Environmental Protection Agency

§ 258.28 Liquids restrictions.

(a) Bulk or noncontainerized liquid waste may not be placed in MSWLF units unless:
   (1) The waste is household waste other than septic waste;
   (2) The waste is leachate or gas condensate derived from the MSWLF unit and the MSWLF unit, whether it is a new or existing MSWLF, or lateral expansion, is designed with a composite liner and leachate collection system as described in § 258.40(a)(2) of this part. The owner or operator must place the demonstration in the operating record and notify the State Director that it has been placed in the operating record; or
   (3) The MSWLF unit is a Project XL MSWLF and meets the applicable requirements of § 258.41. The owner or operator must place documentation of the landfill design in the operating record and notify the State Director that it has been placed in the operating record.

(b) Containers holding liquid waste may not be placed in a MSWLF unit unless:
   (1) The container is a small container similar in size to that normally found in household waste;
   (2) The container is designed to hold liquids for use other than storage; or
   (3) The waste is household waste.

(c) For purposes of this section:
   (1) Liquid waste means any waste material that is determined to contain “free liquids” as defined by Method 9095B (Paint Filter Liquids Test), included in “Test Methods for Evaluating Solid Waste, Physical/Chemical Methods” (EPA Publication SW-846) which is incorporated by reference. A suffix of “B” in the method number indicates System (NPDES) requirements, pursuant to section 402.
   (b) Cause the discharge of a nonpoint source of pollution to waters of the United States, including wetlands, that violates any requirement of an area-wide or State-wide water quality management plan that has been approved under section 303 or 319 of the Clean Water Act, as amended.

§ 258.27 Surface water requirements.

MSWLF units shall not:

(a) Cause a discharge of pollutants into waters of the United States, including wetlands, that violates any requirements of the Clean Water Act, including, but not limited to, the National Pollutant Discharge Elimination System (NPDES) requirements, pursuant to section 402.