

## 1. Drip Pad Closure Notification and Certification Requirements

Owners and operators of hazardous waste treatment, storage, and disposal facilities (TSDFs) managing hazardous waste in surface impoundments, waste piles, land treatment units, landfills, tanks, containers, incinerators, boilers, and industrial furnaces must comply with the unit-specific closure standards to ensure that these units are closed in a manner that minimizes future threats to human health and the environment (40 CFR Parts 264/265, Subpart G). Specific activities that must be conducted during closure are set forth in a facility's closure plan which must be approved by the implementing agency. Facilities with such approved closure plans must notify the implementing agency in writing prior to the date closure is expected to start (Sections 264/265.112(d)). After closure, the owner or operator must submit to the implementing agency a certification signed by the owner or operator and an independent registered professional engineer stating that the closure has been completed in accordance with the approved closure plan (Sections 264/265.115). Do these notification and certification standards apply to the closure of drip pads at TSDFs?

Owners and operators of drip pads, in most cases, are generators, and therefore are not required to comply with the notification standards in Sections 264/265.112(d) or the certification standards in Sections 264/265.115 that are applicable primarily to land disposal units. However, as generators, they must comply with the closure performance standards in Section 265.111, and the requirement for the disposal or decontamination of equipment, structures and soils (Sections 262.34(a)(1) and 265.114). In addition, owners and operators of drip pads must comply with unit-specific closure requirements found in Part 265, Subpart W.

Subpart W closure requirements provide that owners or operators "must remove or decontaminate all waste residues, contaminated containment system components (pad, liners, etc.), contaminated subsoils, and structures and equipment contaminated with waste and leakage, and manage them as hazardous waste." If the decontamination or removal cannot be fully accomplished, the owner or operator must close and perform post-closure care in accordance with the unit-specific closure and post-closure requirements for landfills (Section 265.310).