

Post-Closure Care at Hazardous Waste Units Closed with Waste in Place: U.S. EPA Office of Inspector General Project Notification



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The United States Environmental Protection Agency (“EPA”) Office of Inspector General (“OIG”) issued an August 20th Project Notification titled:

Post-Closure Care at Hazardous Waste Units Closed with Waste in Place (“Notification”)

See Project No. JA&E-FY19-0323.

The *Notification* is transmitted to Peter Wright, EPA’s Assistant Administrator for Office of Land and Emergency Management.

The stated objective is to evaluate:

... EPA’s oversight of hazardous waste units closed with waste in place to verify continued protection of human health and the environment.

The Resource Conservation and Recovery Act (“RCRA”) Subtitle C regulations require certain actions when a hazardous waste management unit ceases receipt of waste at the end of its active life. The unit must be remediated, monitored and maintained in accordance with the closure and post-closure care requirements. These requirements are found in the Closure and Post-Closure sections of the RCRA regulations.

Closure of units or facilities can happen in one of two ways:

- Clean Closure (receipt of all waste from the unit and decontaminated to remove all equipment, structures and surrounding soils)
- Closure with Waste in Place (closure method for facilities or units that cannot meet the clean closure requirements [i.e., all waste and contamination cannot be removed])

The closure in place method is being addressed by the *Notification*.

This closure method requires post-closure care which includes activities such as monitoring and maintaining liners, final covers, leachate collection and removal systems, leak detection systems, and gas collection systems to ensure hazardous constituents are not released.

The *Notification* states OIG plans to conduct work at the EPA Office of Resource Conservation and Recovery that is within the Office of Land and Emergency Management. It also will conduct work at selected EPA regions and states. The “anticipated benefits” of the project are stated to include:

. . . the assurance of continued protection of the public from exposure to hazardous substances, and the identification of potential unfunded public liabilities, so that the EPA can appropriately plan for future resource requirements and share these with the public.

Note that the Arkansas Department of Environmental Quality (“ADEQ”) has been delegated the Resource Conservation and Recovery Act (“RCRA”) Subtitle C program. This delegation includes the closure and post-closure requirements. ADEQ has previously issued in April 2010 a RCRA Closure Handbook. This document is described as:

. . . A guidance document prepared for hazardous waste facilities undergoing closure, by the Hazardous Waste Division of the Arkansas Department of Environmental Quality.

A copy of the OIG *Notification* can be found [here](#) and the ADEQ RCRA Closure Handbook [here](#).