

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.

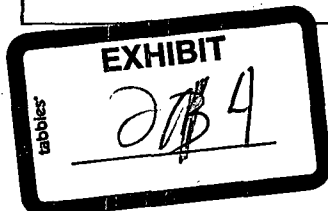
8 For clarification, the references that you see
9 for this provision are only for temporary pits and closed-
10 loop systems.

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