**Facility Name:** Click here to enter text.

**EPA ID:** Click here to enter text.

**Agency Interest ID:** Click here to enter text.

**Instructions:** In order to help expedite the review process, please submit the following with the permit application:

1. Part I – Closure, Post-Closure Plans and Financial Requirements Checklist. Columns “Submitted” and “Location in Application” must be completed by the applicant. Failure to do so may result in an Administrative Notice of Deficiency by the Division. The “Technically Adequate” column is for use by KDWM staff.
2. A fee for facility investigation shall be as required by KRS 224.46-016(4) and 224.46-018(5)(a). A fee for corrective action shall be as required by KRS 224.46-016(4) and 224.46-018(5)(b).

*\*Notes: Y for Yes. N for No. NA for Not Applicable.*

| ***Section and Requirement*** | ***Regulation******(Federal or State)*** | ***Submitted****(Y/N/NA)\** | ***Location in Application*** | ***Technically Adequate****(Y/N)\** | ***Comments*** |
| --- | --- | --- | --- | --- | --- |
| **I.1** | **Closure Plan** | 270.14(b)(13) |  |  |  | *The applicant must submit a closure plan and if applicable, a post-closure plan.* |
|  | **I.1.1 Closure Performance Standard**A description to demonstrate that the facility, including how each hazardous waste management unit at the facility, will be closed in a manner that:  | 264.111; 264.112(b)(1) |  |  |  | *This checklist shall apply to partial and/or final closure of the facility.* |
|  | 1. Minimizes the need for further maintenance.
 | 264.111(a) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. Controls, minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground or surface waters or to the atmosphere.
 | 264.111(b) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. Complies with the closure requirements of 40 CFR Part 264 Subpart G and unit-specific closure requirements.
 | 264.111(c) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | **I.1.2 Closure Activities**Provide the following information: | 264.112(b) |  |  |  | *The plan must identify steps necessary to perform partial and/or final closure of the facility at any point during its active life.* |
|  | 1. For final closure of the facility, in addition to information requested in *Checklist I.1.1* above, the description must identify the maximum extent of the operations which will be unclosed during the active life of the facility.
 | 264.112(b)(2) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. An estimate of the maximum inventory of hazardous wastes ever on-site over the active life of the facility and a detailed description of the methods to be used to remove the inventory during partial closures and final closure.
 | 264.112(b)(3) | Click here to enter text. | Click here to enter text. |  | *Methods to be used include, but not limited to, methods for removing, transporting, treating, storing, or disposing of all hazardous wastes, and identification of the type(s) of the off-site hazardous waste management units to be used, if applicable.* |
|  | 1. A detailed description of the steps needed to remove or decontaminate all hazardous waste residues and contaminated containment system components, equipment, structures, and soils during partial and final closure.
 | 264.112(b)(4)401 KAR 39:090 Sec 8 (1) | Click here to enter text. | Click here to enter text. |  | *The description shall include, but not limited to, procedures for cleaning equipment and removing contaminated soils, methods for sampling and testing surrounding soils, and criteria for determining the extent of decontamination required to satisfy the closure performance standard.* |
|  | 1. A detailed description of other activities necessary to satisfy *Checklist I.1.1* above, including, but not limited to, ground-water monitoring, leachate collection, and run-on and run-off control.
 | 264.112(b)(5) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. A schedule for closure of each hazardous waste management unit and for final closure of the facility. The schedule must include, at a minimum, the total time required to close each hazardous waste management unit and the time required for intervening closure activities which will allow tracking of the progress of partial and final closure. This schedule shall comply with:
* All hazardous waste must be treated, removed from the unit of facility or dispose of on-site within 90 days after receiving the final volume of hazardous or non-hazardous wastes.
* All partial and final closure activities must be completed within 180 days after receiving the final volume of hazardous or non-hazardous wastes.
 | 264.112(b)(6); 264.113(a) and (b)401 KAR 39:090 Sec 8 (8) | Click here to enter text. | Click here to enter text. |  | *If an extension to the closure period is required, applicant shall submit an extension request that complies with the requirements in 40 CFR Part 264.113(a) and (b).*  |
|  | 1. For facilities that use trust funds to establish financial assurance under 40 CFR Part 264.143 or 264.145 and that are expected to close prior to the expiration of the permit, an estimate of the expected year of final closure.
 | 264.112(b)(7) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | **I.1.3 Closure of Containers** Provide the following information: | 264.178; 264.112(b)(3) |  |  |  |  |
|  | 1. An estimate of the on-site maximum inventory of hazardous wastes in containers over the active life of the facility.
 | 264.112(b)(3) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. A description of how all hazardous waste and hazardous waste residues will be removed from the containment system.
 | 264.178 | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. A description of how the remaining containers, liners, bases, and soil containing or contaminated with hazardous waste or hazardous waste residues will be decontaminated or removed.
 | 264.178 | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | **I.1.4 Closure of Tanks**Provide the following information: | 264.197; 264.112(b)(3) |  |  |  |  |
|  | 1. An estimate of the on-site maximum inventory of hazardous wastes in tanks over the active life of the facility.
 | 264.112(b)(3) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. A description of how all waste residues, contaminated containment system components (liners, etc.), contaminated soils, and structures and equipment contaminated with waste, will be removed or decontaminated and managed as hazardous waste.
 | 264.197(a); 264.197(b) | Click here to enter text. | Click here to enter text. |  | *If applicant demonstrates that not all contaminated soils can be practicably removed or decontaminated, the tank system must be closed in accordance with the closure, post-closure, and financial responsibility requirements for landfills. (See applicable Checklist I.1.7, I.2 through I.8 below)* |
|  | 1. If a tank system does not have secondary containment and is not exempt from the secondary containment requirements:
* A closure plan that includes both a plan for complying with *Checklist I.1.4.ii* above and a contingent plan for complying with requirements of a tank system that will be closed as landfill (See comments in *Checklist I.1.4.ii* above).
* A contingent post-closure plan for complying with requirements of a tank system that will be closed as landfill (See comments in *Checklist I.1.4.ii* above).
 | 264.197(c) | Click here to enter text. | Click here to enter text. |  | *The secondary containment shall meet the requirements of 40 CFR Part 264.193(b) through (f). The secondary containment exemption shall be in accordance with 40 CFR Part 264.193(g).*  |
|  | * The cost estimates calculated for closure and post-closure care must reflect the costs of complying with the contingent closure plan and the contingent post-closure plan, if those costs are greater than the costs of complying with the closure plan prepared for the expected closure under *Checklist I.1.4.ii* above.
 |  | Click here to enter text. | Click here to enter text. |  | *Financial assurance must be based on the cost estimates in this specific checklist item.* |
|  |  |  |  |  |  |  |
|  | **I.1.5 Closure of Incinerators**Description of how at closure, all hazardous waste and hazardous waste residues will be removed from the incinerator, associated ductwork, piping, air pollution control equipment, sumps, and any other structures or operating equipment such as pumps, valves, etc., that have come into contact with the hazardous waste. Alternatively, a description of how the incinerator and associated units and equipment will be dismantled and disposed of as a hazardous waste will suffice. | 264.351 | Click here to enter text. | Click here to enter text. |  | *Hazardous waste residues shall include, but not limited to, ash, scrubber waters, and scrubber sludge.*  |
|  | **I.1.6 Closure of Surface Impoundments**Provide the following information:  | 270.17(f); 264.228 |  |  |  | *The applicant has the option of closing the surface impoundment using procedures in Checklist I.1.6.i or Checklist I.1.6.ii.*  |
|  | 1. Description of how to remove or decontaminate all waste residues, contaminated containment system components (liners, etc.), contaminated subsoils, and structures and equipment contaminated with waste and leachate, and manage them as hazardous waste unless 40 CFR Part 261.3(d) applies.
 | 264.228(a)(1) and (b) | Click here to enter text. | Click here to enter text. |  | *If some waste residues or contaminated materials will be or are left in place at final closure, the applicant must comply with all the applicable post-closure requirements stated in 40 CFR Part 264.228(b) (See applicable Checklist I.2 through I.8 below).* |
|  | 1. Description of how to:
* Eliminate free liquids by removing liquid wastes or solidifying the remaining wastes and waste residues;
* Stabilize remaining wastes to a bearing capacity sufficient to support final cover; and
* Cover the surface impoundment with a final cover designed and constructed to:
* Provide long-term minimization of the migration of liquids through the closed impoundment;
* Function with minimum maintenance;
* Promote drainage and minimize erosion or abrasion of the final cover;
* Accommodate settling and subsidence so that the cover's integrity is maintained; and
* Have a permeability less than or equal to the permeability of any bottom liner system or natural subsoils present.
 | 264.228(a)(2) | Click here to enter text. | Click here to enter text. |  | *The applicant shall provide engineering details on the final cover.*  |
|  | 1. For impoundment that does not comply with the liner requirements of 40 CFR Part 264.221(a) and is not exempt from them in accordance with 40 CFR Part 264.221(b):
* State the reasons why the impoundment does not comply with the liner requirements.
* The closure plan for the impoundment must include both a plan for complying with *Checklist I.1.6.i* above and a contingent plan for complying with *Checklist I.1.6.ii* above in case not all contaminated subsoils can be practicably removed at closure; and
* A contingent post-closure plan in case not all contaminated subsoils can be practicably removed at closure (See comments in *Checklist I.1.6.i* above).
* The cost estimates calculated for closure and post-closure care of an impoundment must include the cost of complying with the contingent closure plan and the contingent post-closure plan, but are not required to include the cost of expected closure under *Checklist I.1.6.i* above.
 | 264.228(c)(1) and (2) | Click here to enter text. | Click here to enter text. |  | *This checklist item only applies if the applicant plans to close a surface impoundment in accordance with Checklist I.1.6.i above.* |
|  | **I.1.7 Closure of Landfills** Description of how the applicant will cover the landfill or cell with a final cover that is designed and constructed to:* Provide long-term minimization of migration of liquids through the closed landfill;
* Function with minimum maintenance;
* Promote drainage and minimize erosion or abrasion of the cover;
* Accommodate settling and subsidence so that the cover's integrity is maintained; and
* Have a permeability less than or equal to the permeability of any bottom liner system or natural subsoils present.
 | 270.21(e); 264.310(a) | Click here to enter text. | Click here to enter text. |  | *The applicant shall provide engineering details on the final cover.* |
|  | **I.1.8 Closure of Waste Piles**Provide the following information: | 270.18(h); 264.258 |  |  |  |  |
|  | 1. Description of how to remove or decontaminate all waste residues, contaminated containment system components (liners, etc.), contaminated subsoils, and structures and equipment contaminated with waste and leachate, and manage them as hazardous waste unless 40 CFR Part 261.3(d) applies.
 | 264.258(a) and (b) | Click here to enter text. | Click here to enter text. |  | *If not all contaminated subsoils can be practicably removed or decontaminated, the applicant must perform post-closure care in accordance with the closure and post-closure care requirements that apply to landfills (40 CFR Part 264.310). (See applicable Checklist I.2 through I.8 below)* |
|  | 1. For waste pile that does not comply with the liner requirements of 40 CFR Part 264.251(a)(1) and is not exempt from them in accordance with 40 CFR Part 264.250(c) or 264.251(b):
* State the reasons why the waste pile does not comply with the liner requirements.
* The closure plan for the waste pile must include both a plan for complying with *Checklist I.1.8.i* above and a contingent plan for complying with post-closure care requirements (See comments in *Checklist I.1.8.i* above) in case not all contaminated subsoils can be practicably removed at closure; and
* A contingent post-closure plan in case not all contaminated subsoils can be practicably removed at closure (See comments in *Checklist I.1.8.i* above).
* The cost estimates calculated for closure and post-closure care of a waste pile must include the cost of complying with the contingent closure plan and the contingent post-closure plan, but are not required to include the cost of expected closure under *Checklist I.1.8.i* above.
 | 264.258(c) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | **I.1.9 Closure of Land Treatment Facilities**Demonstrate that during closure period, the applicant will: | 264.280(a) |  |  |  |  |
|  | 1. Continue all operations (including pH control) necessary to maximize degradation, transformation, or immobilization of hazardous constituents within the treatment zone.
 | 264.280(a)(1) | Click here to enter text. | Click here to enter text. |  | *Except to the extent such measures are inconsistent with Checklist I.1.9.viii below.* |
|  | 1. Continue all operations in the treatment zone to minimize run-off of hazardous constituents.
 | 264.280(a)(2) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. Maintain the run-on control system.
 | 264.280(a)(3) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. Maintain the run-off management system.
 | 264.280(a)(4) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. Control wind dispersal of hazardous waste if required under 40 CFR Part 264.273(f).
 | 264.280(a)(5) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. Continue to comply with any prohibitions or conditions concerning growth of food-chain crops under 40 CFR Part 264.276.
 | 264.280(a)(6) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. Continue unsaturated zone monitoring except that soil-pore liquid monitoring may be terminated 90 days after the last application of waste to the treatment zone.
 | 264.280(a)(7) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. Establish a vegetative cover on the portion of the facility being closed at such time that the cover will not substantially impede degradation, transformation, or immobilization of hazardous constituents in the treatment zone. The vegetative cover must be capable of maintaining growth without extensive maintenance.
 | 264.280(a)(8) | Click here to enter text. | Click here to enter text. |  | *This checklist may not apply if applicant demonstrates compliance with 40 CFR Part 264.280(d).* |
|  | **I.1.10 Closure of Boilers and Industrial Furnaces (BIFs)**Provide the following information: | 266.102(a)(2)(vii) |  |  |  |  |
|  | 1. Description of how at closure, all hazardous waste and hazardous waste residues will be removed from the BIFs, associated ductwork, piping, air pollution control equipment, sumps, and any other structures or operating equipment such as pumps, valves, etc., that have come into contact with the hazardous waste. Alternatively, a description of how the BIFs and associated units and equipment will be dismantled and disposed of as a hazardous waste will suffice.
 |  | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. If any wastes, waste residues, contaminated components, subsoils, structures or equipment will remain after closure, provide plans for closing the BIF unit as a landfill (40 CFR Part 264.310) and provide a post-closure care plan (See *Checklist I.2.4* below).
 |  | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | **I.1.11 Closure of Containment Buildings**Provide the following information: | 264.1102 |  |  |  |  |
|  | 1. A description of how all waste residues, contaminated containment system components (liners, etc.), contaminated soils, and structures and equipment contaminated with waste, will be removed or decontaminated and managed as hazardous waste.
 |  | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. If not all contaminated subsoils can be practicably removed or decontaminated, the applicant must perform post-closure care in accordance with the closure and post-closure care requirements that apply to landfills (40 CFR Part 264.310). (See *Checklist I.2.4* below)
 |  | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | **I.1.12 Closure of Miscellaneous Unit**Applicant shall provide the closure information requested in unit-specific *Checklist I.1.3* to *I.1.11* above that is most appropriate for the miscellaneous unit.  | 270.23(a)(2) | Click here to enter text. | Click here to enter text. |  | *Applicant must close the miscellaneous unit in a manner that will ensure protection of human health and the environment.* |
| **I.2** | **Post-Closure Plans** | 270.14(b)(13); 264.117 through 264.120 |  |  |  | *Applicant of a hazardous waste disposal unit must have a written post-closure plan.*  |
|  | **I.2.1 Inspection Plan** A description of the inspections to be conducted during the post-closure care period, their frequency, the inspection procedures, and the logs to be kept. The following items, as applicable, should be included in the inspection plan:* Security control devices
* Erosion damage
* Cover settlement, subsidence and displacement
* Vegetative cover condition
* Integrity of run-on and run-off control measures
* Cover drainage system function
* Leachate collection/detection and removal system maintenance
* Gas venting system
* Well condition
* Benchmark integrity
 | 264.118(a) and (b) | Click here to enter text. | Click here to enter text. |  | *The description shall apply to each hazardous waste management unit that is subject to post-closure requirements. The post-closure plan must identify the activities that will be carried on after closure of each disposal unit and the frequency of these activities.*  |
|  | **I.2.2 Monitoring Plan**A description of the monitoring to be conducted during the post-closure care period, their frequency, including, as applicable, the procedures for conducting the following operations and evaluating the data gathered should include:* Groundwater monitoring (Use Part E – Groundwater Monitoring checklist)
* Leachate collection/detection and removal
 | 264.118(a) and (b) | Click here to enter text. | Click here to enter text. |  | *The description shall apply to each hazardous waste management unit that is subject to post-closure requirements. The post-closure plan must identify the activities that will be carried on after closure of each disposal unit and the frequency of these activities.* |
|  | **I.2.3 Maintenance Plan**A description of preventative and corrective maintenance procedures, equipment procedures, equipment requirements and material needs, as well as their frequency. Include the following items in the maintenance plan, as applicable:* The integrity of the cap and final cover or other containment systems.
* The function of the monitoring equipment.
* Repair of security control devices.
* Erosion damage repair.
* Correction of settlement, subsidence and displacement.
* Mowing, fertilization and other vegetative cover maintenance.
* Repair of run-on and run-off control structures.
* Leachate collection/detection system maintenance.
* Well replacement.
* The rationale to be used to determine the need for corrective maintenance activities.
 | 264.118(a) and (b) | Click here to enter text. | Click here to enter text. |  | *The description shall apply to each hazardous waste management unit that is subject to post-closure requirements. The post-closure plan must identify the activities that will be carried on after closure of each disposal unit and the frequency of these activities.* |
|  | **I.2.4 Post-Closure Care for Landfill**Provide the following description: | 264.310(b) |  |  |  | *In addition to the applicable information requested in Checklist I.2.1 through I.2.3 above, the applicant shall also use this checklist for unit(s) that will be closed as landfill.*  |
|  | 1. How to maintain the integrity and effectiveness of the final cover, including making repairs to the cap as necessary to correct the effects of settling, subsidence, erosion, or other events.
 | 264.310(b)(1) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. Continuation to operate the leachate collection and removal system until leachate is no longer detected.
 | 264.310(b)(2) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. How to maintain and monitor the leak detection system in accordance with 40 CFR Part 264.301(c)(3)(iv) and (4), and 264.303(c), as well as comply with all other applicable leak detection system requirements.
 | 264.310(b)(3) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. How to maintain and monitor the groundwater monitoring system and comply with all other applicable requirements of 40 CFR Part 264 Subpart F.
 | 264.310(b)(4) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. How to prevent run-on and run-off from eroding or otherwise damaging the final cover.
 | 264.310(b)(5) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. How to protect and maintain surveyed benchmarks used in complying with 40 CFR Part 264.309.
 | 264.310(b)(6) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | **I.2.5 Post-Closure Care for Surface Impoundment** Provide the following description: | 264.228(b) |  |  |  | *In addition to the applicable information requested in Checklist I.2.1 through I.2.3 above, the applicant shall provide information requested in this checklist.*  |
|  | 1. How to maintain and monitor the leak detection system in accordance with 40 CFR Part 264.221(c)(2)(iv) and (3) and 264.226(d), as well as comply with all other applicable leak detection system requirements.
 | 264.228(b)(2) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. How to maintain the integrity and effectiveness of the final cover, including making repairs to the cap as necessary to correct the effects of settling, subsidence, erosion, or other events.
 | 264.228(b)(1) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. How to maintain and monitor the groundwater monitoring system and comply with all other applicable requirements of 40 CFR Part 264 Subpart F.
 | 264.228(b)(3) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. How to prevent run-on and run-off from eroding or otherwise damaging the final cover.
 | 264.228(b)(4) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | **I.2.6 Post-Closure Care for Land Treatment Facilities** Demonstrate that during post-closure care period, the applicant will: | 264.280(c) |  |  |  | *In addition to the applicable information requested in Checklist I.2.1 through I.2.3 above, the applicant shall provide information requested in this checklist. This checklist may not apply if applicant demonstrates compliance with 40 CFR Part 264.280(d).* |
|  | 1. Continue all operations (including pH control) necessary to enhance degradation and transformation and sustain immobilization of hazardous constituents in the treatment zone to the extent that such measures are consistent with other post-closure care activities.
 | 264.280(c)(1) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. Maintain a vegetative cover over closed portions of the facility.
 | 264.280(c)(2) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. Maintain the run-on control system.
 | 264.280(c)(3) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. Maintain the run-off management system.
 | 264.280(c)(4) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. Control wind dispersal of hazardous waste.
 | 264.280(c)(5) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. Continue to comply with any prohibitions or conditions concerning growth of food-chain crops.
 | 264.280(c)(6) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. Continue unsaturated zone monitoring except that soil-pore liquid monitoring may be terminated 90 days after the last application of waste to the treatment zone.
 | 264.280(c)(7) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | **I.2.7 Post-Closure Care for Miscellaneous Unit**A detailed description of the procedures to ensure protection of human health and the environment, include the prevention of any releases to groundwater or subsurface environment, surface water or wetlands or on the soil surface; or to air.  | 270.23(a)(3); 264.603 | Click here to enter text. | Click here to enter text. |  | *This checklist applies to miscellaneous unit that is a disposal unit and a treatment or storage unit that has contaminated soils or ground water that cannot be completely removed or decontaminated during closure.* |
|  | **I.2.8 Post-Closure Security**Provide the following information: | 264.117(b) and (c) |  |  |  |  |
|  | 1. During post-closure care period, if hazardous waste may remain exposed, or access by the public or domestic livestock may pose a hazard to human health, describe which security provisions (40 CFR Part 264.14) will continue.
 | 264.117(b) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. Demonstrate that post-closure use of property on or in which hazardous wastes remain after partial or final closure will never disturb the integrity of the final cover, liner(s), or any other components of the containment system, or the function of the facility's monitoring systems.
 |  | Click here to enter text. | Click here to enter text. |  | *This checklist item is not applicable if applicant demonstrates that the disturbance is (1) Is necessary to the proposed use of the property, and will not increase the potential hazard to human health or the environment; or (2) Is necessary to reduce a threat to human health or the environment.* |
|  | **I.2.9 Post-Closure Contact**Provide the name, address, and phone number of the person or office to contact about the hazardous waste disposal unit or facility during the post-closure care period. | 264.118(b)(3) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
| **I.3** | **Notification Requirement for Disposal Facilities**  | 270.14(b)(13) |  |  |  |  |
|  | **I.3.1 Closure Certification**A statement by the applicant which indicates that within 60 days of completion of closure of each hazardous waste surface impoundment, waste pile, land treatment, and landfill unit, and within 60 days of the completion of final closure, the applicant will submit to the Division, by registered mail, a certification that the hazardous waste management unit or facility, as applicable, has been closed in accordance with the specifications in the approved closure plan. | 264.115; 264.280 | Click here to enter text. | Click here to enter text. |  | *The certification must be signed by the owner or operator and by a qualified independent Professional Engineer registered in the Commonwealth of Kentucky (or by an independent qualified soil scientist in the case of a land treatment closure).*  |
|  | **I.3.2 Survey Plat**A statement by the applicant which indicates that no later than the submission of the certification of closure of each hazardous waste disposal unit, the applicant will submit to the local zoning authority, or the authority with jurisdiction over local land use, and to the Division, a survey plat indicating the location and dimensions of landfill cells or other hazardous waste disposal units with respect to permanently surveyed benchmarks.  | 264.116 | Click here to enter text. | Click here to enter text. |  | *This plat must be prepared and certified by a professional land surveyor. The plat must contain a note, prominently displayed, which states the owner's or operator's obligation to restrict disturbance of the hazardous waste disposal unit in accordance with the applicable 40 CFR Part 264 Subpart G regulations.* |
|  | **I.3.3 Post-Closure Certification**A statement by the applicant which indicates that no later than 60 days after completion of the established post-closure care period for each hazardous waste disposal unit, the applicant will submit to the Division, by registered mail, a certification that the post-closure care period for the hazardous waste disposal unit was performed in accordance with the specifications in the approved post-closure plan.  | 264.120 | Click here to enter text. | Click here to enter text. |  | *The certification must be signed by the owner or operator and by a qualified independent Professional Engineer registered in the Commonwealth of Kentucky.* |
|  | **I.3.4 Post-Closure Notices**Provide the following information: | 270.14(b)(14); 264.119 |  |  |  |  |
|  | 1. A statement by the applicant which indicates that no later than 60 days after certification of closure of each hazardous waste disposal unit, the owner or operator will submit to the local zoning authority, or the authority with jurisdiction over local land use, and to the Division a record of the type, location, and quantity of hazardous wastes disposed of within each cell or other disposal unit of the facility.
 | 264.119(a) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. A statement by the applicant which indicates that the owner or operator will record a notation on the deed to the facility property or on some other instrument which is normally examined during title search, that will in perpetuity notify any potential purchaser of the property that:
* The land has been used to manage hazardous wastes; and
* Its use is restricted under 40 CFR part 264, subpart G regulations; and
* The survey plat and record of the type, location, and quantity of hazardous wastes disposed of within each cell or other hazardous waste disposal unit of the facility required have been filed with the local zoning authority or the authority with jurisdiction over local land use and with the Division.
 | 264.119(b) | Click here to enter text. | Click here to enter text. |  | *This notation must be done within 60 days of certification of closure of the first hazardous waste disposal unit and within 60 days of certification of closure of the last hazardous waste disposal unit. Owner or operator must submit a certification, signed by the owner or operator, that he has recorded the notation including a copy of the document in which the notation has been placed, to the Division.* |
| **I.4** | **Closure Cost Estimate**The applicant shall comply, at the minimum, with the following requirements when submitting the closure cost estimate: | 270.14(b)(15); 264.142 |  |  |  | *The applicant must have a detailed written estimate, in current dollars, of the cost of closing the facility. Estimate must be adjusted for annual inflation as specified in 40 CFR Part 264.142(b).*  |
|  | 1. The estimate must equal the cost of final closure at the point in the facility's active life when the extent and manner of its operation would make closure the most expensive.
 | 264.142(a)(1) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. The estimate must be based on the costs to the owner or operator of hiring a third party to close the facility.
 | 264.142(a)(2) | Click here to enter text. | Click here to enter text. |  | *The applicant may use costs for on-site disposal if he can demonstrate that on-site disposal capacity will exist at all times over the life of the facility.* |
|  | 1. The estimate may not incorporate any salvage value that may be realized with the sale of hazardous wastes, or non-hazardous wastes if applicable under 40 CFR Part 264.113(d), facility structures or equipment, land, or other assets associated with the facility at the time of partial or final closure.
 | 264.142(a)(3) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. The applicant may not incorporate a zero cost for hazardous wastes, or non-hazardous wastes if applicable under 40 CFR Part 264.113(d), that might have economic value.
 | 264.142(a)(4) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
| **I.5** | **Financial Assurance Mechanism for Closure**The financial assurance submittal must be accompanied by one of the financial instruments listed below:* Closure trust fund.
* Surety bond guaranteeing payment into a closure trust fund.
* Surety bond guaranteeing performance of closure.
* Closure letter of credit.
* Closure insurance.
* Insurers must be authorized in Kentucky.
* Financial test and corporate guarantee for closure.
* Cash Account and Certificate of Deposit.
 | 270.14(b)(15); 264.143; 264.151; 401 KAR 39:090 Sections 1 & 7KRS 224 | Click here to enter text. | Click here to enter text. |  | *An applicant must establish financial assurance for closure of the facility. Refer to 40 CFR Part 264.143 and 264.151 for more detailed information and submittal requirements For financial assurance templates please visit our website at:* <https://eec.ky.gov/Environmental-Protection/Waste/hazardous-waste/Pages/HW%20Financial%20Assurance%20Templates.aspx> |
| **I.6** | **Post-Closure Cost Estimate**The applicant shall comply, at the minimum, with the following requirements when submitting the post-closure cost estimate: | 270.14(b)(16); 264.144 |  |  |  | *Applicant subject to contingent closure and post-closure plan must have a detailed written estimate, in current dollars, of the annual cost of post-closure monitoring and maintenance of the facility. Estimate must be adjusted for inflation as specified in 40 CFR Part 264.144(b).* |
|  | 1. The post-closure cost estimate must be based on the costs to the owner or operator of hiring a third party to conduct post-closure care activities.
 | 264.144(a)(1) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
|  | 1. The post-closure cost estimate is calculated by multiplying the annual post-closure cost estimate by the number of years of post-closure care required.
 | 264.144(a)(2) | Click here to enter text. | Click here to enter text. |  | Click here to enter text. |
| **I.7** | **Financial Assurance Mechanism for Post-Closure Care**The financial assurance submittal must be accompanied by one of the financial instruments listed in *Checklist I.5* above, but for post-closure. | 270.14(b)(16); 264.145; 264.151; 401 KAR 39:090 Section 7 | Click here to enter text. | Click here to enter text. |  | *An applicant must establish financial assurance for post-closure care. Refer to 40 CFR Part 264.145 and 264.151 for more detailed information and submittal requirements.* |
| **I.8** | **Liability Requirements** | 270.14(b)(17); 264.147 |  |  |  |  |
|  | **I.8.1 Coverage for Sudden Accidental Occurrences**For hazardous waste treatment, storage, or disposal facility, demonstrate financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences. The liability coverage may be demonstrated by one or combinations of the financial instruments listed below:* Liability insurance.
* Financial test or using the guarantee for liability coverage as specified in 40 CFR Part 264.147(f) and (g).
* Letter of credit as specified in 40 CFR Part 264.147(h).
* Surety bond as specified in 40 CFR Part 264.147(i).
* Trust fund as specified in 40 CFR Part 264.147(j).
 | 264.147(a) | Click here to enter text. | Click here to enter text. |  | *Liability coverage for sudden accidental occurrences must be in the amount of at least $1 million per occurrence with an annual aggregate of at least $2 million, exclusive of legal defense costs. Refer to 40 CFR Part 264.147 for more detailed information and submittal requirements. Combinations of financial instruments shall not include a financial test covering part of the liability coverage requirement with a guarantee unless the financial statement of the owner or operator is not consolidated with the financial statement of the guarantor. Combinations of financial instruments shall specify at least one such assurance as “primary” coverage and shall specify other assurance as “excess” coverage.* |
|  | **I.8.2 Coverage for Non-Sudden Accidental Occurrences**For a surface impoundment, landfill, land treatment facility, or disposal miscellaneous unit that is used to manage hazardous waste, applicant must demonstrate financial responsibility for bodily injury and property damage to third parties caused by non-sudden accidental occurrences. Applicant may use the financial instruments listed in *Checklist I.8.1* above. The comment on combinations of financial instruments in *Checklist I.8.1* above shall apply.  | 264.147(b) | Click here to enter text. | Click here to enter text. |  | *The owner or operator must have and maintain liability coverage for non-sudden accidental occurrences in the amount of at least $3 million per occurrence with an annual aggregate of at least $6 million, exclusive of legal defense costs. Applicant who combine coverage levels for sudden (Checklist I.8.1 above) and non-sudden accidental occurrences must maintain liability coverage in the amount of at least $4 million per occurrence and $8 million annual aggregate.* |
|  | **I.8.3 Request for Variance**If applicant can demonstrate to the satisfaction of the Division that the levels of financial responsibility required by Checklist I.8.1 or I.8.2 above are not consistent with the degree and duration of risk associated with treatment, storage, or disposal at the facility or group of facilities, the applicant may obtain a variance from the Division. | 264.147(c) | Click here to enter text. | Click here to enter text. |  | *Variance request shall be made according to 40 CFR Part 264.147(c).*  |