

9477.1988(03)

RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

JULY 88

1. Tank Replacement

A permitted storage facility has several above-ground storage tanks that are managed in compliance with Subpart J of 40 CFR 264. If the owner/operator replaces one of the tanks, would he be subject to any closure requirements? Would it make any difference if it were a facility with only one tank?

Section 264.112(d) requires notification of partial closure for surface impoundments, waste piles, land treatment units and landfills. This same section requires notification regarding treatment, tank storage, container storage or incinerator facilities only in the case of final closure. Replacement of a storage tank would not constitute final closure per Section 264.197, and partial closure is not applicable to a storage tank facility per Section 264.112(d). While not specifically required, the owner/operator should decontaminate the removed equipment and notify the state or region of the change. However, equipment that is not decontaminated must be managed as a hazardous waste.

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