

# **Appendix E**

September 2002 ROD Federal and State ARARs for  
North End Remediation

**APPENDIX B  
FEDERAL ARARs FOR NORTH END REMEDIATION**

Standard, Requirement, Criterion or Limitation	Citation	Type of ARAR/Description	Applicable/ Relevant and Appropriate	Remedy	Comment
<b>Safe Drinking Water Act</b>					
National Primary Drinking Water Standards	40 C.F.R. 141.61 - 141.63				See State ARARs
Maximum Contaminant Level Goals (MCLGs)	40 C.F.R. 141.50-141.53	Chemical specific. Health goals	No/No		The water is not a current or future drinking water source, because it is naturally high in Total Dissolved Solids.
National Secondary Drinking Water Standards	40 C.F.R. 143				See State ARARs
Underground Injection Control Regulations	40 C.F.R. 144 - 147				See State ARARs
<b>Clean Water Act</b>					
Water Quality Criteria	40 C.F.R. 131	Chemical specific. Goals used by states to set water quality standards.	No/No	Ground water	Actual limits are set by states as a function of location and water usage by humans and wildlife. See State ARARs
Dredge and Fill Criteria	40 C.F.R. 230	Location specific. Regulates disposal and handling of fill and dredge material into wetlands	Probably not	Ground water	Wetlands will not be used as disposal locations in this action. Dredging activities have already taken place.
<b>Clean Air Act</b>					See State ARARs

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Resource Conservation and Recovery Act	40 C.F.R. §254.552(a)(1). 40 C.F.R. §264.550(b)	Action Specific. Regarding continued use of an official CAMU within general scope of the original approval	Yes/No	Arthur Stepback Repository	Arthur Stepback Repository was approved for use in AOC, CERCLA VIII-95-04 in 1995. Public comment prior to this ROD supported continued use of the repository for cleanups. Also see State ARARs
Archaeological and National Historic Preservation Act	16 USC§ 469, 40 C.F.R. 6.301(c)	Location-specific. Procedures to preserve historical and archaeological data	Yes/No	Ground water, mill and plant demolition	Unlikely to encounter archaeological sites in the future remediation projects
Historic Site, Buildings, and Antiquities Act	16 USC§ 461, 40 C.F.R. 6.301(a)	Location-specific. Requires agencies to avoid undesirable impacts on historic landmarks	Yes/No	Ground water, mill and plant demolition	Unlikely to encounter historic landmarks in the future remediation projects
Fish and Wildlife Coordination Act	16 USC§ 1531-66, 40 C.F.R. 6.302(g)	Location-specific. Requires notification to USFWS if structural modifications or controls are added to waterbodies	Yes/No	Ground water	It is unlikely that any modifications will be made to waterbodies as a part of this project.
Floodplain Management	40 C.F.R. 6.302(b), and Appendix A, Executive Order 11988	Location-specific. Requires evaluation of effects of projects on flood plains, regulates activities in floodplains.	Yes/No	Ground water	It is unlikely that there will be any impacts to floodplains due to this project.
Protection of Wetlands	40 C.F.R. 6.302(a) and Appendix A, Executive Order 11990	Location-specific. Avoid adversely impacting wetlands.	Yes/No	Ground water	No wetland activities anticipated except monitoring

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Endangered Species Act	16 USC §§1531-1543, 40 C.F.R. 6-302(h), 50 C.F.R.200, 50 C.F.R. 402	Location-specific. Conserve endangered species within critical habitats	Yes/No	Ground water, mill and plant cleanup	Unlikely impacts, because habitats not critical and no endangered species present.
Occupational Safety and Health Act	20 USC §§ 651-678, 29 C.F.R. 1910 and 1926	Action-specific. Standards necessary to provide safe places of employment	Yes/No	All	All worker activities during cleanups regulated by OSHA, inspections occur when complaints received.
Superfund Amendments and Reauthorization Act	40 C.F.R. 302	Action-specific. Notification requirements for releases to the environment	Yes/No	All	All releases and spills (above reportable quantities) must be reported.

STATE ARARs FOR THE NORTH END REMEDIATION

Standard, Requirement, Criterion or Limitation	Citation	Type of ARAR/Description	Applicable/ Relevant and Appropriate	Remedy	Comment
Utah Public Drinking Water					
Water Quality Maximum Contaminant Levels (MCLs)	UAC R309-103-2	Chemical-specific. Establishes drinking water standards	No/No	Ground Water	The aquifer in question is not a current or future drinking water source due to high content of Total Dissolved Solids
Water Quality Regulations					

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Water Quality Standards	UAC R317-2-3	Action specific. Anti-degradation policy	Yes/No	Ground Water	Maybe at closure, but already have a permit for process and other waters discharged to Great Salt Lake.
Water Quality Standards	UAC R317-2-5	Action specific. Mixing Zone - prohibits acute concentrations in mixing zone	Yes/No	Ground Water	Maybe at closure, but already have a permit for process and other waters discharged to Great Salt Lake.
Water Quality Standards	UAC R317-2-7	Action-specific. Numeric standards for each water quality class of state waters	Yes/No	Ground Water	Great Salt Lake does not have numeric standards but could have them in the future.
Design Requirements for Wastewater Collection, Treatment and Disposal Systems	UAC R317-3	Action-Specific. Design requirements for domestic wastewater	No/No	Ground Water	Water to be treated not in anyway similar to domestic sewage.
Groundwater Quality Protection Regulations	UAC R317-6-2	Chemical specific - typically drinking water standards	No/No	Ground Water	Aquifer is not useful for drinking water.
Groundwater Quality Protection Regulations	UAC R317-6-4	Action specific - for the operations of facilities that discharge to groundwater	No/No	Ground Water	Applies to facilities requiring a permit. This may be an ARAR if post closure treatment requires a facility.
Groundwater Quality Protection Regulations	UAC R317-6-6	Action specific - substantive requirements for facilities that require a groundwater permit	No/No	Ground Water	Only if a treatment facility requiring a permit is built.
Groundwater Quality Protection Regulations	UAC R317-6-6.15	Chemical specific - corrective action concentration limits - cleanup standards	No/No	Ground Water	Aquifer is not useful for drinking water. These limits are not ARARs, according to the regulations.

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Underground Injection Control Program	UAC R317-7	Action specific - conditions under which wastes or fluids can be injected underground	Yes/No	Ground Water	Applicable because microbes will be injected into the aquifer
UPDES (Utah Pollutant Discharge Elimination System)	UAC R317-8	Action specific - limits discharges into surface waters	Yes/No	Ground Water	If discharges are made to the Great Salt Lake, they are subject to requirements in Kennecott's UPDES permit.
<b>Utah Air Conservation Regulations</b>					
Air Quality Standards for Control of Installations	UAC R307-1-3	Action specific. Regulates new installations with air pollution potential	Yes/No	Ground Water	If a new treatment facility might cause air pollution
Fugitive Dust and Emission Standards	UAC R307-12	Action specific. Requires dust control during construction and demolition	Yes/No	Demolition and cleanup of closed facilities	If cleanups generate dusts. (They do.)
National Emission Standards for Hazardous Air Pollutants	UAC R307-10	NESHAP standards	No/No	Ground Water	Remedy does not have one of the source categories regulated
<b>State Engineer, Department of Natural Resources</b>					
Drilling standards	UAC R655-4	Action specific. Drilling standards, abandonment of wells	Yes/No	Ground Water	Applicable to all well installations and abandonment
Salt Lake Valley Interim Ground Water Management Plan		Action specific. Limits water withdrawals from principal aquifer	Yes/No	Ground Water	Applicable to all ground water withdrawals.

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<b>Hazardous Waste Regulations</b>					
Definition of Solid and Hazardous Waste	UAC R315-2	Action Specific. Standards for identifying solid and hazardous wastes	Yes/No	Demolition and cleanup of closed facilities	If cleanups encounter hazardous wastes
Operation of TDS facilities	UAC R315-3 and R315-8	Action specific. Operation and design standards for owners of TSD facilities	No/Yes	Management of Arthur Stepback Repository	The Repository was originally built incorporating these standards. The wastes in the repository are either soils or Bevill exempt.
Hazardous Waste Generators	UAC R315-5	Action specific. Hazardous waste generator standards	Yes/No	All	If hazardous wastes are generated during remedial actions
Spills	UAC R315-9	Action specific. Requires notification and response to spills of hazardous wastes	Yes/No	All	If spills occur, they must be reported and cleaned up
Land Disposal Restrictions	UAC R315-13	Action specific. Land Disposal Restriction Standards	Yes/No	All	However, no new land disposal facilities will be needed in the remedial actions
Closure Standards	UAC R315-101	Chemical specific. Closure standards	No/No	All	No on-site RCRA TDS facilities will be needed. Risk-based standards already calculated
<b>Solid Waste Regulations</b>					
Industrial solid waste facility	UAC R315-304	Action specific. Industrial solid waste facility requirements	No/No		Remedial actions will not involve construction of a new industrial solid waste facility

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State OSHA Rules	UAC R574	Adopts federal OSHA standards for safe and healthful employment	Yes/No	All	Applicable to all worker activities related to remedial actions at Kennecott.