

ARCHIVE: Archived due to the 2009 rule revision. Refer to VA30002.09.002 for the updated document.

TITLE: Generator Closure

DATE EFFECTIVE: 1997

KEYWORDS: RCRA, hazardous waste, storage, closure, generator

RULES: Rule citation relating to this issue: OAC 3745-300-02 (C)(7)

QUESTION: When is a generator closure required?

ANSWER: In order for a property to be considered eligible for a Covenant Not to Sue under the Voluntary Action Program, any area of the property used to store hazardous waste must be properly closed.

Properties that operated hazardous waste storage areas exempt from permit under OAC 3745-52-34 (A) (the 90-day storage limitation) are required to perform what is termed a generator closure if evidence or records indicate that spills or releases of hazardous wastes associated with a specific storage area have occurred. If the owner can document that no spills or releases have occurred in the storage area, then no generator closure is required.

Generators of hazardous waste must comply with the Closure Performance Standard (OAC 3745-66-11 (A) and (B) and OAC 3745-66-14, the requirement to properly decontaminate and dispose of all wastes related to the closure.

SUMMARY: A generator closure for an exempt facility is required for any hazardous waste storage area where spills or releases have occurred. The closure is a condition of eligibility for the VAP. The generator closure must comply with the closure performance standards. If the exempt generator can document that no spills or releases have occurred, then a closure is not required.

OHIO EPA CONTACT: For any questions concerning this issue, please contact the VAP central office at (614) 644-2924.