

9487.1996(01)

MONTHLY HOTLINE REPORT

July 1996

1. Regulation of Leachate Collection Sumps

Section 3004(o) of RCRA requires that owners/operators of new, replacement, and lateral expansions of hazardous waste landfills equip the units with two or more liners, a leak detection system, and a leachate collection and removal system (LCRS) above and between the liners. The LCRS between the liners must be equipped with a sump to collect the leachate that has percolated through the unit, and a liquid removal device, such as a pump, to move the leachate to a storage unit (40 CFR 264.301(c)(3)(v)). Is this leachate collection sump considered a tank subject to the hazardous waste tank regulations of Part 264/265, Subpart J?

No, a sump used to collect leachate in a landfill is not a hazardous waste tank subject to the tank standards in Part 264/265, Subpart J. Although most sumps meet the definition of a tank, leachate collection sumps do not. EPA changed the definition of "sump" in the January 29, 1992, Federal Register to reflect this distinction. Leachate collection sumps are defined differently because, unlike other sumps, they are an integral part of the unit's liner system, surrounded by layers of liners; additional containment is often impracticable and unnecessary, and would yield little environmental benefit (57 FR 3471; January 29, 1992).

Only the actual collection sump is excluded from the federal definition of tank. Any unit subsequently used to manage the leachate may be regulated. For example, when a facility pumps the hazardous waste leachate from the collection sump into a storage tank, that tank is subject to full regulation under Part 264/265, Subpart J.