

WAC 173-200-080 Evaluation. (1) The purpose of this section is to establish minimum requirements for evaluating the impacts of an activity on the groundwater quality to determine compliance with this chapter.

(2) If the department determines a potential to pollute the groundwater exists, the department shall request a permit holder or responsible person to prepare and submit for departmental approval a groundwater quality evaluation program for its activity. Each evaluation program shall be based on soil and hydrogeologic characteristics and be capable of assessing impacts on groundwater at the point of compliance.

(3) A groundwater evaluation program approved by the department may include, but not be limited to, any of the following:

- (a) Groundwater monitoring for a specific activity;
- (b) Groundwater monitoring at selected sites for a group of activities;
- (c) Monitoring of the vadose zone;
- (d) Evaluation and monitoring of effluent quality;
- (e) Evaluation within a treatment process;
- (f) Evaluation of management practices.

(4) In the evaluation program the permit holder or responsible person shall include information on the following:

- (a) The chemical, physical, and biological characteristics of the contaminants;
- (b) The availability and adequacy of analytical methods;
- (c) The complexity and capability of assessing the hydrogeologic system;
- (d) The reliability of all known, available, and reasonable methods of prevention, control, and treatment;
- (e) The location of the point or points of compliance or alternative point of compliance; and
- (f) Such other information that the department deems necessary to achieve the objectives of this chapter.

(5) When it is impractical to evaluate the impact of an activity at the designated point of compliance, for example when a criterion is less than the practical quantification limit, evaluation shall be designed and performed at an alternate location to provide a realistic estimate of conditions in the groundwater at a point of compliance.

(6) These evaluation requirements pertain to activities that are not already covered by state regulation which have specific monitoring requirements such as chapter 173-303 WAC, Dangerous waste regulations, chapter 173-304 WAC, Minimum functional standards for solid waste handling, and chapter 402-52 WAC, Uranium and/or thorium mill operation and stabilization of mill tailing piles.

(7) For those activities for which the department has not issued permits and that have the potential to pollute the groundwater, evaluation shall be conducted according to the following:

- (a) Evaluation procedures shall be included in department guidelines, policies, and best management practices to ensure that an adequate determination of compliance with this chapter can be made;
- (b) For those activities regulated by other agencies but not regulated by department rule, the department will pursue evaluation of the activity through a memorandum of understanding with the regulating agency.

[Statutory Authority: RCW 90.48.035. WSR 90-22-023, § 173-200-080, filed 10/31/90, effective 12/1/90.]