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RCRA/SUPERFUND HOTLINE SUMMARIES

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5. One company leases a site and has interim status to store hazardous waste in containers at that site. The operator has submitted a closure plan to the Regional Administrator but the plan has not been approved. Can the owner of the site lease the property to someone else for their use prior to certification of closure?

Yes, the site can be used by the second leasee prior to certification of closure as long as the owner, current operator, or original operator assumes responsibility for carrying-out closure.

Source: Carole Ansheles and Dov Weitman