9523.1993(01)

CLARIFICATION OF "DEFINITION OF FACILITY" AND PART A MAPPING REQUIREMENTS

United States Environmental Protection Agency
Washington, D.C. 20460
Office of Solid Waste and Emergency Response

October 7, 1993

SUBJECT: Clarification of "Definition of Facility" and Part A Mapping Requirements

FROM: Jeffery D. Denit, Acting Director
Office of Solid Waste (OS-300)

TO: Hazardous Waste Division Directors
Regions I - X

The purpose of this memo is to clarify two items that surfaced during a review of five RCRA Information Collection Requests (ICRs) related to hazardous waste permitting. The first issue pertains to the definition of "facility"; the second pertains to mapping requirements on the Part A form.

1. Definition of Facility

It was brought to the attention of the Office of Solid Waste (OSW) that the use of "facility" in the different contexts of 40 CFR sections 270.14(c)(7)(i) and 270.14(d) may cause confusion, which we would like to clarify for permit writers and inspectors.

Section 270.14(c)(7)(i) requires "a description of wastes previously handled at the facility," if releases of hazardous constituents have been detected at a land disposal unit subject to Subpart F requirements. "Facility" in this context should be understood in its narrower sense as referring to the regulated facility for permitting purposes, as defined in 40 CFR section 260.10 (i.e., solid waste management units (SWMUs) brought in through section 3004(u) are not subject to this requirement). "Facility" in the context of section 270.14(d) should be understood as it is for section 3004(u) corrective action (that is, all contiguous property under the control of the facility

owner/operator).

2. Part A Mapping Requirements

The Part A map does not have to be a topographic map; the regulations specifically allow other maps "if a topographic map is unavailable" [see 270.13(1)]. Also, facilities may use a USGS or other readily available map in order to meet the Part A requirements. It is not required to have surveyors come in to develop a topographic map specifically for this purpose.

If you have any questions on this memorandum, please contact Patricia Buzzell of my staff at (703) 308-8632.

cc: Margaret Schneider; Ken Gigliello, OWPE; Evi Huffer, OPPE