United States
Environmental Protection
Agency

Office of Solid Waste
and Emergency Response
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Office of Solid Waste

EPA

Environmental Fact Sheet

Municipal Landfill Regulations Mean Safer Disposal of Solid Waste

This rule is an important step in improving the safety of municipal landfills. It establishes comprehensive, protective standards for managing the nation's solid waste burden by specifying location provisions and design, operating, and closure requirements for municipal landfills.

By improving the safety of nearly 6,000 municipal solid waste landfills, these regulations will help to bolster public confidence in landfills as a component of a workable integrated waste management system. In addition, the rule is an incentive for increasing source reduction and recycling nationwide.

Action

This rule establishes requirements for municipal solid waste landfills. It covers location restrictions, facility design and operations, ground-water monitoring, corrective action measures, and conditions for closing (including financial responsibility).

In general, the regulations apply to all municipal landfills that receive waste 24 months after the rule is published in the *U.S. Federal Register*. If a landfill stops taking waste before the regulations are published, the requirements do not apply. If it stops taking waste after publication, but before the effective date, the facility has to comply with the rule's final cover requirements.

Landfill owners/operators must comply with the majority of the requirements 24 months following publication in the *Federal Register*. However, the ground-water monitoring and corrective action requirements are phased-in, allowing up to five years for compliance. Landfill owners/operators must have financial mechanisms covering closing costs and cleanups 30 months after publication in the *Federal Register*.

Management standards for municipal landfills cover six categories.

Location Restrictions

Municipal landfills cannot be located close to airports. Siting in ecologically valuable wetlands or areas subject to natural

disasters (floodplains, fault areas, seismic zones, and unstable terrane) is restricted.

Operating Requirements

Landfills must: (1) keep out regulated hazardous waste; (2) apply a daily cover; (3) control disease vector populations (rodents, flies, mosquitoes, etc.); (4) monitor methane gas; (5) restrict public access; (6) control storm water run-off; (7) protect surface water from pollutants; and (8) keep appropriate records.

Design Standards

In states with EPA-approved permitting programs, landfills must be designed to ensure drinking water standards are not exceeded in ground water. In states without EPA-approved programs, landfills must be designed with a composite liner made of synthetic material covering a two-foot clay liner.

Ground-water Monitoring and Corrective Action

All landfills must have monitoring wells to detect any ground-water contamination. If ground-water is contaminated, the owner/operator is required to clean it up to acceptable standards to protect human health and the environment.

Closure and Post-Closure Care

When a landfill stops accepting waste, it must be covered to keep any liquid away from the buried waste. Once the landfill is closed, the owner/operator is responsible for maintaining the final cover, monitoring ground water and methane gas, and continuing leachate management for 30 years.

Financial Assurance

Landfill owners/operators must show that they have financial mechanisms to cover the costs of closure, post-closure care, and any needed cleanups from releases. Financial mechanisms can include surety bonds, letters of credit, insurance, or guarantees, among others.

Since small communites operate about 50 percent of the landfills potentially affected by this rule, EPA carefully considered their concerns. In this rule, small landfills serve communities that dispose of less than 20 tons of municipal solid waste per day. Certain small landfills are exempt from the design, ground-water monitoring, and corrective action requirements. To qualify for an exemption, a small landfill must not be causing ground-water contamination, and must be located in either a very dry climate or a very remote location.

Implementation

The national solid waste management program creates a framework for federal, state, and local government cooperation in controlling the management of municipal solid waste. While this rule establishes minimum standards for protecting human health and the environment, implementation of solid waste programs remain largely state responsibilities.

Since implementation is primarily a state function, states will need to incorporate these standards into their permitting programs to ensure that landfills are being operated properly. EPA will evaluate each state's program to determine its adequacy for safely managing municipal solid waste. States that apply for, and receive, EPA's approval of their program, are provided extensive flexibility in implementing the regulations. The Agency has the authority to enforce the regulations in those states that EPA determines do not have adequate permitting programs.

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) 920-9810, TDD (703) 486-3323.

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.