



DIRECTIVE NUMBER: 9523.00-16

TITLE: Call-in of Storage and Treatment Applications

APPROVAL DATE: April 19, 1988

EFFECTIVE DATE: April 19, 1988

ORIGINATING OFFICE: OSW

☒ **FINAL**

☐ **DRAFT**

STATUS:

REFERENCE (other documents):

OSWER OSWER OSWER
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United States Environmental Protection Agency
Washington, DC 20460

OSWER Directive Initiation Request

1. Directive Number
9523.00-16

2. Originator Information

Name of Contact Person
Frank McAlister

Mail Code
WH-563

Office
OSW

Telephone Code
382-2223

3. Title

Call-in Storage and Treatment Applications

4. Summary of Directive (include brief statement of purpose)

This memorandum clarifies which facilities must submit their Part B Permit applications by November 8, 1988 and urges EPA Regional Offices to send letters notifying facilities of this deadline

5. Keywords

Interim status / Permit / Part B

6a. Does This Directive Supersede Previous Directive(s)?

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No

☐

Yes

What directive (number, title)

b. Does It Supplement Previous Directive(s)?

☒

No

☐

Yes

What directive (number, title)

7. Draft Level

☐

A - Signed by AA/DAA

☐

B - Signed by Office Director

☐

C - For Review & Comment

☐

D - In Development

8. Document to be distributed to States by Headquarters?

☐

Yes

☒

No

This Request Meets OSWER Directives System Format Standards.

9. Signature of Lead Office Directives Coordinator

Peter Hubbard

Date

4-27-88

10. Name and Title of Approving Official

Peter Hubbard, OSWER Directives Officer

Date

4/27/88

EPA Form 1315-17 (Rev. 5-87) Previous editions are obsolete.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 19 1988

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

MEMORANDUM

SUBJECT: Call-in of Storage and Treatment Applications

FROM: Sylvia K. Lowrance, Director
Office of Solid Waste

A handwritten signature in dark ink, appearing to be "S. K. Lowrance".

TO: Waste Management Division Directors
Regions I-X

Section 3005(c)(2)(C) of RCRA provides a statutory deadline by which interim status treatment and storage facilities must submit their Part B permit applications or their interim status will terminate on November 8, 1992 if EPA has not issued a permit. The deadline for storage and treatment facilities to submit their permit applications is November 8, 1988.

You should be aware, however, that these deadlines apply only to facilities and units that were in interim status on November 8, 1984. A unit handling temporarily excluded waste on November 8, 1984 or a unit added to an interim status facility after this date through a change in interim status would not be subject to the 1988 application deadline or the 1992 permitting deadline.

In order to give facilities subject to the 1988 deadline a full six-month period to prepare and submit their applications (at least for affected units), I urge you to send letters notifying these facilities of the deadlines, and reminding them that they should submit a Part B application if the facility (or unit) intends to continue operating after November 8, 1992. If the facility (or unit) plans to close prior to November 8, 1992, you should consider requesting a written confirmation of intent to close in lieu of a Part B application. For closing facilities, it would be useful to remind them that they must submit their closure plan for approval at least 45 days prior to the date that closure will begin. (Section 265.112(d)(1) requires owner/operators to submit closure plans 45 days before they begin final closure of a facility with only tanks, container storage, or incinerator units.)

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These letters should be received by the regulated community on or before May 8, 1988. In authorized States, the letters could consolidate the State and Federal permit application requests so that the permitting jurisdiction of the two agencies is clear. (Note that this requirement to send letters to storage and treatment facilities is referred to on page 2.1 of the FY 1988 RIP.)

You should also expect facilities submitting Part B applications by the 1988 deadline to make a good faith effort to provide complete applications. I believe that there are good reasons to require preparation of a complete application by the 1988 deadline. For example, preparation of a complete Part B may initiate actions which are environmentally beneficial. These actions include:

- o Precipitation of decisions to close facilities that will have difficulty complying with Part 264 regulations or that do not intend to upgrade to meet permit standards; and
- o Stimulation of applicant decisions to begin improvements.

I am sensitive to the problems created when applications become stale during the time they are awaiting processing. Some of these problems might be alleviated if an additional letter is sent to facilities several months prior to the scheduled date of permit processing. This will give them an opportunity to amend and update their Part B before processing begins. You may wish to consider trying this approach.

Thank you for your cooperation in meeting this important deadline. If you have any questions, please call Frank McAlister at FTS 382-2223.

cc: RCRA Branch Chiefs, Regions I-X