

1 again, of the procedural protocols for an exception and the  
2 outcome that may come if there's objection to it that has  
3 some technical merit it may result to a hearing.

4 Okay, Subsection B. This is alternative closure  
5 methods. The intent of the proposed provision is to allow  
6 operators to propose an alternative closure method to waste  
7 excavation and removal or on-site deep-trench burial.

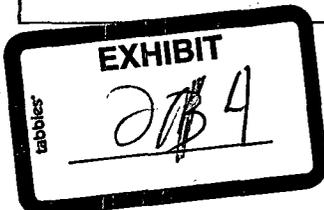
8 For clarification, the references that you see  
9 for this provision are only for temporary pits and closed-  
10 loop systems.

11 If the operator wishes to request an exception to  
12 any of the requirements of either of the two specified  
13 closure methods -- which would be those that are listed  
14 above -- any specific exception to it, that request for  
15 exception should be pursued under the general exceptions  
16 under subpart A and not made up under this provision.

17 A request for an alternative closure method would  
18 be a request for something other than the two specified  
19 closure methods which are waste excavation and removal or  
20 deep-trench burial.

21 A possible example would include utilizing the  
22 solidified pit contents to construct a tank battery. That  
23 would be an example of such a request.

24 The OCD's intent is not to limit the imagination  
25 of the applicant by listing which alternatives are



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1     approvable.  If we identify which ones are approvable, it  
2     would put a restriction on applicants to propose something  
3     different, and that's not our intent with this provision.

4             There are several footnotes to this.  Footnote  
5     63, 64, 65, 66, 67, 68 -- if I'm not mistaken, a lot of  
6     these were based on something that's not proposed in this  
7     rule.  In the draft version provided to the task force, in  
8     order to pursue this exception, OCD originally proposed an  
9     economic demonstration as part of the consideration for on-  
10    site closure.

11            We received several comments from task force  
12    members regarding the assessment of such a demonstration.  
13    OCD actually reviewed the information available at the APPA  
14    [sic] website that was suggested by a certain party to  
15    possibly be used to make a determination on the  
16    information.  What we did determine was that the  
17    information was quite outdated.  I believe it was -- the  
18    most recent information available on that website was from  
19    December of '03, 2003.

20            Q.    Now what website was this?

21            A.    It was -- I'll have to find the comment.  It was  
22    a suggestion provided by one of the task force members, and  
23    -- looking at my comments here, there's -- which one it  
24    would be.  If someone sees it, please let me know.  Do you  
25    see it, Wayne?  I'm sorry?  66, it was the footnote 66.  It