

QUESTION: If a surface impoundment does not accept any hazardous waste after 1/26/83 and is called to submit Part B of its permit application, which Subparts of the 264 regulations would apply?

RESOLUTION: Currently Subparts A-E, G, H, K would apply but Subpart F (groundwater protection) would not. Because of the wording in 264.90(a), such a unit is currently not subject to groundwater protection under Subpart F of Part 264. The impoundment would, however, be subject to groundwater monitoring requirements under Part 265. This may be amended in the future.

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