

FILED

~~47 CSR 12~~  
33 CSR 23

AUG 28 10 14 AM '96

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

TITLE ~~47~~ 33  
LEGISLATIVE RULES  
~~WATER RESOURCES -- WASTE MANAGEMENT~~  
OFFICE OF WASTE MANAGEMENT

SERIES ~~42~~ 23  
GROUNDWATER PROTECTION STANDARD

~~§46-7-1.~~ 33-23-1. General.

1.1. Scope -- The purpose of ~~these regulations~~ this rule is to provide a standard of protection for groundwater which shall apply to hazardous waste management facilities. The term "hazardous waste management facility" as used in this section shall have the same meaning as that term as defined under ~~Section 2, Series 35, Department of Natural Resources Administrative Regulations.~~ 33 CSR 20, Section 2.

1.2. Authority -- W.Va. Code ~~§20-5B~~ 22-18 and ~~5A~~ 22-11.

1.3. Filing -- April 12, 1984.

1.4. Effective Date -- April 25, 1984.

~~§46-7-2.~~ 33-23-2 Groundwater Protection Standard.

2.1. The owner or operator must comply with conditions specified in the permit that are designed to ensure that hazardous constituents under ~~Section 6.13.4, Series 35, Department of Natural Resources Administrative Regulations~~ 33 CSR 20, subsection 7.5., entering the groundwater from a regulated unit do not exceed the background concentrations of those constituents in the groundwater in the uppermost aquifer underlying the hazardous waste management facility at or beyond the point of compliance period under ~~Section 6.13.5, Series 35, Department of Natural Resources Administrative Regulations~~ 33 CSR 20, subsection 7.5. These background concentrations will be determined as described under ~~Section 6.13.6(b), Series 35, Department of Natural Resources Administrative Regulations~~ 33 CSR 20, subsection 7.5. When determining compliance with the groundwater standard, the statistical tests and procedures outlined in ~~Sections 6.13.6(c) and 6.13.6(d) of Series 35, Department of Natural Resources~~

~~Administrative Regulations~~ 33 CSR 20, subsection 7.5., shall be applied.

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47 CSR 12

DIVISION OF ENVIRONMENTAL PROTECTION

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"Beginning on page 1, in the title, and continuing throughout the text of the rule by striking the title number '47' and inserting in lieu thereof the title number '33';

Beginning on page 1, in the title, and continuing throughout the text of the rule by striking the series number '12' and inserting in lieu thereof the series number '23';

Beginning on page 1, in the title, by striking the words 'WATER RESOURCES-WASTE MANAGEMENT' and inserting in lieu thereof the words 'OFFICE OF WASTE MANAGEMENT';

On page 1, subsection 1.1., by striking the words 'these regulations' and inserting in lieu thereof the words 'this rule';

On page 1, subsection 1.1., by striking the words 'Section 2, Series 35, Department of Natural Resources Administrative Regulations' and inserting in lieu thereof the words '33 CSR 20, Section 2';

On page 1, subsection 1.2., by striking the code references '20-5E' and '5A' and inserting in lieu thereof the code references '22-18' and '22-11';

On page 1, subsection 2.1., by striking the rule references 'Section 8.13.4, Series 35, Department of Natural Resources Administrative Regulations', 'Section 8.13.8(b), Series 35, Department of Natural Resources Administrative Regulations' and 'Sections 8.13.8(c) and 8.13.8(d) of Series 35, Department of

Natural Resources Administrative Regulations' and inserting in lieu thereof the rule reference '33 CSR 20, subsection 7.5'."