



At a Glance

Why We Did This Review

We evaluated whether the U.S. Environmental Protection Agency (EPA) and authorized states have safeguards to control long-term risks of hazardous waste disposal beyond the 30-year post-closure care period.

The EPA regulates hazardous waste disposal under the Resource Conservation and Recovery Act (RCRA). Regulations require that owners maintain and monitor closed disposal units for a period that lasts 30 years. This is called the post-closure care period. The EPA authorized 48 states to implement the RCRA hazardous waste program within their state. Leaks from disposed waste could contaminate ground water, resulting in loss of water supply, high cleanup costs and potential health problems. Over 1,500 units are closed with waste in place across the nation.

This report addresses the following EPA goal or cross-agency strategy:

- *Cleaning up communities and advancing sustainable development.*

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The full report is at: www.epa.gov/oig/reports/2015/20150617-15-P-0169.pdf

Some Safeguards in Place for Long-Term Care of Disposed Hazardous Waste, But Challenges Remain

What We Found

Long-term risks at closed RCRA hazardous waste disposal units with waste left in place are partly addressed by legal and operational safeguards. For example, RCRA regulations require that the implementing authority—which in most cases is a state environmental director—make a site-specific determination on whether unacceptable risks remain at the end of the planned post-closure care period. In addition, RCRA provides a safeguard through corrective action and other enforcement authorities that the EPA and authorized states can use to address cleanup needs at facilities undergoing post-closure care.

States have exercised their authority, extending post-closure care and associated financial assurance when unacceptable risks remain. One state also ended post-closure care and established other long-term care arrangements under an environmental covenant. If long-term problems arise after post-closure care, the implementing authority may be able to address these problems using its RCRA enforcement authority.

The challenges to effective long-term care that remain include:

- The EPA has not finalized its guidance on criteria for determining whether human health and the environment will be protected if post-closure care ends. The EPA missed its commitment to issue the guidance in 2013. States have made decisions on adjusting the care period without benefit of national guidance on criteria that should be considered.
- Eighteen states do not have environmental covenant statutes that strengthen controls for long-term protection of land use.
- The EPA and state hazardous waste programs will have an increased workload as more units reach the end of their expected 30-year post-closure care periods.

Safe disposal of hazardous waste requires commitment to long-term care of closed disposal units.

For more information on hazardous waste disposal units and cleanups near you, visit the EPA's *Cleanups in My Community* website at <http://www2.epa.gov/cleanups/cleanups-my-community>.

Recommendations and Planned Agency Corrective Actions

We recommend that the EPA finalize the guidance on adjusting the post-closure care period, and provide information on the benefits of implementing controls afforded through environmental covenant statutes. The EPA agreed with all recommendations and provided acceptable corrective actions and completion dates.