

9476.1989(01)

DELAY OF CLOSURE PERIOD FOR HWM FACILITIES

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

MAY 16 1989

MEMORANDUM

SUBJECT: Final Rule for Delay of Closure Period for  
Hazardous Waste Management Facilities

FROM: Sylvia K. Lowrance, Director  
Office of Solid Waste

TO: Jonathan Z. Cannon  
Acting Assistant Administrator

Attached is a final rule that amends portions of the closure requirements applicable to owners and operators of hazardous waste land disposal facilities. This rule is the subject of pending lawsuit brought by Union Carbide and the Chemical Manufacturers Association.

Under existing rules, hazardous waste management units must initiate closure after final receipt of hazardous waste. The attached regulations allow, under limited circumstances, a landfill, surface impoundment, or land treatment unit to remain open after the final receipt of hazardous waste in order to receive non-hazardous wastes in that unit. This rule details the circumstances under which a unit may remain open to receive non-hazardous wastes and describes the specific conditions applicable to such units.

This rule must undergo a second Red Border review and subsequent OMB review due to changes made in the rule following initial clearance. I request that this rule be handled expeditiously to avoid the need for the Agency to defend the existing (rather than amended) regulatory requirements. The Steering Committee has approved a 7 calendar day Red Border review period.

Attachments

RO 13284