



**DIRECTIVE NUMBER:** 9481.09(84)

**TITLE:** Corrective Action During Interim Status

**APPROVAL DATE:** 7-30-84

**EFFECTIVE DATE:** 7-30-84

**ORIGINATING OFFICE:** Office of Solid Waste

☒ **FINAL**

☐ **DRAFT**

**STATUS:**

- ☐ A- Pending OMB approval
- ☐ B- Pending AA-OSWER approval
- ☐ C- For review &/or comment
- ☒ D- In development or circulating  
headquarters

**REFERENCE (other documents):**

**OSWER OSWER OSWER**  
**/E DIRECTIVE DIRECTIVE D**

Key Words: Corrective Action, Interim Status

Regulations: 40 CFR 265 Subpart F

Subject: Corrective Action During Interim Status

Addressee: James H. Scarbrough, EPA Region IV

Originator: John H. Skinner, Director, Office of Solid Waste

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Summary:

An interim status facility may begin corrective action prior to issuance of a permit. EPA does not have authority to prevent such action.

Regional offices are encouraged to lend technical assistance to facility owners or operators preparing corrective action plans under interim status. Permit writers should be encouraged to work with facilities to write a plan they can live with. However, a plan prepared during interim status may not be in compliance with the corrective action program under 40 CFR §264.100. The Regional office technical staff should emphasize to owner/operators that the plan is subject to review and possible change before it is incorporated into the final permit.

**Implementation of Corrective Action for Contaminated  
Ground Water Prior to Issuance of a RCRA Permit**

**John H. Skinner, Director  
Office of Solid Waste**

**James H. Scarbrough  
EPA Region IV**

**JUL 30 1984**

In your memo of July 12, 1984, you asked whether an interim status RCRA facility can voluntarily begin corrective action on contaminated ground water prior to issuance of the RCRA permit.

We agree that a facility owner or operator may begin corrective action prior to issuance of a permit. It is environmentally sound to allow and encourage such activity. In addition, the Agency does not have the authority to prevent the owner or operator from beginning corrective action.

We encourage regional offices to lend technical assistance to those facility owners preparing a corrective action plan. The regions should check to be sure the plan is actually correcting the ground-water contamination problem, not exacerbating it.

Facility owners expressing interest in performing corrective action during interim status should fully understand the complex nature of the program. The plan prepared during interim status will not necessarily be in compliance with the corrective action program under 40 CFR §264.100. Therefore, the regional office technical staff should emphasize to the facility owner or operator that the plan is subject to review and possible change before it is incorporated into the final permit.