7045.0485 CORRECTIVE ACTION FOR SOLID AND HAZARDOUS WASTE MANAGEMENT UNITS.

Subpart 1. **Applicability.** The owner or operator of a facility seeking a permit for the treatment, storage, or disposal of hazardous waste must institute corrective action as necessary to protect human health and the environment for all releases of hazardous waste or constituents from any hazardous or solid waste management unit at the facility, regardless of the time at which waste was placed in the unit.

Subp. 2. **Conditions.** Corrective action as required under subpart 1 and parts 7045.0545 and 7045.0546 must be specified in the permit. The permit must contain schedules of compliance for corrective action and assurances of financial responsibility for completing corrective action. Assurance of financial responsibility must be provided in addition to the applicable requirements of parts 7045.0498 to 7045.0524.

Subp. 3. **Corrective actions beyond the facility boundary.** The owner or operator must implement corrective actions beyond the facility property boundary, where necessary to protect human health and the environment, unless the owner or operator demonstrates to the satisfaction of the commissioner that, despite the owner's or operator's best efforts, the owner or operator was unable to obtain the necessary permission to undertake the actions. The owner or operator is 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 the releases will be determined on a case-by-case basis. Assurances of financial responsibility for the corrective action must be provided.

Subp. 4. **Exception.** Subparts 1 to 3 do not apply to remediation waste management sites unless they are part of a facility subject to a permit for treating, storing, or disposing of hazardous wastes that are not remediation wastes.

Statutory Authority: *MS s 116.07*

History: *11 SR 1832; 13 SR 2761; 20 SR 714; 29 SR 947*

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