

9483.1989(04)

## RCRA/SUPERFUND HOTLINE SUMMARY

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### 3. Integrity Assessment for Hazardous Waste Tanks and Post-Closure Requirements

An owner of an existing hazardous waste tank wants to close the tank. The tank does not have secondary containment. The owner successfully performed a tank integrity assessment in accordance with 40 CFR 264.191. Even if the tank passed the integrity assessment, must the owner still perform post-closure care if the tank does not have secondary containment?

Regardless of the success of the integrity assessment, an owner/operator of a tank that does not have secondary containment must comply with the closure and post-closure care requirements of 40 CFR 264.197. neither 40 CFR Sections 264.191 or 264.197 exempt tanks from the closure and post-closure requirements based upon a successful tank integrity assessment. However, some special closure requirements do exist for owners/operators of tanks which do not have secondary containment. According to 40 CFR 264.197, an owner/operator of a hazardous waste tank system which does not meet the secondary containment requirements of Section 264.193(b-f) must submit a closure plan which complies with both paragraphs (a) and (b) of Section 264.197.

Such a closure plan must include a plan for decontamination of the tank system and a contingency plan for post-closure care. The contingency plan for post-closure is required in case the owner/operator cannot comply with the decontamination requirements of Section 264.197(a).

The owner/operator of this existing hazardous waste tank, which does not have secondary containment, must submit a contingency plan for post-closure care in addition to the closure plan required under Section 264.197(c). He would only have to perform post-closure care if he demonstrated that he could not practically remove or decontaminate all contaminated soils in accordance with Section 264.197(a).

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