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Title 22@ Social Security

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Division 4.5@ Environmental Health Standards for the Management of Hazardous Waste

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Chapter 15@ Interim Status Standards for Owners and Operators of Hazardous Waste Transfer, Treatment, Storage, and Disposal Facilities

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Article 7@ Closure and Post-Closure

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Section 66265.117@ Post-Closure Care and Use of Property

## **66265.117 Post-Closure Care and Use of Property**

### **(a)**

This section pertains to facilities at which all hazardous wastes, waste residues, contaminated materials and contaminated soils will not be removed during closure. Additional requirements for such facilities are cited in Title 23 of the California Code of Regulations.

### **(b)**

(1) Post-closure care for each hazardous waste management unit subject to the requirements of sections 66265.117 through 66265.120 shall begin after completion of closure of the unit and continue for 30 years after that date. It shall consist of at least the following: (A) monitoring and reporting in accordance with the requirements of articles 6, 11, 12, 13, and 14 of this chapter; and (B) maintenance and monitoring of waste containment systems in accordance with the requirements of articles 6, 11, 12, 13, and 14 of this chapter. (2) Any time preceding closure of a hazardous waste management unit subject to post-closure care requirements or final closure, or any time during the post-closure period for a particular hazardous waste disposal unit, the Department shall: (A) shorten the post-closure care period applicable to the hazardous waste management unit, or facility, if all disposal units have been closed, if the Department finds that the reduced period is sufficient to protect human health and the environment (e.g., leachate or ground-water monitoring results, characteristics of the hazardous

waste, application of advanced technology, or alternative disposal, treatment, or re-use techniques indicate that the hazardous waste management unit or facility is secure); or (B) extend the post-closure care period applicable to the hazardous waste management unit or facility, if the Department finds that the extended period is necessary to protect human health and the environment (e.g., leachate or groundwater monitoring results indicate a potential for migration of hazardous wastes at levels which may be harmful to human health and the environment).

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**(A)**

monitoring and reporting in accordance with the requirements of articles 6, 11, 12, 13, and 14 of this chapter; and

**(B)**

maintenance and monitoring of waste containment systems in accordance with the requirements of articles 6, 11, 12, 13, and 14 of this chapter.

**(2)**

Any time preceding closure of a hazardous waste management unit subject to post-closure care requirements or final closure, or any time during the post-closure period for a particular hazardous waste disposal unit, the Department shall: (A) shorten the post-closure care period applicable to the hazardous waste management

unit, or facility, if all disposal units have been closed, if the Department finds that the reduced period is sufficient to protect human health and the environment (e.g., leachate or ground-water monitoring results, characteristics of the hazardous waste, application of advanced technology, or alternative disposal, treatment, or re-use techniques indicate that the hazardous waste management unit or facility is secure); or

(B) extend the post-closure care period applicable to the hazardous waste management unit or facility, if the Department finds that the extended period is necessary to protect human health and the environment (e.g., leachate or groundwater monitoring results indicate a potential for migration of hazardous wastes at levels which may be harmful to human health and the environment).

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**(B)**

extend the post-closure care period applicable to the hazardous waste management unit or facility, if the Department finds that the extended period is necessary to protect human health and the environment (e.g., leachate or groundwater monitoring results indicate a potential for migration of hazardous wastes at levels which may be harmful to human health and the environment).

**(c)**

(1) The Department shall require, at partial and final closure, continuation of any of the security requirements of section 66265.14 during part or all of the

post-closure period when: (A) hazardous wastes may remain exposed after completion of partial or final closure; or (B) access by the public or domestic livestock may pose a hazard to human health. (2) To extend any of these requirements during post closure period, the Department will use the procedures of sections 66265.118(d) and (f).

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The Department shall require, at partial and final closure, continuation of any of the security requirements of section 66265.14 during part or all of the post-closure period when: (A) hazardous wastes may remain exposed after completion of partial or final closure; or (B) access by the public or domestic livestock may pose a hazard to human health.

**(A)**

hazardous wastes may remain exposed after completion of partial or final closure; or

**(B)**

access by the public or domestic livestock may pose a hazard to human health.

**(2)**

To extend any of these requirements during post closure period, the Department will use the procedures of sections 66265.118(d) and (f).

**(d)**

Post-closure use of property on or in which hazardous wastes remain after partial or final closure shall never be allowed to disturb the integrity of the final cover, liner(s), or any other components of the containment system, or the function of the facility's monitoring systems, unless the Department finds that the disturbance: (1) is necessary to the proposed use of the property, and will not increase the potential hazard to human health or the environment; or (2) is necessary to reduce a threat to human health or the environment.

**(1)**

is necessary to the proposed use of the property, and will not increase the potential hazard to human health or the environment; or

**(2)**

is necessary to reduce a threat to human health or the environment.

**(e)**

All post-closure care activities shall be in accordance with the provisions of the approved post-closure plan as specified in section 66265.118.

**(f)**

Upon closure of a hazardous waste facility wherein hazardous wastes remain on-site no construction, filling, grading, excavating or mining shall occur without the issuance of a variance by the Department. No variance may be granted which is inconsistent with subsection (d) of this section.