

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460**

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

MEMORANDUM

SUBJECT: Application Withdrawals and Terminations of Interim Status as Counted in  
AMAS and Toward Call-in Commitments

FROM: Bruce R. Weddle  
Acting Director  
State programs and Resource Recovery Division (WH563)

To: RCRA Branch Chiefs, Regions I - X

This is to confirm our discussion at the May 12th meeting in Washington, D. C. as to how withdrawals of applications and terminations of interim status will be counted toward call-in commitments and under the Administrator's Management and Accountability System (AMAS). Please note the following:

Protective filings for facilities which have not been regulated under 40 CFR Part 265 should be returned to the owner or operator and removed from the interim status data, preferably after (1) obtaining written confirmation that the facility did not conduct activity which required a RCRA permit, and (2) conducting an inspection to verify that fact. These instances will be counted as a "permit-action completed." You may wish, however, to retain these protective filers in our HWDMS data base under a separate coding.

Facilities which have been regulated under Part 265 and wish to withdraw their applications must comply with the closure requirements of Part 265 Subpart G. Upon receiving such a request for an application withdrawal, you may also want to terminate the facility's interim status, which must be done in accordance with the 40 CFR Part 124 procedures for denial of a permit; otherwise, the facility will retain its interim status. Your decision whether to terminate interim status should depend on your assessment of the facility's compliance history and whether you would allow the facility, at some future point, to resume activity which requires a RCRA permit. For purposes of AMAS accounting, withdrawal of an application will be counted as a "permit action completed" only when interim status is terminated in accordance with the Part 124 procedures.

FAXBACK 11027

Any questions on these subjects should be directed to Steve Levy, Chief of the Permits Branch in OSW, at FTS 382-4740.

Directors, Hazardous Waste Management Divisions, Regions I - X

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