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RCRA/Superfund/OUST Hotline Monthly Report Question

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#### 4. Obtaining Interim Status

A hazardous waste management facility has received a final permit, pursuant to Section 3005 of RCRA to store and treat hazardous wastes. The facility also has solid waste management units (SWMU) on-site. If the solid wastes in the SWMUs become RCRA hazardous waste because EPA lists them as hazardous wastes, can the facility obtain interim status for these newly regulated units?

Interim status, under Section 3005(e) of RCRA, is granted to facilities. Interim status is not granted on a unit-by-unit basis. Therefore, fully permitted facilities may not receive interim status for newly regulated units.

Fully permitted facilities will be allowed to treat, store, or dispose of wastes covered by new hazardous waste listings if the owner/operator submits an amended permit application pursuant to 40 CFR 124.5 and the permit has been modified pursuant to 40 CFR 270.41 or 270.42.