

9476.1989(02)

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

AUG 22 1989

MEMORANDUM

SUBJECT: Correction to the Delay of Closure Rule Preamble Language

FROM: Joseph S. Carra, Director
Permits and State Programs Division (OS-340)

TO: Permit Section Chiefs
Regions I-X

This memorandum clarifies a discrepancy in the Delay of Closure final rule published in the Federal Register of August 14, 1989 (54 FR 33376). The discrepancy involves the time frame for submission of permit modification requests for owners and operators of permitted facilities that wish to receive non-hazardous wastes after the final receipt of hazardous wastes.

The rule language at 264.113(d)(4) correctly stated that the request must be submitted no later than 120 days prior to the date on which the owner or operator of the facility receives the known final volume of hazardous wastes at the unit or no later than 90 days after the effective date of the rule in the state in which the unit is located, whichever is later. This language is found at 54 FR 33395.

The preamble language incorrectly stated that the request must be submitted at least 120 days prior to final receipt of hazardous wastes, or within 90 days of publication of the Federal Register notice. This language is found at 54 FR 33377.

We do not intend at this time to publish a Federal Register correction notice. If you have any questions about this, please call Barbara Foster at FTS 382-4751.