



At a Glance

Why We Did This Audit

We audited the U.S. Environmental Protection Agency's oversight of hazardous waste units closed with waste in place to verify the continued protection of human health and the environment.

The Resource Conservation and Recovery Act and corresponding RCRA regulations establish requirements pertaining to hazardous waste treatment, storage, or disposal facilities, or TSDFs. TSDFs treat, store, or dispose of hazardous waste in management units, such as landfills. When a RCRA unit stops accepting waste, the TSDF must clean close or close and maintain the unit with waste in place in accordance with RCRA regulations. RCRA and EPA policies call for each permitted TSDF, including RCRA units, to be inspected at least once every two to three years, depending on its operational status.

This report addresses the following:

- *Cleaning up and revitalizing land.*
- *Partnering with states and other stakeholders.*

This report addresses a top EPA management challenge:

- *Overseeing states implementing EPA programs.*
- *Communicating risks.*
- *Integrating and leading environmental justice.*

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EPA Does Not Consistently Monitor Hazardous Waste Units Closed with Waste in Place or Track and Report on Facilities That Fall Under the Two Responsible Programs

What We Found

The EPA did not consistently verify the continued protection of human health and the environment at TSDFs with RCRA units that were closed with hazardous waste in place. Specifically, almost half (339 of 687, or 49.3 percent) of TSDFs with RCRA units closed with waste in place were not inspected at the frequency set by EPA policy.

The EPA's inspection frequency of TSDFs with RCRA units closed with waste in place does not meet the EPA's statutory requirement or policy.

EPA regional oversight of TSDF inspections by authorized states is also inconsistent. Five of the ten EPA regions incorporate inspection commitments in their annual state RCRA grant negotiations to verify that their authorized states are complying with the inspection policy. Two regions have similar processes in place, but their processes do not include all their states, and three regions do not have any process in place to verify compliance. Because of the lack of inspections, a hazardous waste leak from a compromised unit could go undetected for years, with dire human health and environmental consequences. For example, a leak that is not expeditiously detected could contaminate groundwater, resulting in a loss of drinking water supply, high cleanup costs, and human exposure to contaminants.

During our evaluation of units closed with waste in place, we observed some issues with interactions between the RCRA and Superfund programs. EPA oversight of RCRA units referred to the Superfund program and those deferred back to the RCRA program is incomplete. The lack of procedures and the use of differing facility identification numbers in the two programs have hindered the EPA's tracking of facilities transferred between the two programs. As a result, it is uncertain whether either program is appropriately managing RCRA units and protecting human and environmental health.

Fifty-six RCRA Corrective Action facilities that were closed with waste in place are also managed by the Superfund program. Ineffective EPA oversight of these sites resulted in 42 possible conflicting and 126 double-counted accomplishment milestones. Because these milestones are used to communicate site status to the public, communities could be confused or misled as to the cleanup status of the sites.

Recommendations and Planned Corrective Actions

We recommend that the assistant administrator for Land and Emergency Management develop controls to improve oversight of RCRA units with waste in place. Three of the six recommendations are resolved with corrective actions pending, and resolution efforts are in progress for the other three.