

Comparison of VI Solid Waste Management Regulations to Requirements Codified in 40 CFR Part 258

Part 258—Criteria for Municipal Solid Waste Landfills	V.I. Solid and Hazardous Waste Management Rules and Regulations	Comparison	Comments
SUBPART A-GENERAL			
258.1—Purpose, scope, applicability	No	CFR provides broad explanation of purpose, scope and applicability of part, whereas local r & r does not.	
258.2—Definitions	§1560-1		Local rules and regulations includes CFR definitions, plus definitions applicable locally.
258.3—Consideration of other Federal Laws	No		
SUBPART B-LOCATION RESTRICTIONS			
258.10—Airport Safety	§1560-310	✓	
258.11—Floodplains	§1560-311	✓	
258.12—Wetlands	§1560-312	✓	
258.13—Fault Areas	§1560-313	✓	
258.14—Seismic impact zones	§1560-314	✓	
258.15—Unstable Areas	§1560-315	✓	
258.16—Closure of existing municipal solid waste landfill units.	§1560-316	✓	
SUBPART C—OPERATING CRITERIA			
258.20—Procedures for excluding the receipt of hazardous waste	§1560-301.20	✓	NB-§1560-301.20 does not contain a definition of regulated hazardous waste similar to that contained in §258.20(4)(b).
258.21—Cover material requirements	§1560-301.21	✓	§258.21 (d)—our local rules and regulations have no provision

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			allowing the Commissioner to establish alternative frequencies for cover requirements.
258.22—Disease vector control	§1560-301.22	✓	
258.23—Explosive gases control	§1560-301-23	✓	
258.24—Air criteria	§1560-301-24	✓	
258.25—Access requirements	§1560-301.25	✓	
258.26—Run-on/run-off control systems	§1560-301.26	✓	
258.27—Surface water requirements	§1560-301.27	✓	
258.28—Liquids restrictions.	§1560-301.28	✓	
258.29—Recordkeeping requirements	§1560-303	✓	
SUBPART D—DESIGN CRITERIA			
258.40—Design Criteria.	No		§258.40 contains comprehensive design criteria for new MSWLF units and lateral expansions. The local rules and regulations contain no such provision.
SUBPART E—GROUND-WATER MONITORING AND CORRECTIVE ACTION			
258.50—Applicability	§1560-800	✓	
258.51—Ground-water monitoring systems.	§1560-811	✓	§258.51(e)—no local provision, but not relevant because local provision includes date for owners and operators to comply.
258.53—Ground-water sampling and analysis requirements.	§1560-813	✓	

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258.54—Detection monitoring program	§1560-814	✓	
258.55—Assessment monitoring program	§1560-815	✓	
258.56—Assessment of corrective measures	§1560-816	✓	
258.57—Selection of Remedy	§1560-817	✓	
258.58—Implementation of the Corrective Action Program	§1560-818	✓	
SUBPART F—CLOSURE AND POST-CLOSURE CARE			
258.60—Closure Criteria	§1560-900	✓	§258.60—no local provision authorizing alternative requirements for the infiltration barrier in paragraph (b)(1) of section.
258.61—Post-closure care requirements	§1560-911	✓	
SUBPART G—FINANCIAL ASSURANCE CRITERIA			
258.70—Applicability and effective date	§1560-302.10	✓	NB-No effective date is provided.
258.71—Financial assurance for closure	§1560-302.20	✓	
258.72—Financial assurance for post-closure care	§1560-302.30	✓	
258.73—Financial assurance for corrective action	§1560-302.40	✓	
258.74—Allowable mechanisms	§1560-302.50	✓	
258.75--Discounting	No.		§258.75 allows the Director an approved state to allow discounting of closure costs estimates. The local rules and regulations include no such

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			provision.