

Delay of Closure

Owners or operators of permitted and interim status treatment, storage, and disposal facilities (TSDFs) must comply with the facility closure standards in 40 CFR Parts 264/265, Subpart G, and the specific standards applicable to the unit in which they are managing hazardous waste. These closure standards require owners or operators to treat, remove from the unit or facility, or dispose of on site all hazardous waste in accordance with the approved closure plan within 90 days after receiving the final volume of hazardous waste or within 90 days after approval of the closure plan, whichever is later (264/265.113(a)). Owners or operators of surface impoundments, landfills, and land treatment units can delay the closure timetable beyond the 90 day period and allow the units to accept nonhazardous waste, provided they meet conditions in 264/265.113(d). Can owners or operators of tanks, container storage areas, waste piles, or incinerators at permitted or interim status TSDFs delay closure in this manner as well?

No. The delay of closure provisions of 264/265.113(d) are limited to landfills, surface impoundments, and land treatment units. Owners or operators of tanks, containers, waste piles, and incinerators are not allowed to delay closure and accept only nonhazardous waste in such units (54 FR 33381; August 14, 1989). In order for these units to accept nonhazardous waste after the last shipment of hazardous waste has been received, the owner or operator must first comply with all applicable closure standards including removing and decontaminating all contaminated equipment, soils, and structures. These closure standards are compatible with the future use of such units, and closing them before receiving nonhazardous waste should not place an undue burden on owners or operators (54 FR 33381; August 14, 1989).