

+APPENDIX C
STATEMENT OF WORK
GRIGGS AND WALNUT GROUND WATER PLUME SUPERFUND SITE
LAS CRUCES, NEW MEXICO

I. INTRODUCTION

1. This Statement of Work (SOW) is Appendix B to the U.S. Environmental Protection Agency (EPA) Unilateral Administrative Order styled *In re: Griggs and Walnut Ground Water Plume Superfund Site, Las Cruces New Mexico; CERCLA Docket No. 06-02-11* (February 14, 2011) (the “the Order”).
2. Respondents, City of Las Cruces and Doña Ana County (the “Respondents”) shall perform all of the Work that is described in this SOW. Respondents shall perform the Work to construct the remedy selected by the EPA in the Record of Decision (ROD) according to the EPA-approved Final Remedial Design produced by the Respondents under a separate EPA order styled *In re: Griggs and Walnut Ground Water Plume Superfund Site, CERCLA Docket No: 06-05-09* (October 2009).
3. As explained in this SOW, to fulfill the requirements of the Order the Respondents shall:
 - (a) Prepare a written Remedial Action Work Plan containing plans for the construction of the selected remedy according to the EPA-approved Final Remedial Design, and secure EPA’s approval of the Remedial Action Work Plan.
 - (b) Implement the EPA-approved Remedial Action Work Plan to complete the Remedial Action according to the schedule in the EPA-approved Remedial Action Work Plan.
4. Respondents shall:
 - (a) Construct the remedy described in the ROD including a ground water extraction and treatment system.
 - (b) Intentionally left blank.
 - (c) Undertake monitoring of the Site ground water during the Remedial Action, to ensure that the Remedial Action is contributing to the attainment of Performance Standards, and to ensure that the Remedial Action can produce data that can be used to adjust the pumping zones and treatment activities so that RAOs can be met.
 - (d) Implement and enforce institutional controls to protect the remedy and to help prevent future ground water contamination in perpetuity.
 - (e) Perform all aspects of the Remedial Action.
 - (f) Satisfy all record-keeping requirements described in the Order including this SOW.

II. Role of EPA

5. EPA's approval of deliverables including submissions¹ is administrative in nature and allows the Respondents to proceed to the next steps in implementing the Work. EPA's approval does not imply that the Work, including without limitation the Remedial Action when completed, will meet Performance Standards, nor does EPA's approval of any single submission or deliverable imply that EPA will approve any other submission or deliverable. Pursuant to Section XIV (EPA Approval of Plans, and Other Submissions) of the Order, EPA retains the right to disapprove any of the deliverables, including submissions associated with Remedial Action Work, contractor selection, plans and specifications, work plans, schedules, or any other deliverables required by the Order, including this SOW. In many instances, deliverables, including without limitation, submissions required by this SOW are described in very broad terms; however, Respondents shall timely confer with the EPA Remedial Project Manager (RPM) regarding these broadly described deliverables. Respondents shall complete these deliverables according to written directions given by the RPM.

III. Performance Standards

6. The Performance Standards for the Work are the standards by which EPA will determine whether Respondents' Work has been satisfactorily completed. The Performance Standards shall include substantive requirements, criteria, and limitations that are specified in the ROD, the Order, the SOW, the EPA-approved Final Remedial Design, and other EPA-approved submissions including without limitation the Remedial Action Work Plan. These Performance Standards also include without limitation, the RAO's and Remediation Goals described in Section 8 of the ROD. The target contaminant (contaminant of concern) defined for ground water at the Site is tetrachloroethylene, (PCE). The RAO's and Remediation Goals are based on current and potential future uses of ground water and on exposure scenarios consistent with these uses. The Performance Standards include the following RAO's and the Respondents shall ensure that the Work contributes to the ultimate attainment of these RAOs:

¹ Respondents shall simultaneously submit copies of all submissions to NMED for its review and comment. The EPA will ensure that NMED has had an opportunity to comment on all submissions before they are approved by EPA. EPA will consider all timely comments submitted by NMED. For the purposes of NMED comments only, comments are "timely" if they are submitted within 15 days for any document less than 10 pages long, or within 30 days for any document 10 pages or longer.

- (a) Prevent human exposure to contaminated ground water with concentrations of PCE above the maximum contaminant level (MCL), which is 5 micrograms (5µg/L) for PCE;
 - (b) Maintain capture (*i.e.*, prevent the spread) of ground water containing PCE concentrations above the MCL (5µg/L) (*i.e.*, “the ground water plume”);
 - (c) Restore ground water to its beneficial use as a drinking water supply by ensuring PCE concentrations in ground water are no greater than the MCL (5µg/L);
- 7. As called for in the ROD, Respondents shall monitor and treat PCE degradation products, Trichloroethene, cis-1,2- Dichloroethene, and trans-1,2 Dichloroethene, (TCE, cis-1,2 DCE, trans-1,2 DCE), to meet their respective MCLs during the shake-down and warranty period.
- 8. Respondents shall also perform the following tasks to contribute to the ultimate attainment of Performance Standards:
 - (a) Undertake annual evaluations of the ground water data collected at the Site to determine trends in concentrations of the contaminants PCE, TCE, cis-1,2 DCE, trans-1,2 DCE, and benzene. Respondents shall describe these annual evaluations in the annual report described in SOW paragraph 29.
 - (b) Respondents shall monitor uranium concentrations to determine whether uranium is having a deleterious affect on the ground water extraction and treatment system or on other parts of the remedy. Respondents are encouraged to work with the New Mexico Drinking Water Bureau to address uranium and to take appropriate steps to ensure that uranium concentrations in municipal drinking water continues to meet Safe Drinking Water Act Standards (*e.g.*, MCLs).

IV. Work to be Performed

- 9. Respondents shall develop and submit to EPA for EPA review and approval pursuant to in Section XIV of the Order (EPA Approval of Plans, and other Submissions) all submissions and other deliverables described in this SOW in order to construct the ground water treatment and extraction system described in the ROD. Among the tasks Respondents shall undertake are the following:
 - (a) Respondents shall construct the ground water extraction and treatment remedy according to the EPA-approved Remedial Design.
 - (b) Intentionally left blank.

- (c) During construction, Respondents shall dispose of the resulting Waste Material at a facility that is permitted to handle such material.
- (d) Respondents shall assist in putting into effect the following institutional controls:
- (e) Restrictions (e.g., City or County ordinances or regulations) prohibiting the completion of ground water wells on the Site that would detrimentally affect the ground water remedy.
- (f) Procedures (e.g., City and County policies) for interagency communication and notification of contaminant releases and mitigation efforts to prevent future co-mingling of contaminants and further expansion of the affected ground water plume.
- (g) Respondents shall monitor (according to a schedule approved by EPA) the PCE-contaminated ground water plume by sampling selected wells, including municipal water supply wells, and by collecting and analyzing data to determine Site ground water conditions. Respondents shall propose selected well locations for approval by EPA. EPA will consult with the New Mexico Environment Department (NMED) before approving well locations for sampling.

10. Not later than 10 business days from the receipt of EPA's initial authorization to proceed as described Section IX (Work to Be Performed) of the Order, the Respondents shall notify EPA in writing of the name, title, address, phone number, and qualifications of Respondents' proposed Quality Assurance Official ("QA Official") who will conduct a quality assurance program as specified in the EPA-approved Quality Management Plan (*see* Section XVI (Quality Assurance, Sampling and Data Analysis) of the Order). Certain specifications of the Quality Management Plan are set forth in Section XVI (Quality Assurance, Sampling and Data Analysis) of the Order. As part of this notification, the Respondents shall also certify to EPA in writing that the proposed QA Official is unaffiliated with, and independent from the Construction Contractor. Respondents shall use the QA Official to provide confirmation and assurance to the Respondents and to EPA that the Respondents are constructing the selected remedy for the Site to meet Performance Standards. The QA Official shall undertake the Work described in the Construction Quality Assurance Plan ("CQAP") (*see* SOW paragraph 22) by selectively testing and inspecting the Work of the Supervising Contractor and any other contractors.
11. After EPA receives the Respondents' Notice regarding the QA Official, as described in the preceding paragraph, EPA will issue a notice of disapproval or an authorization to proceed regarding the QA Official. If at any time thereafter, Respondents propose to

replace a QA Official, Respondents shall give written notice, including the name, title, address, telephone number, and qualifications of the newly proposed QA Official, to EPA, and Respondents must obtain an authorization to proceed from EPA before the new QA Official performs, directs, or supervises any Work.

- 12.** Within 10 business days of EPA's authorization to proceed (pursuant to Section IX (Work to Be Performed) of the Order, the Respondents shall notify EPA in writing of the name, title, address, and telephone number of those personnel on the staff of the Respondents and the Supervising Contractor who will be primarily involved in performing, directing or overseeing the Work. These personnel are referred to herein as the Remedial Action Project Team.
- 13.** Within 45 calendar days of EPA's authorization to proceed, the Respondents shall submit a Remedial Action Work Plan and schedule to EPA for EPA review and approval pursuant to Section XIV of the Order (EPA Approval of Plans, and Other Submissions). The Remedial Action Work Plan shall include the elements listed in paragraphs 3 through 34 of this SOW along with a schedule for the completion of these elements. Once the Remedial Action Work Plan is reviewed and approved by EPA pursuant to Section XIV (EPA Approval of Plans, and Other Submissions) of the Order, Respondents shall implement the Remedial Action Work Plan according to the EPA-approved schedule, including, but not limited to, constructing the EPA-selected remedy described in the ROD.
- 14.** Representatives of Respondents including without limitation their Supervising Contractor and QA Official shall meet with EPA upon the request of the RPM to discuss deliverables that this SOW calls for as part of the Remedial Action Work Plan. Respondents shall be prepared to inform the RPM regarding the development of the deliverables and, once EPA has approved the Remedial Action Work Plan, regarding the implementation of the deliverables described in the Remedial Action Work Plan.
- 15.** Upon the request of the RPM, prior to EPA's approval of the Remedial Action Work Plan, Respondents shall make a presentation to EPA and NMED regarding the Remedial Action Work Plan submissions and other deliverables. As part of the presentation, Respondents shall discuss the Remedial Action Work Plan, and Respondents will explain how the Respondents have planned deliverables, in the Remedial Action Work Plan, that will ensure the attainment of the Performance Standards. As part of the presentation, Respondents shall explain the Remedial Action Work Plan schedule for the development and implementation of the Work Plan deliverables. Respondents shall also identify and provide contact information (*i.e.*, name, address, telephone number, and

email address) for the individuals responsible for each deliverable described in the Remedial Action Work Plan.

16. Prior to the start of construction of the ground water extraction and treatment system described in the ROD, the Respondents shall conduct a pre-construction conference for NMED and EPA. As part of the conference, the Respondents shall make a detailed presentation to EPA and NMED regarding the construction of the extraction and treatment system and regarding the other elements of the Remedial Action Plan. As part of the presentation, Respondents shall describe their chain of command for the Remedial Action by providing an organizational chart, and Respondents shall provide, subject to EPA review and approval, the names of individuals who will serve as contacts for NMED and EPA. Respondents shall provide the titles, and contact information (*e.g.*, address, telephone number, email address) for these individuals. Respondents shall use their best efforts to ensure that the following are present at the conference:
 - (a) Representatives of the Respondents;
 - (b) The Respondents' Project Coordinator;
 - (c) The EPA RPM and any EPA Oversight Officials (to be designated by EPA at that time);
 - (d) The NMED Project Manager and any designated NMED oversight Officials (to be designated by NMED at that time);
 - (e) A representative of the Supervising Contractor;
 - (f) The QA Official;
 - (g) A representative of the Remedial Action Contractor (if applicable);
 - (h) A representative of the Respondents' contractors who is well informed regarding the development of the Remedial Design;
 - (i) A representative of each selected subcontractor (if applicable).
17. Pursuant to Section XIX of the Order (Access To Site Not Owned By Respondents) and Section XX of the Order (Site Access And Data/Documents Availability), during the implementation of the Remedial Action, the Respondents shall provide the RPM, EPA-designated oversight officials, State Officials, and NMED-designated oversight officials with access to the Site and to all property utilized by Respondents or by Respondents' contractors or agents, in carrying out the Work. The Respondents shall provide an office for the RPM, the NMED Project Manager, and for the EPA-designated Oversight Officials, at or near the Site. Respondents shall also provide personal protective equipment for the RPM, the NMED Project Manager, and for the EPA-designated Oversight Officials who have received the necessary training under 29 CFR §1910.120, so that they might have access to all portions of the Site including contaminated portions.

18. Respondents shall submit to EPA for EPA review and approval pursuant to Section XIV of the Order (EPA Approval of Plans And Other Submissions) a Data Management Plan that includes a description of the formatting for all data acquired during the Remedial Action (RA), including the methods of electronic data preservation of all reports and raw data, and the methods for graphical presentation of data. The Data Management Plan shall detail the security measures, method of database protection and maintenance, and method of maintaining public availability of information without compromising security.
19. Respondents shall identify in writing Respondents' key Remedial Action personnel including without limitation, any contractor personnel. The identification shall include names, addresses, titles, telephone numbers, descriptions of duties, and lines of authority (*i.e.*, an organizational chart).
20. Respondents shall submit to EPA for EPA review and approval pursuant to Section XIV of the Order (EPA Approval of Plans And Other Submissions) a written Health and Safety Plan for performing field activities that conforms to all applicable Occupational Safety and Health Administration ("OSHA") and EPA requirements, including the OSHA regulations set forth at 29 CFR §1910 (54 Fed. Reg. 9294). In the Health and Safety Plan, Respondents shall also provide the following:
 - (j) Material safety data sheets for Site contaminants;
 - (k) Safety instructions for special equipment;
 - (l) An explanation of the use and maintenance of special equipment;
 - (m) Recordkeeping procedures that Respondents shall use to document training of field personnel, and to document medical examinations of field personnel and health and safety officers;
 - (n) Copies of all other safety reports or procedures pertaining to on-Site activities; and
 - (o) Procedures and plans for the decontamination of equipment and the disposal of contaminated materials during construction of the remedy.
21. Respondents shall submit to EPA for EPA review and approval pursuant to Section XIV of the Order (EPA Approval of Plans And Other Submissions), a written Remedial Action Sampling and Analysis Plan (RASAP) to measure progress toward meeting Performance Standards. Respondents shall ensure that the RASAP is consistent with Section XVI of the Order (Quality Assurance, Sampling and Data Analysis). The Respondents shall ensure that the RASAP includes the following items and actions:

- (a) A description of the field, sampling, and analytical activities that Respondents shall undertake to assess the location and the concentrations of contaminants.
- (b) Waste Material profile information that Respondents shall gather for any treatment and disposal facilities prior to the facilities' acceptance of Waste Material if Waste Material is to be sent off-site.
- (c) A description of the field, sampling and analytical activities that Respondents shall undertake to determine how to install, maintain, or optimize the air stripping treatment system and the ground water monitoring network.
- (d) A description of the confirmatory, field sampling and analytical activities that Respondents shall perform to evaluate the reductions of PCE plume over time and that can evaluate the effectiveness of the ground water remedy.
- (e) A description of the extraction and treatment activities that Respondents shall perform to demonstrate that the remedy is removing or treating PCE in a manner that will meet the performance standards established in the ROD.
- (f) A description of the confirmatory, field, sampling and analytical activities that Respondents shall perform to track the plume containment of the dissolved-phase contaminants of concern and provide data that supports remedy performance.
- (g) All analytical data that Respondents shall collect, including: data pertaining to concentrations of any new contaminants detected within the contaminated ground water plume; data pertaining to any changes in contaminated ground water hydrology; data pertaining to estimating reductions in PCE concentrations over time; and data demonstrating that the objectives, goals, and monitoring requirements described in the following parts of the ROD will be met:
 - i. In ROD Section 8 (Remedial Action Objectives; Remediation Goals);
 - ii. In ROD Section 9 subsections entitled Common Elements, B. Long-Term Monitoring, C. Annual Reviews and Reporting, E. Technical Support, and Alternative 4: Enhanced Ground Water Extraction with Treatment: The Selected Remedy Under This ROD; and
 - iii. In ROD Section 12 (Selected Remedy – Enhanced Ground Water Extraction with Treatment).

22. Respondents shall submit to EPA for EPA review and approval pursuant to Section XIV of the Order (EPA Approval of Plans And Other Submissions), a Construction Quality Assurance Plan (CQAP) that describes the Site-specific components of the quality assurance

programs. Respondents shall ensure that their CQAP is consistent with Section XVI of the Order (Quality Assurance, Sampling and Data Analysis). Respondents' Construction Quality Assurance Plan shall include procedures, tests and inspections to substantiate that the remedy is being constructed to meet Performance Standards.

Respondents shall include each of the following in the CQAP:

- (a) A description of the qualifications of the QA Official to demonstrate that the QA Official possesses the training and experience necessary to fulfill the QA Official's responsibilities as identified in SOW paragraph 10.
- (b) A listing of responsibilities and authorities of all of Respondents' key personnel involved in the construction and implementation of all the remedy elements and actions including those described in SOW paragraph 9.
- (c) Identification of all quality assurance personnel along with their qualifications to demonstrate they possess the training and experience necessary to fulfill their identified responsibilities.
- (d) A description of the procedures, tests, and inspections that Respondents shall use to monitor construction and a schedule for these procedures, tests and inspections.
- (e) A description of all sampling activities that Respondents shall undertake including but not limited to, sample size, sample locations, frequency of testing, acceptance and rejection criteria, plans for implementing corrective, data sheets, problem identification and corrective measures reports, evaluation reports, acceptance reports, and final documentation.
- (f) A description of the arrangements that Respondents shall make for final storage of all records and documents, consistent with requirements of Section XXI (Record Preservation) of the Order.

- 23.** Respondents shall submit to EPA for EPA review and approval pursuant to Section XIV of the Order (EPA Approval of Plans and Other Submissions) a Permitting Requirements and Compliance Plan. The Respondents shall ensure that their Permitting Requirements and Compliance Plan is consistent with Section XVII of the Order (Compliance With Applicable Laws). The Respondents' Permitting Requirements and Compliance Plan shall:
- (a) ensure that all on-Site activities meet the substantive (but not the administrative) requirements of all State and Federal environmental permitting laws for on-Site activities;
 - (b) ensure that all relevant State and Federal environmental permits are obtained for off-Site activities;
 - (c) pursuant to CERCLA Section 121(d), 42 U.S.C § 9621(d), list the requirements for all Applicable or Relevant and Appropriate Requirements (ARARs) pertaining to the Remedial

Design/Remedial Action (RD/RA) as described in the ROD; and (d) describe the permits required for Remedial Action, if any (no permits are required for on-Site activities, but the substantive permit requirements must be met), and they shall also describe the activities required to demonstrate compliance with those permits (substantive requirements only for on-Site RD/RA activities). Respondents shall update the Permitting Requirements and Compliance Plan to conform to any substantive changes in State and Federal environmental permitting laws, and Respondents shall submit the updated plan to EPA for EPA review and approval pursuant to Section XIV of the Order (EPA Approval of Plans and Other Submissions).

24. Respondents shall submit to EPA for EPA review and approval pursuant to Section XIV of the Order (EPA Approval of Plans and Other Submissions) a written Transportation and Disposal Plan which establishes procedures for any Waste Material that is to be transported off-site for disposal. The Transportation and Disposal Plan shall be consistent with the Off-site Rule, 40 CFR § 300.440, shall meet all ARARs and shall meet any applicable U.S. Department of Transportation regulations.
25. Respondents shall submit to EPA for review and approval as provided in Section XIV (EPA Approval of Plans and Other Submissions) a written Remedial Action Release Prevention/Contingency Plan. The Plan shall explain in detail the actions that Respondents shall take in the event of any action or occurrence during the performance of the Work which causes or threatens to cause a release of Waste Material at or from the Site that constitutes an emergency situation or may present an immediate threat to public health or welfare or the environment. Respondents shall design the plan to protect the local population in the event of an accident or emergency at the Site. In the Remedial Action Release Prevention/Contingency Plan, Respondents shall include:
 - (a) An Air Monitoring Plan to ensure that there are no dangerous releases of chlorinated solvents into ambient air that exceed a statistically significant threshold risk to human health or that exceed an air quality standard on or near the Site.
 - (b) A Spill Prevention, Control and Countermeasures (“SPCC”) Plan, as specified in 40 CFR Part 112.
 - (c) The name and telephone number of the person or entity that the Respondents designate as responsible for responding in the event of an emergency incident.
 - (d) A plan for a local emergency response coordination meeting on a date specified in the plan. Respondents shall use their best efforts to ensure that the meeting is attended by representatives of local emergency responders, including

without limitation fire department, police and hospital representatives, along with NMED and EPA officials.

- (e) Appropriate and applicable first aid and medical information relevant to any likely exposure.
- 26.** Respondents shall submit to EPA for EPA review and approval pursuant to Section XIV of the Order (EPA Approval of Plans And Other Submissions) a written Community Relations Plan in which the Respondents describe the actions they will take to support EPA's Community Relations efforts. The Community Relations Plan will describe how Respondents shall update the community, as requested by EPA, regarding the Remedial Action activities. The Respondents shall keep the community updated on Site activities and on progress toward achieving remedial action objectives and protecting water quality.
- 27.** Respondents shall submit to EPA for review and approval pursuant to Section XIV of the Order (EPA Approval of Plans And Other Submissions) an Institutional Control Implementation and Assurance Plan (ICIAP). The ICIAP shall be a plan to implement the Institutional Controls set forth in the ROD. The Respondents shall include the following in their ICIAP:
- (a) A description of the pathways for potential human exposure to contaminated ground water that may remain during and/or after completion of construction of the Remedial Action.
 - (b) A description of the areas where human activities should be restricted due to the PCE contamination, including legal descriptions for such areas, sample maps, and a plan for preparing final survey maps (*e.g.*, survey of hazardous waste cap).
 - (c) A description of the proposed Institutional Controls and their purpose, consistent with the ROD, along with the implementing documents.
 - (d) A description of the proposed duration of each Institutional Control and an explanation for such duration.
 - (e) A schedule for implementing each Institutional Control.
 - (f) A schedule for completing any related title work.
 - (g) A plan for monitoring, maintaining, reporting on, and insuring the continued efficacy of the Institutional Controls and a contingency plan that Respondents shall implement in the event EPA notifies the Respondents that the Institutional Controls are ineffective or otherwise inadequate.
 - (h) A schedule for annual certifications regarding whether the Institutional Controls remain in place, regarding whether the Institutional Controls have been complied with, and regarding enforcement of the Institutional Controls.
- 28.** Respondents shall submit to EPA for review and approval pursuant to Section XIV of the Order (EPA Approval of Plans And Other

Submissions) monthly progress reports. Respondents shall ensure that these monthly progress reports are consistent with Section XV of the Order (Progress Reports). These monthly progress reports shall be called Remedial Action Status Reports. Respondents' monthly Remedial Action Status Reports shall provide written analyses of any sampling data collected under SOW paragraph 21, and they shall explain whether the data indicates progress toward meeting the RAOs. Respondents' monthly Remedial Action Status Reports shall include the following information in a manner that conforms with Section XVI (Quality Assurance, Sampling, and Data Analysis) of the Order:

- (a) Respondents shall report status of current site activities, results of any data collected for that period, problems encountered and how they are being resolved.
- (b) Respondents shall provide an analysis of ground water sampling data collected to date. Respondents shall explain how data was used to make progress toward plume management and how it was used to make progress toward project goals including RAOs.
- (c) Respondents shall describe any technical problems encountered and shall also describe how the problems were resolved. Respondents shall explain if any problems remain unresolved.
- (d) Respondents shall provide a summary describing quality assurance and data validation activities that took place during the preceding month and year-to-date along with the results of the validation activities.

29. Respondents shall submit to EPA for review and approval pursuant to Section XIV of the Order (EPA Approval of Plans And Other Submissions) Annual Remedial Action Reports beginning one year from the date of EPA approval of the Remedial Action Work Plan. Respondents shall submit subsequent Annual Remedial Action Reports to EPA on the anniversary of the first report. Respondents shall include the following in their Annual Reports:

- (a) A description of the progress toward attaining Performance Standards.
- (b) A description of the Remedial Action activities completed during the preceding year, with an analysis of the ground water data acquired during the preceding year.
- (c) A description of the rate and the extent of progress toward meeting the Remedial Action Objectives and a description of how plume expansion is being controlled.
- (d) A description of the manner in which the data are being used to manage extraction and treatment to reduce the PCE plume.

(e) A description of the annual evaluation of PCE, TCE, cis-1,2 DCE, trans-1,2 DCE, and benzene concentrations as described in SOW paragraph 8(a).

- 30.** Respondents shall submit to EPA for review and approval pursuant to Section XIV of the Order (EPA Approval of Plans And Other Submissions) a written Pre-Achievement O&M Plan. The plan shall describe in detail, measures to be taken to maintain the effectiveness of the constructed remedy described in the ROD, and the plan shall describe the method that the Respondents shall use for measuring progress toward meeting Performance Standards. Although Respondents need not perform any Post-Achievement O&M, Respondents shall submit to EPA for review and approval pursuant to Section XIV of the Order (EPA Approval of Plans And Other Submissions) a Post-Achievement O&M Plan which describes methods for maintaining Performance Standards after the Remedial Action is complete.
- 31.** Respondents shall submit to EPA for review and approval pursuant to Section XIV of the Order (EPA Approval of Plans And Other Submissions) written procedures for a Pre-Final Inspection that the Respondents shall carry out with EPA and NMED when the Work related to the construction of the remedy described in the Order, in the SOW, and in EPA-approved submissions has been completed. The purpose of this inspection shall be for EPA and NMED to assess and concurrently determine whether the remedy is functioning properly and is performing as designed.
- 32.** Respondents shall submit to EPA for review and approval pursuant to Section XIV of the Order (EPA Approval of Plans And Other Submissions) an Interim Remedial Action Report written in conformance with all applicable EPA guidance. Respondents shall meet with EPA and NMED to discuss this report as requested by EPA. The requirements for maintaining the Performance Standards shall be submitted in a Pre-Achievement O&M Plan and included in the Interim Remedial Action Report submission.
- 33.** Intentionally left blank.
- 34.** Respondents shall submit to EPA for review and approval pursuant to Section XIV of the Order (EPA Approval of Plans And Other Submissions) written procedures that Respondents shall use to develop a notification to EPA that all phases of the Work have been fully performed as described in Paragraphs 62 and 63 of the Order.