

**§§ 265.305–265.308**

minimizes head in the sump. The timing for submission and approval of the proposed “pump operating level” will be in accordance with § 265.302(a).

[57 FR 3495, Jan. 29, 1992]

**§§ 265.305–265.308 [Reserved]**

**§ 265.309 Surveying and record-keeping.**

The owner or operator of a landfill must maintain the following items in the operating record required in § 265.73:

- (a) On a map, the exact location and dimensions, including depth, of each cell with respect to permanently surveyed benchmarks; and
- (b) The contents of each cell and the approximate location of each hazardous waste type within each cell.

**§ 265.310 Closure and post-closure care.**

(a) At final closure of the landfill or upon closure of any cell, the owner or operator must cover the landfill or cell with a final cover designed and constructed to:

- (1) Provide long-term minimization of migration of liquids through the closed landfill;
- (2) Function with minimum maintenance;
- (3) Promote drainage and minimize erosion or abrasion of the cover;
- (4) Accommodate settling and subsidence so that the cover’s integrity is maintained; and
- (5) Have a permeability less than or equal to the permeability of any bottom liner system or natural subsoils present.

(b) After final closure, the owner or operator must comply with all post-closure requirements contained in §§ 265.117 through 265.120 including maintenance and monitoring throughout the post-closure care period. The owner or operator must:

- (1) Maintain the integrity and effectiveness of the final cover, including making repairs to the cover as necessary to correct the effects of settling, subsidence, erosion, or other events;
- (2) Maintain and monitor the leak detection system in accordance with §§ 264.301(c)(3)(iv) and (4) of this chapter and 265.304(b), and comply with all

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other applicable leak detection system requirements of this part;

(3) Maintain and monitor the groundwater monitoring system and comply with all other applicable requirements of subpart F of this part;

(4) Prevent run-on and run-off from eroding or otherwise damaging the final cover; and

(5) Protect and maintain surveyed benchmarks used in complying with § 265.309.

[50 FR 16048, Apr. 23, 1985, as amended at 57 FR 3495, Jan. 29, 1992]

**§ 265.311 [Reserved]**

**§ 265.312 Special requirements for ignitable or reactive waste.**

(a) Except as provided in paragraph (b) of this section, and in § 265.316, ignitable or reactive waste must not be placed in a landfill, unless the waste and landfill meets all applicable requirements of 40 CFR part 268, and:

(1) The resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste under § 261.21 or § 261.23 of this chapter; and

(2) Section 265.17(b) is complied with.

(b) Except for prohibited wastes which remain subject to treatment standards in subpart D of part 268, ignitable wastes in containers may be landfilled without meeting the requirements of paragraph (a) of this section, provided that the wastes are disposed of in such a way that they are protected from any material or conditions which may cause them to ignite. At a minimum, ignitable wastes must be disposed of in non-leaking containers which are carefully handled and placed so as to avoid heat, sparks, rupture, or any other condition that might cause ignition of the wastes; must be covered daily with soil or other non-combustible material to minimize the potential for ignition of the wastes; and must not be disposed of in cells that contain or will contain other wastes which may generate heat sufficient to cause ignition of the waste.

[47 FR 32368, July 26, 1982, as amended at 55 FR 22686, June 1, 1990; 71 FR 40276, July 14, 2006]