

PPC 9523.1984(01)

ESTIMATED CLOSURE DATES IN PERMIT APPLICATIONS

JAN 17 1984

Karsten Odland
818 Forest Road
La Grange Park, Illinois 60525

Dear Mr. Odland:

The Office of General Counsel sent your letter of October 3, 1983, to this office for a reply to your questions concerning the requirements for obtaining a hazardous waste management facility permit under the Resource Conservation and Recovery Act (RCRA). The Office of Solid Waste is responsible for both the technical standards and permit regulations under RCRA. This letter confirms the telephone conversation you had with a member of my staff on this subject and summarizes his discussion of EPA's position.

In your letter you discussed the problems caused by requiring an estimate of the expected date of closure in the permit application for a hazardous waste management facility. As you pointed out, it is difficult to determine the expected closure date of a manufacturing facility since there is often no intention to close. You also expressed your reluctance to certify in the permit application that all the information is true and accurate if the facility does not intend to close.

EPA does not require a specific date of closure. Our regulations only require an estimate of the expected date of closure. This expected date then allows EPA to determine if the financial assurance mechanisms for closure are adequate. You can note in the application that the date provided is only an estimate since there are no current plans to close the facility. This may alleviate your concerns about the certification. Additionally, the estimated date of closure can be changed as new information becomes available or facility plans change.

I appreciate your bringing this matter to our attention. If you have any further questions, please do not hesitate to call upon Mr. Chaz Miller of the Permits Branch. He may be

reached at U. S. EPA, Office of Solid Waste, Permits Branch,
WH-563, 401 M Street S. W., Washington D. C. 20460, (202) 382-4535.

Sincerely yours,

Original Document signed

Bruce R. Weddle
Acting Director
Permits and State Programs Division