

# Closed Hazardous Waste Units/Office of Inspector General Report: U.S. Environmental Protection Agency Statement



**Walter Wright, Jr.**  
wwright@mwlaw.com  
(501) 688.8839

04/02/2021

A March 30th blog item was posted addressing a United States Environmental Protection Agency (“EPA”) Office of Inspector General (“OIG”) report titled:

*EPA Does Not Consistently Monitor Hazardous Waste Units Closed with Waste in Place or Track and Report on Facilities That Fall Under the Two Responsible Programs (“Report”)* (See post [here.](#))

OIG concluded in the Report that EPA did not consistently verify continued protection of human health and the environment in hazardous waste units that had been closed with waste in place.

EPA issued a statement in response to the Report which reads as follows:

We appreciate the Office of Inspector General’s (OIG) attention to EPA’s oversight of hazardous waste units closed with waste in place. Effective oversight of these units is essential for ensuring that environmental obligations are met, and human health and the environment are protected. As the OIG notes in its report, the Resource Conservation and Recovery Act (RCRA) and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) programs often work together to address cleanup of contaminated sites. At any one facility/site, each program may have different roles for different areas, and roles and areas may change over time. For this reason, what appears as potential inconsistencies in the respective data systems may in fact be valid and meaningful differences in cleanup status for different areas managed by the respective program. We will work to improve how we communicate these differences to the public.

In addition, the report reflects that 96 percent of operating treatment, storage and disposal facilities (TSDFs) that manage RCRA units closed with waste in place received a compliance evaluation inspection every two years as required by statute. EPA and the states inspect nonoperating TSDFs on a less frequent basis. EPA disagrees with the OIG’s analysis of the number of closed facilities that were inspected. Our analysis found over 80% of these closed facilities were inspected. We will work to improve our oversight of regions and states with respect to these issues. Our full response on this and other points is included in the report’s Appendix C (page 28). – EPA Spokesperson