

**15A NCAC 13A .0110 INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES - PART 265**

- (a) 40 CFR 265.1 through 265.4 (Subpart A), "General" are incorporated by reference including subsequent amendments and editions.
- (b) 40 CFR 265.10 through 265.19 (Subpart B), "General Facility Standards" are incorporated by reference including subsequent amendments and editions.
- (c) 40 CFR 265.30 through 265.37 (Subpart C), "Preparedness and Prevention" are incorporated by reference including subsequent amendments and editions.
- (d) 40 CFR 265.50 through 265.56 (Subpart D), "Contingency Plan and Emergency Procedures" are incorporated by reference including subsequent amendments and editions.
- (e) 40 CFR 265.70 through 265.77 (Subpart E), "Manifest System, Recordkeeping, and Reporting" are incorporated by reference including subsequent amendments and editions.
- (f) 40 CFR 265.90 through 265.94 (Subpart F), "Ground-Water Monitoring" are incorporated by reference including subsequent amendments and editions.
- (g) 40 CFR 265.110 through 265.121 (Subpart G), "Closure and Post-Closure" are incorporated by reference including subsequent amendments and editions.
- (h) 40 CFR 265.140 through 265.150 (Subpart H), "Financial Requirements" are incorporated by reference including subsequent amendments and editions, except that 40 CFR 265.143(a)(3), (a)(4), (a)(5), (a)(6), and 40 CFR 265.145(a)(3), (a)(4), (a)(5), and (a)(6) are not incorporated by reference.
  - (1) The following shall be substituted for the provisions of 40 CFR 265.143(a)(3) that are not incorporated by reference:

The owner or operator shall deposit the full amount of the closure cost estimate at the time the fund is established.
  - (2) The following shall be substituted for the provisions of 40 CFR 265.143(a)(6) and 265.145(a)(6) that are not incorporated by reference:

After the trust fund is established, whenever the current closure cost estimate changes, the owner or operator shall compare the new estimate with the trustee's most recent annual valuation of the trust fund. If the value of the fund is less than the amount of the new estimate, the owner or operator within 60 days after the change in the cost estimate, shall either deposit an amount into the fund so that its value after this deposit at least equals the amount of the current closure cost estimate, or obtain other financial assurance as specified in this Section to cover the difference.
  - (3) The following shall be substituted for the provisions of 40 CFR 265.145(a)(3) that are not incorporated by reference:
    - (A) Except as otherwise provided in Part (h)(3)(B) of this Rule, the owner or operator shall deposit the full amount of the post-closure cost estimate at the time the fund is established.
    - (B) If the Department finds that the owner or operator of an inactive hazardous waste disposal unit is unable to provide financial assurance for post-closure through any other option (e.g. surety bond, letter of credit, or corporate guarantee), a plan for annual payments to the trust fund during the interim status period shall be established by the Department by use of an order.
- (i) 40 CFR 265.170 through 265.178 (Subpart I), "Use and Management of Containers" are incorporated by reference including subsequent amendments and editions.
- (j) 40 CFR 265.190 through 265.202 (Subpart J), "Tank Systems" are incorporated by reference including subsequent amendments and editions.
- (k) 40 CFR 265.220 through 265.231 (Subpart K), "Surface Impoundments" are incorporated by reference including subsequent amendments and editions.
- (l) 40 CFR 265.250 through 265.260 (Subpart L), "Waste Piles" are incorporated by reference including subsequent amendments and editions.
- (m) 40 CFR 265.270 through 265.282 (Subpart M), "Land Treatment" are incorporated by reference including subsequent amendments and editions.
- (n) 40 CFR 265.300 through 265.316 (Subpart N), "Landfills" are incorporated by reference including subsequent amendments and editions.
- (o) 40 CFR 265.340 through 265.369 (Subpart O), "Incinerators" are incorporated by reference including subsequent amendments and editions.

- (p) 40 CFR 265.370 through 265.383 (Subpart P), "Thermal Treatment" are incorporated by reference including subsequent amendments and editions.
- (q) 40 CFR 265.400 through 265.406 (Subpart Q), "Chemical, Physical, and Biological Treatment" are incorporated by reference including subsequent amendments and editions.
- (r) 40 CFR 265.440 through 265.445 (Subpart W), "Drip Pads" are incorporated by reference including subsequent amendments and editions.
- (s) 40 CFR 265.1030 through 265.1049 (Subpart AA), "Air Emission Standards for Process Vents" are incorporated by reference including subsequent amendments and editions.
- (t) 40 CFR 265.1050 through 265.1079 (Subpart BB), "Air Emission Standards for Equipment Leaks" are incorporated by reference including subsequent amendments and editions.
- (u) 40 CFR 265.1080 through 265.1091 (Subpart CC), "Air Emission Standards for Tanks, Surface Impoundments, and Containers" are incorporated by reference including subsequent amendments and editions.
- (v) 40 CFR 265.1100 through 265.1110 (Subpart DD), "Containment Buildings" are incorporated by reference including subsequent amendments and editions.
- (w) 40 CFR 265.1200 through 265.1202 (Subpart EE), "Hazardous Waste Munitions and Explosives Storage" are incorporated by reference including subsequent amendments and editions.
- (x) Appendices to 40 CFR Part 265 are incorporated by reference including subsequent amendments and editions.

*History Note: Authority G.S. 130A-294(c);  
Eff. November 19, 1980;  
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Transferred and Recodified from 10 NCAC 10F .0033 Eff. April 4, 1990;  
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