

DRAFT Hazardous Waste Generator Closure Factsheet

This fact sheet describes closure requirements for hazardous waste generators and facilities ceasing hazardous waste activities under the Vermont Hazardous Waste Management Regulations (VHWMR). See [Vermont Hazardous Waste Generator and Facility Closure Guidance](#) for more detailed information.

What is Closure? Under the VHWMR, a small or large quantity generator, or a permitted hazardous waste facility, no longer generating or managing hazardous waste at a site must, within 90 days of cessation of hazardous waste activities, close the site in a manner that meets closure performance standards identified in VHWMR §7-309(c). “Closure” means the removal of all hazardous wastes from the site, the cleaning of buildings to allow for safe reuse, the remediation of any environmental releases or contamination, and the decommissioning of equipment such as tanks, hazardous waste generating equipment, or hazardous waste management units. Partial closure must be conducted when a generator closes a portion of a facility, or ceases operations for an indefinite period of time.

Closure Plan. Any closure or partial-closure associated with permitted facilities is identified in the approved closure plan – part of the facility’s permit application. When a generator chooses to partially close a *portion* of hazardous waste activities, VHWMR require notification to the DEC; however, a closure plan is not required. A closure plan is required by VHWMR for *complete* cessation of hazardous waste activities.

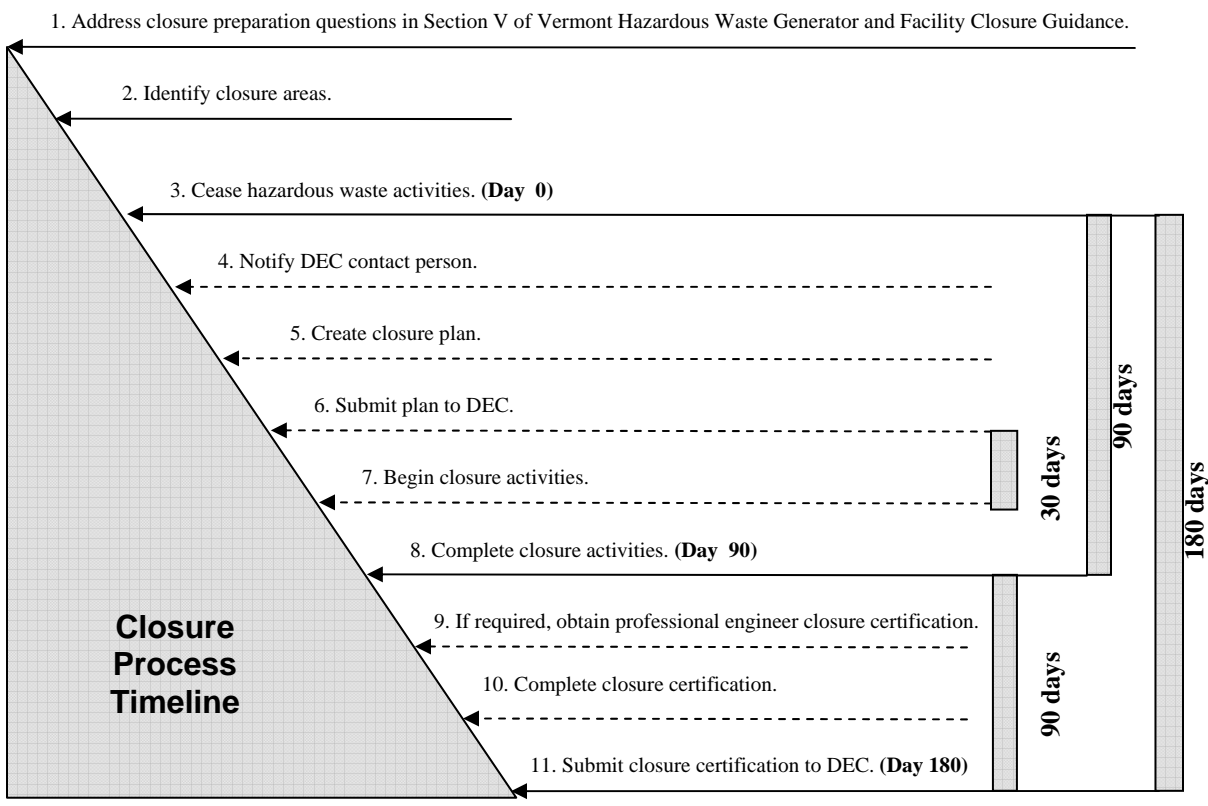
Closure Performance Standard. The general closure performance standard is: to minimize the need for further maintenance; to control, minimize or eliminate, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the groundwater or surface waters or to the atmosphere; and to comply with certain specific state and federal regulatory closure requirements – VHWMR §7-309(c)(1)(C).

If the generation site property is being sold or leased to a new party, it is important that the owner/operator of a facility seeking closure determine the appropriate level of detail to comply with closure requirements. For example, if an industrial facility is being closed and sold to a company who is installing offices and a day-care, a higher standard of care is expected in closure than if the property was sold to another industrial company.

How to Comply with Closure Performance Standard. The level of detail in a closure plan will be site specific and determined on a case-by-case basis. When a generator is ceasing all hazardous waste operations, it generally involves a closure of a building and/or the surrounding affiliated structures and grounds. This results in an overlapping of environmental regulations – there may be other state issued permits that have provisions for termination.

Closure Timeline. The closure process may be complicated depending on the situation. It is imperative that the generator begins closure preparations far in advance of the expected closure date or property sale date.

1. Generator makes decision to cease/shut-down the entire hazardous waste operations. *(At the actual point of hazardous waste activity cessation, the generator has 90 days to complete all closure process activities.)*
2. Generator begins closure plan preparation and development.
3. Generator submits closure plan to Vermont DEC. *(The generator must submit this closure plan to DEC at least 30 days prior to commencing closure activities.)*
4. Prior to implementation of closure plan, the generator should check with DEC to confer on the appropriateness of the plan.
5. 30 days after the generator has submitted the closure plan to DEC, the generator commences closure activities as identified in the closure plan.
6. Within 90 days of completing closure activities, the generator submits the certification to the Secretary of DEC.



For more information contact:

Vermont Department of Environmental Conservation:
Waste Management Division
103 South Main Street, West Bldg
Waterbury VT 05671-0404
802-241-3888