United States
Environmental Protection
Agency

Solid Waste and
Emergency Response
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Office of Solid Waste

EPA

# Environmental Fact Sheet

## Some Deadlines in Federal Regulations Extended for Small Landfills; Extra Time Provided to Landfills in Midwest Flood Regions

### Action

On October 9, 1991, the Environmental Protection Agency (EPA) issued regulations for municipal solid waste landfills (MSWLFs). These regulations contain location restrictions, facility design and operations requirements, ground-water monitoring, corrective action measures, conditions for closing and performing post-closure care, and provisions for assuring financial responsibility. For the most part, landfill owners/operators must comply with the federal requirements by October 9, 1993.

Recognizing that a variety of circumstances is hampering some communities' abilities to comply by then, the Agency is providing additional time for certain landfills. In particular, the extensions apply to smaller communities nationwide and to landfills in the Midwest that are experiencing a strain on their disposal capacity because of the 1993 flood.

- The effective date of the federal MSWLF Criteria for existing, smaller landfill units, is changed from October 9, 1993 to April 9, 1994. This extension applies to landfills that: (1) accept less than 100 tons of waste per day; (2) are in a state that has submitted an application to EPA for approval of its permit program by October 9, 1993, or are located on Indian lands or Indian Country; and (3) are not on the Superfund National Priorities List.
- The effective date may be extended up to April 9, 1994 for any size existing landfill units and laterally expanding units in the Midwest flood regions. This extension is available if the landfill owner/operator's state determines that an extension is needed for the landfill to accept flood-related waste from any of the nine states within federally designated disaster areas. States also may provide these same landfills with an additional six months beyond April 9, 1994, to comply with the federal regulations.

- The financial assurance requirements for all landfills are delayed for one year, from April 9, 1994 to April 9, 1995.
- The time to install a final cover is extended for landfills opting to close before the compliance date. These landfills generally have until October 9, 1994 to install a cover that meets the federal Criteria. This extension is particularly useful to states in colder regions, such as the Northeast.
- The current exemption from ground-monitoring requirements at remote, very small landfills (see provisions in 40 CFR, Part 258.1(f)(1) is removed because of a recent Court decision. In response to this decision, the effective date of the MSWLF Criteria is extended to October 9,1995 for this group of landfills.

A detailed summary chart of changes to the effective dates is attached.

Because state and tribal governments may have earlier effective dates or other requirements, EPA strongly encourages owners and operators of MSWLFs to consult with their state or tribe.

## Contact

For additional information or to order a copy of the *Federal Register* notice, contact the RCRA Hotline, Monday-Friday, 8:30 a.m. to 7:30 p.m. EST. The national, toll-free number is (800) 424-9346; TDD (800) 553-7672 (hearing impaired); in Washington, D.C., the number is (703) 412-9810, TDD (703) 412-3323.

Copies of documents applicable to this rulemaking may be obtained by writing: RCRA Information Center (RIC), U.S. Environmental Protection Agency, Office of Solid Waste (OS-305), 401 M Street SW, Washington, D.C. 20460.

# SUMMARY OF CHANGES TO THE EFFECTIVE DATES OF THE MSWLF CRITERIA

(See the final rule and preamble published on October 1, 1993 (58 FR 51536) for a full discussion of all changes and related conditions.)

| | **MSWLF units accepting greater than 100 TPD** | **MSWLF units accepting 100 TPD or less; are not on the NPL; and are located in a state that has submitted an application for approval by 10/9/93, or on Indian lands or Indian Country** | **MSWLF units that meet the small landfill exemption in 40 CFR §258.1(f)** | **MSWLF units receiving flood-related waste** |
|---|---|---|---|---|
| **General effective date.**[1]<br><br>This is the effective date for location, operation, design, and closure/post-closure. | October 9, 1993 | April 9, 1994 | October 9, 1995 | Up to October 9, 1994 as determined by State |
| **Date by which to install final cover if cease receipt of waste by the general effective date.** | October 9, 1994 | October 9, 1994 | October 9, 1996 | Within one year of date determined by State; no later than October 9, 1995 |
| **Effective date of ground-water monitoring and corrective action.** | Prior to receipt of waste for new units; October 9, 1994 through October 9, 1996 for existing units and lateral expansions | October 9, 1993 for new units; October 9, 1994 through October 9, 1996 for existing units and lateral expansions | October 9, 1995 for new units; October 9, 1995 through October 9, 1996 for existing units and lateral expansions | October 9, 1993 for new units;<br>October 9, 1994 through October 9, 1996 for existing units and lateral expansions |
| **Effective date of financial assurance requirements.** | April 9, 1995 | April 9, 1995 | October 9, 1995 | April 9, 1995 |

[1] If a MSWLF unit receives waste after this date, the unit must comply with all of Part 258.

**All other versions of this table, including the version in 58 FR 51536, are obsolete.**