Hazardous Waste
Corrective Action Plan

Program Description
The Colorado Hazardous Waste Regulations require that releases of hazardous waste to the environment (soil, groundwater, or surface water) be remediated. The corrective action plan provides owners and operators of sites where releases have occurred with a streamlined mechanism to quickly address these releases without the need for a formal agreement or permit from the Department.

Who May Apply
Owners and operators of sites where hazardous waste has been released into the environment, other than permitted treatment, storage or disposal facilities.

Duration
The corrective action plan is effective for as long as the facility is characterizing and/or remediating the release of hazardous waste to the environment. The plan is terminated upon completion of the cleanup at the affected facility

Fees
Corrective action plans approved under this rule are subject to document review and activity fees as described in Section 100.32 of the Colorado Hazardous Waste Regulations. The review and activity fee is currently set at ~~$150~~ $105* per hour. Time spent reviewing and approving corrective action plans, completion reports and any other documents generated in response to the activities performed at the site are subject to the hourly fee. The total amount of time Department staff may spend reviewing these documents is targeted at the following number of hours:

40 hours to review simple corrective action plans
100 hours to review complex corrective action plans
40 hours for each plan/report prepared using a phased corrective action approach
20 hours to review a completion report.

Application Process
The first step is for the owner or operator of a hazardous waste facility to submit a corrective action plan application to the Department for review and approval. At a minimum, such an application must include information related to the location and history of the facility, description of the site characterization activities, the results of those activities, and a request to: a) collect additional information using a phased approach, b) remediate the release, or c) receive a no further action determination. Upon receipt of the corrective action plan or other document, the Department shall make its best efforts to review the plan within the following specified time frames:

60 days to complete review of the initial corrective action plan application
60 days to review separate reports/plans submitted under a phased approach
30 days to complete review of the completion report for an approved plan

**Temporary fee reduction for calendar year 2012*

Approved plans are implemented in accordance with the schedules contained within those plans. In the event a corrective action plan is not approved, the Department shall provide the applicant with a written statement of the reasons for such a denial, including information that may have been omitted from the application.

Public Participation

There are no specific requirements for public participation during the corrective action process. However, it is recommended that the site owner or operator keep the local health department informed of corrective action activities occurring within their area of jurisdiction by either providing them with copies of correspondence and documents or contacting them directly in order to discuss the situation. It is also recommended that the owner or operator inform the surrounding community a) if they may be impacted by planned activities (e.g., drilling in front of homes or businesses or seeking access to their property to perform investigations) or b) in cases where there is a potential for the surrounding public to be exposed to contamination derived from the facility (e.g., off-site movement of contamination).

Statute and Regulations

CRS 25-15-101 et seq.
Colorado Hazardous Waste Regulations 6 CCR 1007-3 Section 100.26

Guidance

Corrective Action Guidance Document
RCRA Integrated Corrective Action Plan Application Guidance Document and Checklist

Division Contact

Customer Technical Assistance
Telephone 303-692-3320
Toll-free 1-888-569-1831 ext 3320
Fax 303-759-5355
Email comments.hmwmd@state.co.us
Web www.cdphe.state.co.us/hm/