

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D. C. 20460

Dec. 22, 1980

Mr. John L. Sullivan
Ford, Farquhar, Kornblut & O'Neil Law Offices
5028 Wisconsin Avenue, N. W.
Washington, D. C. 20016

Dear Mr. Sullivan:

This letter is in response to your request of September 16, 1980, for information on a form for engineer certifications under our hazardous waste regulations. We do not have any specific form for certification of closure by an engineer. However, I am enclosing a copy of our guidance document on "Closure and Post Closure-Subpart G" which give examples of closure plans and engineer certification.

I hope this guidance document answers the questions you have raised.

Sincerely,

Gary N. Dietrich
Associate Deputy Assistant Administrator
for Solid Waste (WH-562)

**LAW OFFICES
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September 16, 1980

Ms. Filomena Chair
Office of Solid Waste
U.S. Environmental Protection Agency
401 M Street, S. W.
Washington, D. C. 20460

Dear Ms. Chair:

As per the EPA's "Notice of intent to issue amendments to, interpretations of and answers to questions on final regulations," Federal Register Aug. 19, 1980, p. 55386, I would like to request the assistance of your Office in resolving the following matter.

Concerns have been raised by a number of our clients concerning requirements under the Hazardous Waste Management System Regulations as published on May 19, 1980 in the Federal Register. Numerous sections of the regulations contain requirements that professional engineers "certify" compliance with various portions of the Regulations. For example, section 122.45 (c) (9) dictates "the owner or operator [of a hazardous waste injection well] must submit to the Director certification by the owner or operator and certification by an independent registered professional engineer that the facility has been closed in accordance with the specifications in §122.42 (f). (emphasis added).

My question concerning the engineer certification requirements is the lack of format provided for the certification. Does your office or any other EPA publish a form for engineer certifications under the Hazardous Waste Management Systems Regulations. Any information or assistance in this manner would be appreciated.

Sincerely,

John L. Sullivan

Mr. John L. Sullivan
Ford, Farquhar, Kornblut, & O'Neill
5028 Wisconsin Avenue, N. W.
Washington, D. C. 20016

Dear Mr. Sullivan:

Thank you for your request of September 16, 1980. In that request, you asked that EPA issue a Regulation Interpretation Memorandum (RIM) concerning the engineer certification requirements to comply with various portions of the hazardous waste regulations.

I have submitted your request to Mr. Gary Dietrich, Associate Deputy Assistant Administrator for Solid Waste. Mr. Dietrich is considering your request and, if appropriate, will assign a member of the Solid Waste staff to draft a RIM for this subject. Should EPA decide to issue a RIM on your specific request, please be assured that we will indicate how we intend to answer your request.

If I can be of further assistance, please let me know.

Sincerely yours,

Filomena Chau
Environmental Protection Specialist
Office of Solid Waste (WH-562)