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RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

FEBRUARY 88

3. Clean Closure of Interim Status Surface Impoundment and Waste Pile

A waste pile and surface impoundment, both interim status, were clean closed in 1985 per Section 265.228 and Section 265.258. Closure was certified as per Section 265.115. Will the waste pile and surface impoundment site require ground-water monitoring?

According to the December 1, 1987, Codification Rule (52 FR 45788), owners/operators of surface impoundments and waste piles that received waste after July 26, 1982, or certified closure after January 26, 1983, must have post-closure permits unless they demonstrate that the "clean closure" met Part 264 standards (Section 270.1(c)).

Sections 270.1(c)(5) and (6) outline the procedures for determining if the closure met Part 264 standards (i.e., equivalency determination). If equivalency is shown, then the surface impoundment and waste pile will not be required to have a post-closure permit. If, on the other hand, the Agency decides equivalency was not met, a post closure permit will be required. The post closure permit would have to address applicable Part 264 Ground-water monitoring, unsaturated zone monitoring corrective action and post-closure care requirements.

These requirements also apply to landfills and landfills treatment units.

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