

"Surface Impoundment Leachate Collection and Removal Systems"  
Key Words: Construction Quality Assurance Program (CQAP);  
leachate collection and removal system; minimum technology  
requirement; surface impoundment

QUESTION: According to 40 CFR §265.221(a), owners or operators of new surface impoundments, lateral expansions of surface impoundments, and replacements of existing surface impoundments must install two or more liners and a leachate collection and removal system in accordance with §264.221(c), unless exempted under §§264.221(d), (e), or (f). When must an owner or operator complete installation of the leachate collection and removal system?

ANSWER: An owner or operator must complete installation of the leachate collection and removal system at least 30 days prior to receipt of waste. The installation completion date stems from the requirement for owner or operators to have a construction quality assurance (CQA) program. Surface impoundments required to comply with §265.221(a) must have a CQA program to ensure that the constructed unit meets or exceeds all design criteria and specifications in the permit (§265.19). The CQA program addresses various physical components of surface impoundment construction including the leachate collection and removal system. An owner or operator of a surface impoundment must certify to the Regional Administrator that the CQA plan has been successfully carried out and that the unit meets the requirements of 40 CFR §265.221(a) at least 30 days prior to receiving waste. Therefore, an owner or operator must complete installation of the leachate collection and removal system at least by the date of this certification. (April 1994 Monthly Hotline Report)