

REGULATORY ACCEPTANCE OF ALTERNATIVE LANDFILL COVERS

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What Is ITRC?

ITRC Is A Unique Forum

1. We produce products focused on implementation at the working level – where the regulator interfaces with the regulated community.
2. We take responsibility to implement the products.
3. We focus on solutions.
4. The process matters. Teams become the forum for creating technical capacity, identifying areas of consensus, and building a network of trust.

Participants

- State Regulators
- Public Stakeholders
- Academia
- Federal Agencies



U.S. Department of Energy



U.S. Environmental Protection Agency



U.S. Department of Defense

- Industry Representatives
- Co-Sponsors



Environmental Council of the States

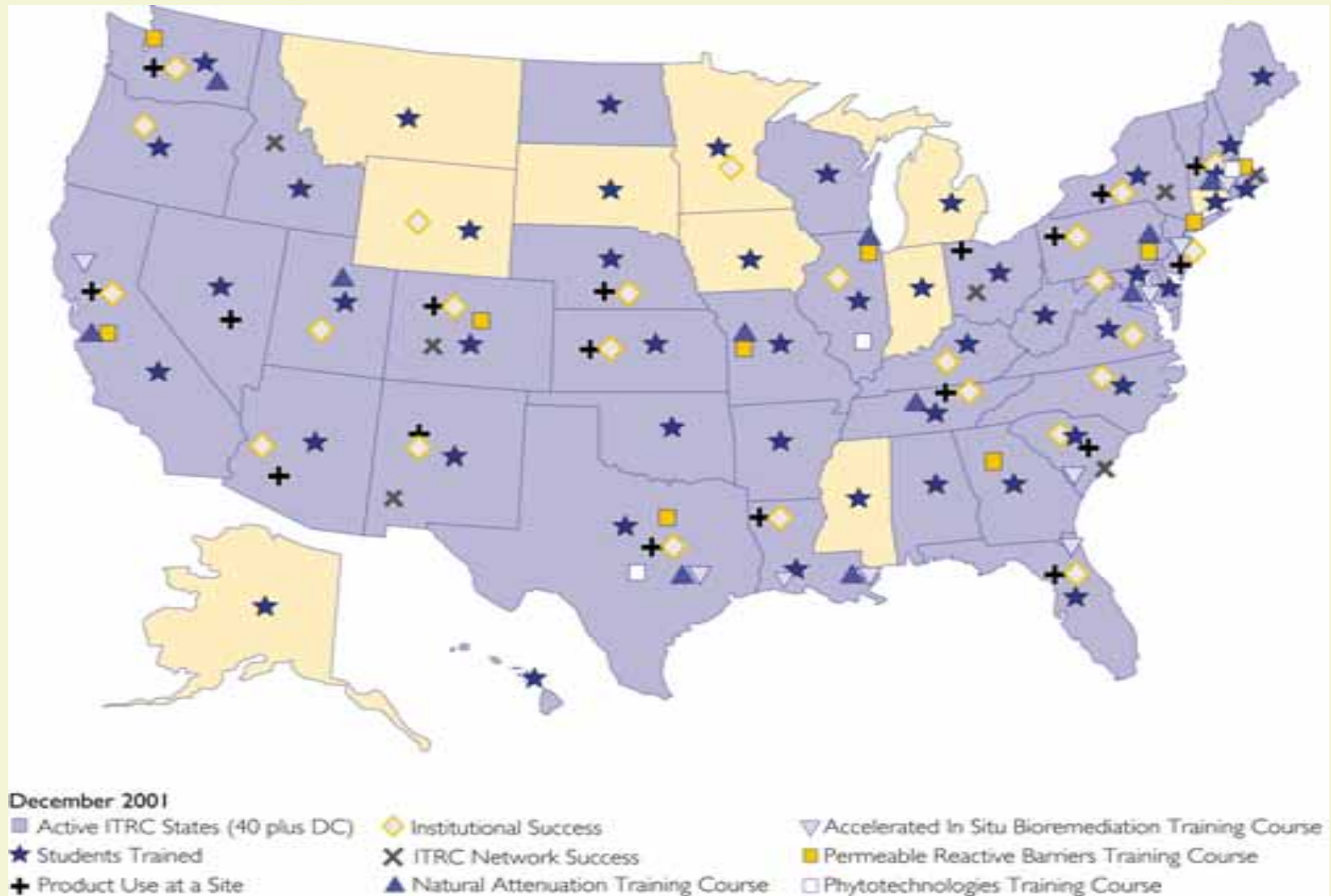


Western Governors' Association



Southern States Energy Board

Nationwide Success



Making A Measurable Impact

- Of The 15,000 Plus People Who Have Participated In ITRC Classroom And Internet Training –
 - ◆ 87% Of Those Surveyed Indicated,

“The information provided in the course/document is very useful to me and will result in time or cost savings.” □

Alternative Landfill Technologies

Regulatory Flexibility - Fact or Fiction

■ Federal Hazardous Waste Regulations (RCRA)

- Over 71% of authorized states polled by the ITRC adopted the following federal regulation allowing department managers the flexibility to implement alternative design and operating landfill requirements

§ 264.301 Design and operating requirements.

(b) The owner or operator will be exempted from the requirements of paragraph (a) of this section if the Regional Administrator finds, based on a demonstration by the owner or operator, that alternative design and operating practices, together with location characteristics, will prevent the migration of any hazardous constituents (see § 264.93) into the ground water or surface water at any future time. In deciding whether to grant an exemption, the Regional Administrator will consider:

Alternative Landfill Technologies

- The Federal Hazardous Waste Regulations (40 CFR) state in Section 264.110(c) pertaining to Closure and Post-Closure Standards that:

- (c) The Regional Administrator may replace all or part of the requirements of this subpart (and the unit-specific standards referenced in § 264.111(c) applying to a regulated unit), with alternative requirements set out in a permit or in an enforceable document (as defined in 40 CFR 270.1(c)(7)), where the Regional Administrator determines that:
- (2) It is not necessary to apply the closure requirements of this subpart (and those referenced herein) because the alternative requirements will protect human health and the environment and will satisfy the closure performance standard of § 264.111 (a) and (b).

Alternative Landfill Technologies

Federal Solid Waste Regulatory Flexibility

§ 258.60 Closure criteria.

(b) The Director of an approved State may approve an alternative final cover design that includes:

- (1) An infiltration layer that achieves an equivalent reduction in infiltration as the infiltration layer specified in paragraphs (a)(1) and (a)(2) of this section, and
- (2) An erosion layer that provides equivalent protection from wind and water erosion as the erosion layer specified in paragraph (a)(3) of this section.

In Colorado

Colorado Solid Waste Unit

- Have approved at least 6 alternative covers.

Colorado Federal Facilities Program

- Have approved 2 alternative covers.
- One additional proposal withdrawn.

Demonstration Projects

Hazardous Waste Alternative Landfill Cover Waste Demonstration Projects (7)

- Arkansas
- Colorado
- New Hampshire
- New Mexico
- Texas
- Utah
- Wisconsin

Demonstration Projects

Solid Waste Alternative Landfill Cover Demonstration Projects (18)

- Arkansas
- California
- Colorado
- Florida
- Georgia
- Hawaii
- Illinois
- Indiana
- Kansas
- Maryland
- Michigan
- Missouri
- Montana
- Nebraska
- Ohio
- Oregon
- Virginia
- Washington

Demonstration Projects

Mixed Waste Alternative Landfill Cover Demonstration Projects (8)

- Idaho
- Kentucky
- Maryland
- Nevada
- New Mexico
- New York
- Texas
- Washington

Full Scale Projects

Solid Waste Alternative Landfill Cover Full Scale Projects (9)

- California
- Colorado
- Delaware
- Michigan
- Nebraska
- Ohio
- Oregon
- Pennsylvania
- Tennessee

Alternative Landfill Technologies

ITRC Tech/Reg Guidance Document Path Forward

- Finalize Guidance Document: Fall 2003
- Initiate Internet Training: Spring 2004