

PPC:

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### 1. Design Criteria Exemption for Small, Arid, Remote MSWLFs

A small municipal solid waste landfill (MSWLF) which is located in an arid or remote area is exempt from the design criteria of 40 CFR Part 258, Subpart D, provided there is no evidence of groundwater contamination from the facility (40 CFR Section 258.1(f)). If evidence of groundwater contamination is found and the facility can no longer meet the conditions of the exemption, when must the facility comply with the design criteria of Part 258, Subpart D?

Owners and operators of small MSWLFs in arid or remote areas must begin to work towards compliance with all applicable design criteria immediately upon the discovery of evidence of groundwater contamination from the facility. The exemption from the design criteria is a conditional exemption. If a MSWLF does not meet the conditions of the exemption under 40 CFR Section 258.1(f), the landfill is immediately and fully subject to all applicable design requirements.