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## RCRA/SUPERFUND HOTLINE SUMMARIES

AUGUST 84

7. A new landfill will have a separate owner and operator. While both parties will sign the permit,

a) is one party chosen as the "permittee"?

b) which party is liable

i) during the operating life?

ii) during closure/post-closure?

a) Both the owner and operator are the "permittees" on the permit; however, it is common for the operator to assume responsibility for meeting permit conditions.

b)i) Both the owner and operator are liable during the facility's operating life.

ii) Both the owner and operator are liable during closure/post-closure of the facility, unless the closure/post-closure plans specify that the owner of the facility is becoming the operator as well as the owner. This action would be accompanied by a permit modification and relieve the original operator from liability (under RCRA) during the closure/postclosure period.

Source: Chaz Miller  
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