Table I below.

(1) If any contaminant concentration is higher than the parameters listed in Table I, the division may require additional delineation upon review of the results and the operator must receive approval before proceeding with closure.

(2) If all contaminant concentrations are less than or equal to the parameters listed in Table I, then the operator can proceed to backfill with non-waste containing, uncontaminated, earthen material.

RULE 17: 19.15.17.13.C
(General Closure Testing)

(3) The operator shall test the soils beneath the ~~pit, drying pad for closed loop system or below grade tank~~ as follows:

(a) ~~At a minimum~~, a five point composite sample to include any ~~obvious~~ stained or wet soils, ~~or other evidence of contamination shall be taken under the liner or the below grade tank~~ and that sample shall be analyzed for the constituents listed in Table I of ~~19.15.17.13 NMAC~~.

(b) If any contaminant concentration is higher than the parameters listed in Table I ~~of 19.15.17.13 NMAC~~, the division may require additional delineation upon review of the results and the operator must receive approval before proceeding with closure.

(c) If all contaminant concentrations are less than or equal to the parameters listed in Table I ~~of 19.15.17.13 NMAC~~, then the operator can proceed to backfill the ~~pit, pad, or excavation~~ with non-waste containing, uncontaminated, earthen material.