**Section 724.200 Corrective Action Program**

An owner or operator required to establish a corrective action program pursuant to this Subpart F must, at a minimum, discharge the following responsibilities:

a) The owner or operator must take corrective action to ensure that regulated units are in compliance with the groundwater protection standard pursuant to Section 724.192. The Agency must specify the groundwater protection standard in the facility permit, including the following:

1) A list of the hazardous constituents identified pursuant to Section 724.193;

2) Concentration limits pursuant to Section 724.194 for each of those hazardous constituents;

3) The compliance point pursuant to Section 724.195; and

4) The compliance period pursuant to Section 724.196.

b) The owner or operator must implement a corrective action program that prevents hazardous constituents from exceeding their respective concentration limits at the compliance point by removing the hazardous waste constituents or treating them in place. The permit will specify the specific measures that must be taken.

c) The owner or operator must begin corrective action within a reasonable time period after the groundwater protection standard is exceeded. The Agency must specify that time period in the facility permit. If a facility permit includes a corrective action program in addition to a compliance monitoring program, the permit will specify when the corrective action must begin and such a requirement will operate in lieu of Section 724.199(i)(2).

d) In conjunction with a corrective action program, the owner or operator must establish and implement a groundwater monitoring program to demonstrate the effectiveness of the corrective action program. Such a monitoring program may be based on the requirements for a compliance monitoring program pursuant to Section 724.199 and must be as effective as that program in determining compliance with the groundwater protection standard pursuant to Section 724.192 and in determining the success of a corrective action program pursuant to subsection (e) where appropriate.

e) In addition to the other requirements of this Section, the owner or operator must conduct a corrective action program to remove or treat in place any hazardous constituents pursuant to Section 724.193 that exceed concentration limits pursuant to Section 724.194 in groundwater, as follows:

1) At the following locations:

A) Between the compliance point pursuant to Section 724.195 and the downgradient facility property boundary; and

B) Beyond the facility boundary, where necessary to adequately protect human health and the environment, unless the owner or operator demonstrates to the Agency that, despite the owner's or operator's best efforts, the owner or operator was unable to obtain the necessary permission to undertake such action. The owner and operator are not relieved of all responsibility to clean up a release that has migrated beyond the facility boundary where off-site access is denied. On-site measures to address such releases will be determined on a case-by-case basis.

2) The permit will specify the following measures to be taken:

A) Corrective action measures pursuant to this subsection (e) must be initiated and completed within a reasonable period of time considering the extent of contamination.

B) Corrective action measures pursuant to this subsection (e) may be terminated once the concentration of hazardous constituents pursuant to Section 724.193 is reduced to levels below their respective concentration limits pursuant to Section 724.194.

f) The owner or operator must continue corrective action measures during the compliance period to the extent necessary to ensure that the groundwater protection standard is not exceeded. If the owner or operator is conducting corrective action at the end of the compliance period, the owner or operator must continue that corrective action for as long as necessary to achieve compliance with the groundwater protection standard. The owner or operator may terminate corrective action measures taken beyond the period equal to the active life of the waste management area (including the closure period) if the owner or operator can demonstrate, based on data from the groundwater monitoring program pursuant to subsection (d), that the groundwater protection standard of Section 724.192 has not been exceeded for a period of three consecutive years.

g) The owner or operator must report in writing to the Agency on the effectiveness of the corrective action program. The owner or operator must submit these reports annually.

h) If the owner or operator determines that the corrective action program no longer satisfies this Section, the owner or operator must, within 90 days, submit an application for a permit modification to make any appropriate changes to the program.

(Source: Amended at 42 Ill. Reg. 22614, effective November 19, 2018)