

§ 265.74

40 CFR Ch. I (7-1-08 Edition)

265.347, 265.377, 265.1034(c) through 265.1034(f), 265.1035, 265.1063(d) through 265.1063(i), 265.1064, and 265.1083 through 265.1090. Maintain in the operating record for three years, except for records and results pertaining to ground-water monitoring and cleanup, and response action plans for surface impoundments, waste piles, and landfills, which must be maintained in the operating record until closure of the facility.

[*Comment:* As required by §265.94, monitoring data at disposal facilities must be kept throughout the post-closure period.]

(7) All closure cost estimates under §265.142 and, for disposal facilities, all post-closure cost estimates under §265.144 must be maintained in the operating record until closure of the facility.

(8) Records of the quantities (and date of placement) for each shipment of hazardous waste placed in land disposal units under an extension to the effective date of any land disposal restriction granted pursuant to §268.5 of this chapter, monitoring data required pursuant to a petition under §268.6 of this chapter, or a certification under §268.8 of this chapter, and the applicable notice required by a generator under §268.7(a) of this chapter. All of this information must be maintained in the operating record until closure of the facility.

(9) For an off-site treatment facility, a copy of the notice, and the certification and demonstration if applicable, required by the generator or the owner or operator under §268.7 or §268.8;

(10) For an on-site treatment facility, the information contained in the notice (except the manifest number), and the certification and demonstration if applicable, required by the generator or the owner or operator under §268.7 or §268.8;

(11) For an off-site land disposal facility, a copy of the notice, and the certification and demonstration if applicable, required by the generator or the owner or operator of a treatment facility under §268.7 or §268.8;

(12) For an on-site land disposal facility, the information contained in the notice (except the manifest number), and the certification and demonstration if applicable, required by the

generator or the owner or operator of a treatment facility under §268.7 or §268.8.

(13) For an off-site storage facility, a copy of the notice, and the certification and demonstration if applicable, required by the generator or the owner or operator under §268.7 or §268.8; and

(14) For an on-site storage facility, the information contained in the notice (except the manifest number), and the certification and demonstration if applicable, required by the generator or the owner or operator of a treatment facility under §268.7 or §268.8.

(15) Monitoring, testing or analytical data, and corrective action where required by §§265.90, 265.93(d)(2), and 265.93(d)(5), and the certification as required by §265.196(f) must be maintained in the operating record until closure of the facility.

[45 FR 33232, May 19, 1980, as amended at 50 FR 4514, Jan. 31, 1985; 50 FR 18374, Apr. 30, 1985; 51 FR 40638, Nov. 7, 1986; 53 FR 31211, Aug. 17, 1988; 54 FR 26648, June 23, 1989; 55 FR 25507, June 21, 1990; 56 FR 19290, Apr. 26, 1991; 57 FR 3492, Jan. 29, 1992; 59 FR 62935, Dec. 6, 1994; 62 FR 64661, Dec. 8, 1997; 71 FR 16908, Apr. 4, 2006]

§265.74 Availability, retention, and disposition of records.

(a) All records, including plans, required under this part must be furnished upon request, and made available at all reasonable times for inspection, by any officer, employee, or representative of EPA who is duly designated by the Administrator.

(b) The retention period for all records required under this part is extended automatically during the course of any unresolved enforcement action regarding the facility or as requested by the Administrator.

(c) A copy of records of waste disposal locations and quantities under §265.73(b)(2) must be submitted to the Regional Administrator and local land authority upon closure of the facility (see §265.119).

[45 FR 33232, May 19, 1980, as amended at 50 FR 4514, Jan. 31, 1985]

§265.75 Biennial report.

The owner or operator must prepare and submit a single copy of a biennial report to the Regional Administrator