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Title 22@ Social Security

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Division 4.5@ Environmental Health Standards for the Management of Hazardous Waste

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Chapter 11@ Identification and Listing of Hazardous Waste

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Article 5@ Categories of Hazardous Waste

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Section 66261.126@ Management of Special Wastes

66261.126 Management of Special Wastes

(a)

A special waste may be disposed of at a landfill disposal facility which is not operated under a hazardous waste facility permit or an interim status document provided: (1) the facility is operated under waste discharge requirements allowing disposal of the special waste which were issued by the Regional Water Quality Control Board with jurisdiction over the facility; and (2) the owner or operator of the facility has been granted a variance pursuant to section 66260.210 of this division which allows the special waste to be disposed of at the facility.

(1)

the facility is operated under waste discharge requirements allowing disposal of the special waste which were issued by the Regional Water Quality Control Board with jurisdiction over the facility; and

(2)

the owner or operator of the facility has been granted a variance pursuant to section 66260.210 of this division which allows the special waste to be disposed of at the facility.

(b)

Except as provided in subsection (c) of this section, the owner and operator of a landfill disposal facility which is not operated under a hazardous waste facility

permit and where a special waste is disposed of are subject to all requirements of this division which are not specifically waived by a variance granted pursuant to section 66260.210 of this division, including, but not limited to, enforcement, inspection, manifest, special measures, incompatible waste, reporting, and payment of land disposal fee requirements.

(c)

The owner and operator of a landfill disposal facility authorized to dispose of a special waste pursuant to subsection (a) of this section shall be exempt from requirements implementing Health and Safety Code sections 25245 and 25246 relative to closure and postclosure plans and financial assurances so long as the facility does not handle, treat, store or dispose of any hazardous waste not specifically authorized by a variance issued by the Department or by Health and Safety Code section 25143.7.

(d)

The generator of a special waste shall be subject to all generator requirements of this division.

(e)

The transporter of a special waste shall be subject to all transporter requirements of this division.

(f)

The owner or operator of a facility for the recycling, storage or treatment of a special waste shall have a hazardous waste facility permit for the recycling, treatment or storage of the waste at the facility.