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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 10@ Tank Systems

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Section 66265.197@ Closure and Post-Closure Care

66265.197 Closure and Post-Closure Care

(a)

At closure of a tank system, the owner or operator shall remove or decontaminate all waste residues, contaminated containment system components (liners, etc.), contaminated soils, and structures and equipment contaminated with waste, and manage them as hazardous waste, unless section 66261.3(d) of this division applies. The closure plan, closure activities, cost estimates for closure, and financial responsibility for tank systems shall meet all of the requirements specified in articles 7 and 8 of this chapter.

(b)

If the owner or operator demonstrates that not all contaminated soils can be practicably removed or decontaminated as required in subsection (a) of this section, then the owner or operator shall close the tank system and perform post-closure care in accordance with the closure and post-closure care requirements that apply to landfills (section 66265.310). In addition, for the purposes of closure, post-closure, and financial responsibility, such a tank system is then considered to be a landfill, and the owner or operator shall meet all of the requirements for landfills specified in articles 7 and 8 of this chapter.

(c)

If an owner or operator has a tank system which does not have secondary containment that meets the requirements of section 66265.193(b) through (f)

and which has not been granted a variance from the secondary containment requirements in accordance with section 66265.193(g), then: (1) the closure plan for the tank system shall include both a plan for complying with subsection (a) of this section and a contingent plan for complying with subsection (b) of this section; (2) a contingent post-closure plan for complying with subsection (b) of this section shall be prepared and submitted as part of the permit application; (3) the cost estimates calculated for closure and post-closure care shall reflect the costs of complying with the contingent closure plan and the contingent post-closure plan, if these costs are greater than the costs of complying with the closure plan prepared for the expected closure under subsection (a) of this section; (4) financial assurance shall be based on the cost estimates in subsection (c)(3) of this section; (5) for the purposes of the contingent closure and post-closure plans, such a tank system is considered to be a landfill, and the contingent plans shall meet all of the closure, post-closure, and financial responsibility requirements for landfills under articles 7 and 8 of this chapter.

(1)

the closure plan for the tank system shall include both a plan for complying with subsection (a) of this section and a contingent plan for complying with subsection (b) of this section;

(2)

a contingent post-closure plan for complying with subsection (b) of this section shall be prepared and submitted as part of the permit application;

(3)

the cost estimates calculated for closure and post-closure care shall reflect the costs of complying with the contingent closure plan and the contingent post-closure plan, if these costs are greater than the costs of complying with the closure plan prepared for

the expected closure under subsection (a) of this section;

(4)

financial assurance shall be based on the cost estimates in subsection (c)(3) of this section;

(5)

for the purposes of the contingent closure and post-closure plans, such a tank system is considered to be a landfill, and the contingent plans shall meet all of the closure, post-closure, and financial responsibility requirements for landfills under articles 7 and 8 of this chapter.