

PPC 9472.1991(01)

LOCATION STANDARDS FOR HAZARDOUS WASTE MANAGEMENT FACILITIES

NOTE

SUBJECT: Location Standards for Hazardous Waste Management Facilities

TO: Bob Knox

You recently requested information on our hazardous waste facility siting requirements in response to a request by Gordon Binder, who is concerned about potential environmental equity issues in the siting process. The following is a summary of our current siting requirements and an overview of new standards that are being developed. Both current standards and those under development are based on technical suitability of a site; economic or other factors are not considered. Historically, hazardous waste units have been associated with industrial manufacturing plants. The siting of these plants is controlled by local zoning requirements.

EPA currently has limited regulatory restrictions for the siting of hazardous waste treatment, storage, and disposal facilities (TSDFs). These siting restrictions are based on the sensitivity of the environment; they restrict TSDFs from locating in 100-year floodplains and areas prone to severe earthquake damage in certain parts of the western United States.

The Agency, however, is currently developing more restrictive siting criteria for TSDFs. These more restrictive criteria will also be based on the sensitivity of the environment. Certain very environmentally sensitive locations will be subject to absolute siting prohibitions. New and expanding TSDFs will be prohibited from siting in wetlands, in historic migration zones of rivers and coastal waterways, and directly over active seismic faults. The proposed location standards will also place additional conditions and restrictions on TSDFs in unstable areas, areas susceptible to earthquake damage anywhere in the United States, karst terrane (limestone areas prone to sinkhole development), hydrogeologically complex areas, and areas over high-resource-value ground waters (e.g. drinking water areas). Additional requirements in these sensitive locations include either technical or health-based demonstrations by the owner or operator of the TSDF. Technical demonstrations would generally involve engineered modifications to the environment or to the unit that would mitigate against the locationspecific hazard.

EPA is not alone in recognizing the need for TSDf location standards in certain sensitive locations. To date, 38 states have either proposed or promulgated location standards that are more stringent than the Agency's current siting standards. Some of the States' siting standards are even more stringent than what the Agency is proposing. For example, the State of South Carolina also requires TSDf siting setbacks from schools and waterways.

The specific location selected for a TSDf is a local decision. However, because EPA regulations are based on the technical suitability of a site and not on economic or other factors, they ensure that the selected TSDf site is protective of the environment. Furthermore, the EPA and State permitting process ensures public participation in establishing the conditions for the TSDf, including its location, design and operation.

Jeff Denit