

|->

Title 22@ Social Security

|->

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

|->

Chapter 12@ Standards Applicable to Generators of Hazardous Waste

|->

Article 1@ Applicability

|->

Section 66262.17@ Conditions for Exemption for a Large Quantity Generator that Accumulates Hazardous Waste

66262.17 Conditions for Exemption for a Large Quantity Generator that Accumulates Hazardous Waste

A large quantity generator may accumulate hazardous waste on site without a permit or interim status, and without complying with the requirements of chapters 14, 15, 16, and 20 of this division, or the notification requirements pursuant to Health and Safety Code section 25153.6 , provided that all the following are met:

(a)

Accumulation. A large quantity generator accumulates hazardous waste on site for no more than 90 days, unless in compliance with the accumulation time limit extension in subsection (b) of this section or section 66262.35 of this article. The following accumulation conditions also apply: (1) Accumulation of hazardous waste in containers. If the hazardous waste is placed in containers, the large quantity generator shall comply with the following: (A) Air emission standards. The applicable requirements of articles 27, 28, and 28.5 of chapter 15 of this division; (B) Condition of containers. If a container holding hazardous waste is not in good condition, or if it begins to leak, the large quantity generator shall immediately transfer the hazardous waste from this container to a container that is in good condition, or immediately manage the waste in some other way that complies with the conditions for exemption of this section; (C) Compatibility of waste with container. The large quantity generator shall use a container made of or lined with materials that will not react with, and are otherwise compatible with,

the hazardous waste to be stored, so that the ability of the container to contain the waste is not impaired; (D) Management of containers. 1. A container holding hazardous waste shall always be closed during accumulation, except when it is necessary to add or remove waste. 2. A container holding hazardous waste shall not be opened, handled, or stored in a manner which may rupture the container or cause it to leak. Re-use of containers for transportation shall comply with the requirements of the U.S. Department of Transportation regulations, including those set forth in 49 Code of Federal Regulations section 173.28. (E) Inspections. At least weekly, the large quantity generator shall inspect central accumulation areas. The large quantity generator shall look for leaking containers and for deterioration of containers and the containment system caused by corrosion or other factors. Large quantity generators shall follow (a)(1)(B) of this section for remedial action required if deterioration or leaks are detected. (F) Special conditions for accumulation of ignitable and reactive wastes. 1. Containers holding ignitable or reactive waste shall be located at least 15 meters (50 feet) from the facility's property line. 2. The large quantity generator shall take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste shall be separated and protected from sources of ignition or reaction including but not limited to the following: open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, or mechanical), spontaneous ignition (e.g., from heat-producing chemical reactions), and radiant heat. While ignitable or reactive waste is being handled, the large quantity generator shall confine smoking and open flame to specially designated locations. "No Smoking" signs shall be conspicuously placed wherever there is a hazard from ignitable or reactive waste. (G) Special conditions for accumulation of incompatible wastes. 1. Incompatible wastes, or incompatible wastes and

materials, (see Appendix V of chapter 15 of this division for examples) shall not be placed in the same container, unless subsection 66265.17(b) is complied with. 2. Hazardous waste shall not be placed in an unwashed container that previously held an incompatible waste or material (see Appendix V of chapter 15 of this division for examples), unless section 66265.17(b) is complied with. 3. A container holding a hazardous waste that is incompatible with any waste or other materials accumulated or stored nearby in other containers, piles, open tanks, or surface impoundments shall be separated from the other materials or protected from them by means of a dike, berm, wall, or other device. (2) Accumulation of hazardous waste in tanks. If the waste is placed in tanks, the large quantity generator shall comply with the requirements of article 10 of chapter 15, except subsections 66265.197(c) of Closure and Post-Closure Care and section 66265.200 -- Waste Analysis and Trial Tests, as well as the requirements of articles 27, 28, and 28.5 of chapter 15 of this division. (3) Accumulation of hazardous waste on drip pads. If the hazardous waste is placed on drip pads, the large quantity generator shall comply with the following: (A) Applicable requirements of articles 17.5, 27, 28 and 28.5 of chapter 15; (B) The large quantity generator shall remove all wastes from the drip pad at least once every 90 days. Any hazardous wastes that are removed from the drip pad are then subject to the 90-day accumulation limit in subsection (a) of this section and section 66262.15, if the hazardous wastes are being managed in satellite accumulation areas prior to being moved to a central accumulation area; and (C) The large quantity generator shall maintain on site at the facility the following records readily available for inspection: 1. A written description of procedures that are followed to ensure that all wastes are removed from the drip pad and associated collection system at least once every 90 days; and 2. Documentation of

each waste removal, including the quantity of waste removed from the drip pad and the sump or collection system and the date and time of removal. (4)

Accumulation of hazardous waste in containment buildings. If the waste is placed in containment buildings, the large quantity generator shall comply with article 29 of chapter 15 of this division. The generator shall label its containment building with the words "Hazardous Waste" in a conspicuous place easily visible to employees, visitors, emergency responders, waste handlers, or other persons on site, and also in a conspicuous place provide an indication of the hazards of the contents [examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 Code of Federal Regulations part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 Code of Federal Regulations 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704.] The generator shall also maintain: (A) The professional engineer certification that the building complies with the design standards specified in section 66265.1101. This certification shall be in the generator's files prior to operation of the unit; and (B) The following records by use of inventory logs, monitoring equipment, or any other effective means: 1. A written description of procedures to ensure that each waste volume remains in the unit for no more than 90 days, a written description of the waste generation and management practices for the facility showing that the generator is consistent with respecting the 90-day limit, and documentation that the procedures are complied with; or 2. Documentation that the unit is emptied at least once every 90 days. 3. Inventory logs or records with the above information

shall be maintained on site and readily available for inspection. (5) Labeling and marking of containers and tanks(A) Containers. A large quantity generator shall mark or label its containers with the following: 1. The words "Hazardous Waste"; 2. The composition and physical state of the wastes; 3. An indication of the hazards of the contents [examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 Code of Federal Regulations part 172, subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 Code of Federal Regulations 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704]; 4. The name and address of the person generating the waste; 5. The date upon which each period of accumulation begins shall be clearly marked and visible for inspection on each container; and 6. The date the applicable accumulation period specified in subsection (a) of this section begins shall be clearly marked and visible for inspection on each container. (B) Tanks. A large quantity generator accumulating hazardous waste in tanks shall do the following:1. Mark or label its tanks with the words "Hazardous Waste"; 2. Mark or label its tanks with an indication of the hazards of the contents [examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 Code of Federal Regulations part 172, subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 Code of Federal Regulations 1910.1200; or a chemical hazard label consistent with the National

Fire Protection Association code 704]; 3. The date the applicable accumulation period specified in subsection (a) of this section begins shall be clearly marked and visible for inspection on each tank; 4. Use inventory logs, monitoring equipment or other records to demonstrate that hazardous waste has been emptied within 90 days of first entering the tank if using a batch process, or in the case of a tank with a continuous flow process, demonstrate that estimated volumes of hazardous waste entering the tank daily exit the tank within 90 days of first entering; and 5. Keep inventory logs or records with the above information on site and readily available for inspection. (6) Emergency procedures. The large quantity generator complies with the standards in article 9 of this chapter, Preparedness, Prevention, and Emergency Procedures for Large Quantity Generators. (7) Personnel training. (A) 1. The large quantity generator shall ensure that facility personnel successfully complete a training program through classroom, computer-based, or electronic instruction or on-the-job training that teaches facility personnel to perform their duties in a way that ensures the facility's compliance with the requirements of this chapter and section 5192, subsection (p), of Title 8, California Code of Regulations. Facility personnel engaged in shipping hazardous waste shall be triennially trained commensurate with their responsibilities to meet the requirements in section 172.704 of Title 49, Code of Federal Regulations. The large quantity generator shall ensure that this training program includes all the elements described in the documents required under subsection (a)(7)(D) of this section. 2. Hazardous waste management training program shall be directed by a person trained in hazardous waste management procedures and shall include instruction that teaches facility personnel hazardous waste management procedures (including, but not limited to, contingency plan implementation and the identification and segregation of

incompatible hazardous waste or product) relevant to the positions in which they are employed. 3. At a minimum, the training program must be designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems, including all of the following where applicable: a. Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment; b. Key parameters for automatic waste feed cut-off systems; c. Communications or alarm systems; d. Response to fires or explosions; e. Response to groundwater contamination incidents; f. Shutdown of operations; g. Self-protection measures; and h. Accident prevention methods. 4. The training program must also be designed to ensure the following every 24 months: a. General awareness training. The large quantity generator shall ensure all facility personnel successfully complete training that provides a description of the facility, and an overview of the facility and facility operations that are subject to this chapter, including, but not limited to, security and safety considerations; and b. Function-specific job training. The large quantity generator shall ensure all facility personnel who are involved with hazardous waste management activities successfully complete training concerning the requirements of this chapter and any relevant hazardous waste procedures applicable to job tasks and functions performed by the facility personnel. (B) The large quantity generator shall ensure that facility personnel successfully complete the program required in subsection (a)(7)(A) of this section within six months after the date of their employment or assignment to the facility, or to a new position at the facility, whichever is later. Employees shall not work in unsupervised positions until they have completed the training requirements of subsection (a)(7)(A) of this section. (C) The large quantity generator shall ensure that facility personnel take part in an annual review of the

initial training required in subsection (a)(7)(A) of this section. (D) The training records required by this subsection must demonstrate compliance with subsection (a)(7)(A) and include the specific elements set out in subsection (a)(7)(D)1 through 4. The large quantity generator shall maintain the following documents and records at the facility: 1. The job title for each position at the facility related to hazardous waste management, and the name of the facility personnel filling each job; 2. A written job description for each position listed under subsection (a)(7)(D)1 of this section. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but shall include the requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position; 3. A written description, including a syllabus and/or outline, of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under subsection (a)(7)(D)1 of this section; and 4. Facility personnel -signed or -certified records that document that the training required under subsections (a)(7)(A), (B), and (C) of this section has been given to, and completed by, each facility personnel. (E) The large quantity generator shall maintain training records on current personnel until closure of the facility. Training records on former employees shall be kept for at least three years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company. (8) Closure. A large quantity generator accumulating hazardous wastes in containers, tanks, drip pads, and containment buildings, prior to closing a unit at the facility, or prior to closing the facility, shall meet the following conditions: (A) Notification for closure of a waste accumulation unit. A large quantity generator shall perform one of the following when closing a waste accumulation unit: 1. Place a notice in the

operating record within 30 days after closure identifying the location of the unit within the facility; or 2. Meet the closure performance standards of subsection (a)(8)(C) of this section for container, tank, and containment building waste accumulation units or subsection (a)(8)(D) of this section for drip pads, and notify the Department following the procedures in subsection (a)(8)(B)2 of this section for the waste accumulation unit. If the waste accumulation unit is subsequently reopened, the generator may remove the notice from the operating record. (B) Notification for closure of the facility. 1. A large quantity generator of RCRA hazardous waste shall notify the Department using form 8700-12 no later than 30 days prior to closing the facility. 2. A large quantity generator of RCRA hazardous waste shall notify the Department using form 8700-12 within 90 days after closing the facility that it has complied with the closure performance standards of subsection (a)(8)(C) or (D) of this section. If the facility cannot meet the closure performance standards of subsection (a)(8)(C) or (D) of this section, notify the Department using form 8700-12 that it will close as a landfill under section 66265.310 of this division in the case of a container, tank, or containment building unit(s) or, for a facility with drip pads, notify using form 8700-12 that it will close under the standards of section 66265.445(b) of this division. 3. A large quantity generator of RCRA hazardous waste may request additional time to clean close, but it shall notify the Department using form 8700-12 within 75 days after the date provided in subsection (a)(8)(B)1 of this section to request an extension and provide an explanation as to why the additional time is required. (C) Closure performance standards for container, tank systems, and containment building waste accumulation units. 1. At closure, the generator shall close the waste accumulation unit or facility in a manner that: a. Minimizes the need for further maintenance by controlling, minimizing, or eliminating, to the extent necessary to

protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground or surface waters or to the atmosphere; and b. Removes or decontaminates all contaminated equipment, structures, and soil and any remaining hazardous waste residues from waste accumulation units including containment system components (e.g., pads, liners), contaminated soils and subsoils, bases, and structures and equipment contaminated with waste, unless section 66261.3(d) of this division applies. c. Any hazardous waste generated in the process of closing either the generator's facility or unit(s) accumulating hazardous waste shall be managed in accordance with all applicable standards of chapters 12, 13, 15 and 18 of this division, including removing any hazardous waste contained in these units within 90 days of generating it and managing these wastes in a hazardous waste permitted transfer, treatment, storage, and disposal facility or interim status facility. d. If the generator demonstrates that any contaminated soils and wastes cannot be practicably removed or decontaminated as required in subsection (a)(8)(B)1.b of this section, then the waste accumulation unit is considered to be a landfill and the generator shall close the waste accumulation unit and perform post-closure care in accordance with the closure and post-closure care requirements that apply to landfills (section 66265.310 of this division). In addition, for the purposes of closure, post-closure, and financial responsibility, such a waste accumulation unit is then considered to be a landfill, and the generator shall meet all of the requirements for landfills specified in articles 7 and 8 of chapter 15 of this division. (D) Closure performance standards for drip pad waste accumulation units. At closure, the generator shall comply with the closure requirements of subsections (a)(8)(B) and (a)(8)(C)1.a and c of this section, and subsections

66265.445(a) and (b) of this division. (E) The closure requirements of subsection (a)(8) of this section do not apply to satellite accumulation areas. (9) Land disposal restrictions. The large quantity generator shall comply with all applicable requirements under chapter 18 of this division.

(1)

Accumulation of hazardous waste in containers. If the hazardous waste is placed in containers, the large quantity generator shall comply with the following: (A) Air emission standards. The applicable requirements of articles 27, 28, and 28.5 of chapter 15 of this division; (B) Condition of containers. If a container holding hazardous waste is not in good condition, or if it begins to leak, the large quantity generator shall immediately transfer the hazardous waste from this container to a container that is in good condition, or immediately manage the waste in some other way that complies with the conditions for exemption of this section; (C) Compatibility of waste with container. The large quantity generator shall use a container made of or lined with materials that will not react with, and are otherwise compatible with, the hazardous waste to be stored, so that the ability of the container to contain the waste is not impaired; (D) Management of containers. 1. A container holding hazardous waste shall always be closed during accumulation, except when it is necessary to add or remove waste. 2. A container holding hazardous waste shall not be opened, handled, or stored in a manner which may rupture the container or cause it to leak. Re-use of containers for transportation shall comply with the requirements of the U.S. Department of Transportation regulations, including those set forth in 49 Code of Federal Regulations section 173.28. (E) Inspections. At least weekly, the large quantity generator shall inspect central accumulation areas. The large quantity generator shall look for leaking containers and for deterioration of containers and the containment system caused by corrosion or other factors. Large quantity generators shall follow (a)(1)(B) of this

section for remedial action required if deterioration or leaks are detected. (F) Special conditions for accumulation of ignitable and reactive wastes. 1. Containers holding ignitable or reactive waste shall be located at least 15 meters (50 feet) from the facility's property line. 2. The large quantity generator shall take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste shall be separated and protected from sources of ignition or reaction including but not limited to the following: open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, or mechanical), spontaneous ignition (e.g., from heat-producing chemical reactions), and radiant heat. While ignitable or reactive waste is being handled, the large quantity generator shall confine smoking and open flame to specially designated locations. "No Smoking" signs shall be conspicuously placed wherever there is a hazard from ignitable or reactive waste. (G) Special conditions for accumulation of incompatible wastes. 1. Incompatible wastes, or incompatible wastes and materials, (see Appendix V of chapter 15 of this division for examples) shall not be placed in the same container, unless subsection 66265.17(b) is complied with. 2. Hazardous waste shall not be placed in an unwashed container that previously held an incompatible waste or material (see Appendix V of chapter 15 of this division for examples), unless section 66265.17(b) is complied with. 3. A container holding a hazardous waste that is incompatible with any waste or other materials accumulated or stored nearby in other containers, piles, open tanks, or surface impoundments shall be separated from the other materials or protected from them by means of a dike, berm, wall, or other device.

(A)

Air emission standards. The applicable requirements of articles 27, 28, and 28.5 of chapter 15 of this division;

(B)

Condition of containers. If a container holding hazardous waste is not in good condition, or if it begins to leak, the large quantity generator shall immediately transfer the hazardous waste from this container to a container that is in good condition, or immediately manage the waste in some other way that complies with the conditions for exemption of this section;

(C)

Compatibility of waste with container. The large quantity generator shall use a container made of or lined with materials that will not react with, and are otherwise compatible with, the hazardous waste to be stored, so that the ability of the container to contain the waste is not impaired;

(D)

Management of containers. 1. A container holding hazardous waste shall always be closed during accumulation, except when it is necessary to add or remove waste. 2. A container holding hazardous waste shall not be opened, handled, or stored in a manner which may rupture the container or cause it to leak. Re-use of containers for transportation shall comply with the requirements of the U.S. Department of Transportation regulations, including those set forth in 49 Code of Federal Regulations section 173.28.

1.

A container holding hazardous waste shall always be closed during accumulation, except when it is necessary to add or remove waste.

2.

A container holding hazardous waste shall not be opened, handled, or stored in a manner which may rupture the container or cause it to leak. Re-use of containers for transportation shall comply with the requirements of the U.S. Department of Transportation regulations, including those set forth in 49 Code of Federal Regulations section 173.28.

(E)

Inspections. At least weekly, the large quantity generator shall inspect central accumulation

areas. The large quantity generator shall look for leaking containers and for deterioration of containers and the containment system caused by corrosion or other factors. Large quantity generators shall follow (a)(1)(B) of this section for remedial action required if deterioration or leaks are detected.

(F)

Special conditions for accumulation of ignitable and reactive wastes. 1. Containers holding ignitable or reactive waste shall be located at least 15 meters (50 feet) from the facility's property line. 2. The large quantity generator shall take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste shall be separated and protected from sources of ignition or reaction including but not limited to the following: open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, or mechanical), spontaneous ignition (e.g., from heat-producing chemical reactions), and radiant heat. While ignitable or reactive waste is being handled, the large quantity generator shall confine smoking and open flame to specially designated locations. "No Smoking" signs shall be conspicuously placed wherever there is a hazard from ignitable or reactive waste.

1.

Containers holding ignitable or reactive waste shall be located at least 15 meters (50 feet) from the facility's property line.

2.

The large quantity generator shall take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste shall be separated and protected from sources of ignition or reaction including but not limited to the following: open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, or mechanical), spontaneous ignition (e.g., from heat-producing chemical reactions), and radiant heat. While ignitable or reactive waste is being handled, the large quantity generator shall confine smoking and open flame to specially designated locations. "No Smoking" signs shall be conspicuously placed wherever there is a hazard from

ignitable or reactive waste.

(G)

Special conditions for accumulation of incompatible wastes. 1. Incompatible wastes, or incompatible wastes and materials, (see Appendix V of chapter 15 of this division for examples) shall not be placed in the same container, unless subsection 66265.17(b) is complied with. 2. Hazardous waste shall not be placed in an unwashed container that previously held an incompatible waste or material (see Appendix V of chapter 15 of this division for examples), unless section 66265.17(b) is complied with. 3. A container holding a hazardous waste that is incompatible with any waste or other materials accumulated or stored nearby in other containers, piles, open tanks, or surface impoundments shall be separated from the other materials or protected from them by means of a dike, berm, wall, or other device.

1.

Incompatible wastes, or incompatible wastes and materials, (see Appendix V of chapter 15 of this division for examples) shall not be placed in the same container, unless subsection 66265.17(b) is complied with.

2.

Hazardous waste shall not be placed in an unwashed container that previously held an incompatible waste or material (see Appendix V of chapter 15 of this division for examples), unless section 66265.17(b) is complied with.

3.

A container holding a hazardous waste that is incompatible with any waste or other materials accumulated or stored nearby in other containers, piles, open tanks, or surface impoundments shall be separated from the other materials or protected from them by means of a dike, berm, wall, or other device.

(2)

Accumulation of hazardous waste in tanks. If the waste is placed in tanks, the large quantity generator shall comply with the requirements of article 10 of chapter 15, except subsections 66265.197(c) of Closure and Post-Closure Care and section 66265.200 -- Waste Analysis and Trial Tests, as well as the requirements of articles 27, 28, and 28.5 of chapter 15 of this division.

(3)

Accumulation of hazardous waste on drip pads. If the hazardous waste is placed on drip pads, the large quantity generator shall comply with the following: (A) Applicable requirements of articles 17.5, 27, 28 and 28.5 of chapter 15; (B) The large quantity generator shall remove all wastes from the drip pad at least once every 90 days. Any hazardous wastes that are removed from the drip pad are then subject to the 90-day accumulation limit in subsection (a) of this section and section 66262.15, if the hazardous wastes are being managed in satellite accumulation areas prior to being moved to a central accumulation area; and (C) The large quantity generator shall maintain on site at the facility the following records readily available for inspection: 1. A written description of procedures that are followed to ensure that all wastes are removed from the drip pad and associated collection system at least once every 90 days; and 2. Documentation of each waste removal, including the quantity of waste removed from the drip pad and the sump or collection system and the date and time of removal.

(A)

Applicable requirements of articles 17.5, 27, 28 and 28.5 of chapter 15;

(B)

The large quantity generator shall remove all wastes from the drip pad at least once every 90 days. Any hazardous wastes that are removed from the drip pad are then subject to the 90-day accumulation limit in subsection (a) of this section and section 66262.15, if the

hazardous wastes are being managed in satellite accumulation areas prior to being moved to a central accumulation area; and

(C)

The large quantity generator shall maintain on site at the facility the following records readily available for inspection: 1. A written description of procedures that are followed to ensure that all wastes are removed from the drip pad and associated collection system at least once every 90 days; and 2. Documentation of each waste removal, including the quantity of waste removed from the drip pad and the sump or collection system and the date and time of removal.

1.

A written description of procedures that are followed to ensure that all wastes are removed from the drip pad and associated collection system at least once every 90 days; and

2.

Documentation of each waste removal, including the quantity of waste removed from the drip pad and the sump or collection system and the date and time of removal.

(4)

Accumulation of hazardous waste in containment buildings. If the waste is placed in containment buildings, the large quantity generator shall comply with article 29 of chapter 15 of this division. The generator shall label its containment building with the words "Hazardous Waste" in a conspicuous place easily visible to employees, visitors, emergency responders, waste handlers, or other persons on site, and also in a conspicuous place provide an indication of the hazards of the contents [examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 Code of Federal Regulations part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram

consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 Code of Federal Regulations 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704.] The generator shall also maintain: (A) The professional engineer certification that the building complies with the design standards specified in section 66265.1101. This certification shall be in the generator's files prior to operation of the unit; and (B) The following records by use of inventory logs, monitoring equipment, or any other effective means: 1. A written description of procedures to ensure that each waste volume remains in the unit for no more than 90 days, a written description of the waste generation and management practices for the facility showing that the generator is consistent with respecting the 90-day limit, and documentation that the procedures are complied with; or 2. Documentation that the unit is emptied at least once every 90 days. 3. Inventory logs or records with the above information shall be maintained on site and readily available for inspection.

(A)

The professional engineer certification that the building complies with the design standards specified in section 66265.1101. This certification shall be in the generator's files prior to operation of the unit; and

(B)

The following records by use of inventory logs, monitoring equipment, or any other effective means: 1. A written description of procedures to ensure that each waste volume remains in the unit for no more than 90 days, a written description of the waste generation and management practices for the facility showing that the generator is consistent with respecting the 90-day limit, and documentation that the procedures are complied with; or 2. Documentation that the unit is emptied at least once every 90 days. 3. Inventory logs or records with the above information shall be maintained on site and readily available for

inspection.

1.

A written description of procedures to ensure that each waste volume remains in the unit for no more than 90 days, a written description of the waste generation and management practices for the facility showing that the generator is consistent with respecting the 90-day limit, and documentation that the procedures are complied with; or

2.

Documentation that the unit is emptied at least once every 90 days.

3.

Inventory logs or records with the above information shall be maintained on site and readily available for inspection.

(5)

Labeling and marking of containers and tanks(A) Containers. A large quantity generator shall mark or label its containers with the following: 1. The words "Hazardous Waste"; 2. The composition and physical state of the wastes; 3. An indication of the hazards of the contents [examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 Code of Federal Regulations part 172, subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 Code of Federal Regulations 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704]; 4. The name and address of the person generating the waste; 5. The date upon which each period of accumulation begins shall be clearly marked and visible for inspection on each container; and 6. The date the applicable accumulation period specified in subsection (a) of this section begins shall be clearly

marked and visible for inspection on each container. (B) Tanks. A large quantity generator accumulating hazardous waste in tanks shall do the following: 1. Mark or label its tanks with the words "Hazardous Waste"; 2. Mark or label its tanks with an indication of the hazards of the contents [examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 Code of Federal Regulations part 172, subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 Code of Federal Regulations 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704]; 3. The date the applicable accumulation period specified in subsection (a) of this section begins shall be clearly marked and visible for inspection on each tank; 4. Use inventory logs, monitoring equipment or other records to demonstrate that hazardous waste has been emptied within 90 days of first entering the tank if using a batch process, or in the case of a tank with a continuous flow process, demonstrate that estimated volumes of hazardous waste entering the tank daily exit the tank within 90 days of first entering; and 5. Keep inventory logs or records with the above information on site and readily available for inspection.

(A)

Containers. A large quantity generator shall mark or label its containers with the following:

1. The words "Hazardous Waste"; 2. The composition and physical state of the wastes; 3. An indication of the hazards of the contents [examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 Code of Federal Regulations part 172, subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration

Hazard Communication Standard at 29 Code of Federal Regulations 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704]; 4. The name and address of the person generating the waste; 5. The date upon which each period of accumulation begins shall be clearly marked and visible for inspection on each container; and 6. The date the applicable accumulation period specified in subsection (a) of this section begins shall be clearly marked and visible for inspection on each container.

1.

The words "Hazardous Waste";

2.

The composition and physical state of the wastes;

3.

An indication of the hazards of the contents [examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 Code of Federal Regulations part 172, subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 Code of Federal Regulations 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704];

4.

The name and address of the person generating the waste;

5.

The date upon which each period of accumulation begins shall be clearly marked and visible for inspection on each container; and

6.

The date the applicable accumulation period specified in subsection (a) of this section begins shall be clearly marked and visible for inspection on each container.

(B)

Tanks. A large quantity generator accumulating hazardous waste in tanks shall do the following: 1. Mark or label its tanks with the words "Hazardous Waste"; 2. Mark or label its tanks with an indication of the hazards of the contents [examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 Code of Federal Regulations part 172, subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 Code of Federal Regulations 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704]; 3. The date the applicable accumulation period specified in subsection (a) of this section begins shall be clearly marked and visible for inspection on each tank; 4. Use inventory logs, monitoring equipment or other records to demonstrate that hazardous waste has been emptied within 90 days of first entering the tank if using a batch process, or in the case of a tank with a continuous flow process, demonstrate that estimated volumes of hazardous waste entering the tank daily exit the tank within 90 days of first entering; and 5. Keep inventory logs or records with the above information on site and readily available for inspection.

1.

Mark or label its tanks with the words "Hazardous Waste";

2.

Mark or label its tanks with an indication of the hazards of the contents [examples include, but are not limited to, the applicable hazardous waste characteristic(s) (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the Department of Transportation requirements at 49 Code of Federal Regulations part 172, subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard

Communication Standard at 29 Code of Federal Regulations 1910.1200; or a chemical hazard label consistent with the National Fire Protection Association code 704];

3.

The date the applicable accumulation period specified in subsection (a) of this section begins shall be clearly marked and visible for inspection on each tank;

4.

Use inventory logs, monitoring equipment or other records to demonstrate that hazardous waste has been emptied within 90 days of first entering the tank if using a batch process, or in the case of a tank with a continuous flow process, demonstrate that estimated volumes of hazardous waste entering the tank daily exit the tank within 90 days of first entering; and

5.

Keep inventory logs or records with the above information on site and readily available for inspection.

(6)

Emergency procedures. The large quantity generator complies with the standards in article 9 of this chapter, Preparedness, Prevention, and Emergency Procedures for Large Quantity Generators.

(7)

Personnel training. (A) 1. The large quantity generator shall ensure that facility personnel successfully complete a training program through classroom, computer-based, or electronic instruction or on-the-job training that teaches facility personnel to perform their duties in a way that ensures the facility's compliance with the requirements of this chapter and section 5192, subsection (p), of Title 8, California Code of Regulations. Facility personnel engaged in shipping hazardous waste shall be triennially trained commensurate with their responsibilities to meet the requirements in section 172.704 of Title 49, Code of Federal Regulations. The large quantity generator

shall ensure that this training program includes all the elements described in the documents required under subsection (a)(7)(D) of this section. 2. Hazardous waste management training program shall be directed by a person trained in hazardous waste management procedures and shall include instruction that teaches facility personnel hazardous waste management procedures (including, but not limited to, contingency plan implementation and the identification and segregation of incompatible hazardous waste or product) relevant to the positions in which they are employed. 3. At a minimum, the training program must be designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems, including all of the following where applicable: a. Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment; b. Key parameters for automatic waste feed cut-off systems; c. Communications or alarm systems; d. Response to fires or explosions; e. Response to groundwater contamination incidents; f. Shutdown of operations; g. Self-protection measures; and h. Accident prevention methods. 4. The training program must also be designed to ensure the following every 24 months: a. General awareness training. The large quantity generator shall ensure all facility personnel successfully complete training that provides a description of the facility, and an overview of the facility and facility operations that are subject to this chapter, including, but not limited to, security and safety considerations; and b. Function-specific job training. The large quantity generator shall ensure all facility personnel who are involved with hazardous waste management activities successfully complete training concerning the requirements of this chapter and any relevant hazardous waste procedures applicable to job tasks and functions performed by the facility personnel. (B) The large quantity generator shall ensure that facility personnel successfully complete the program required in subsection (a)(7)(A) of this section

within six months after the date of their employment or assignment to the facility, or to a new position at the facility, whichever is later. Employees shall not work in unsupervised positions until they have completed the training requirements of subsection (a)(7)(A) of this section. (C) The large quantity generator shall ensure that facility personnel take part in an annual review of the initial training required in subsection (a)(7)(A) of this section. (D) The training records required by this subsection must demonstrate compliance with subsection (a)(7)(A) and include the specific elements set out in subsection (a)(7)(D)1 through 4. The large quantity generator shall maintain the following documents and records at the facility: 1. The job title for each position at the facility related to hazardous waste management, and the name of the facility personnel filling each job; 2. A written job description for each position listed under subsection (a)(7)(D)1 of this section. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but shall include the requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position; 3. A written description, including a syllabus and/or outline, of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under subsection (a)(7)(D)1 of this section; and 4. Facility personnel -signed or -certified records that document that the training required under subsections (a)(7)(A), (B), and (C) of this section has been given to, and completed by, each facility personnel. (E) The large quantity generator shall maintain training records on current personnel until closure of the facility. Training records on former employees shall be kept for at least three years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company.

(A)

1. The large quantity generator shall ensure that facility personnel successfully complete a training program through classroom, computer-based, or electronic instruction or on-the-job training that teaches facility personnel to perform their duties in a way that ensures the facility's compliance with the requirements of this chapter and section 5192, subsection (p), of Title 8, California Code of Regulations. Facility personnel engaged in shipping hazardous waste shall be triennially trained commensurate with their responsibilities to meet the requirements in section 172.704 of Title 49, Code of Federal Regulations. The large quantity generator shall ensure that this training program includes all the elements described in the documents required under subsection (a)(7)(D) of this section.

2. Hazardous waste management training program shall be directed by a person trained in hazardous waste management procedures and shall include instruction that teaches facility personnel hazardous waste management procedures (including, but not limited to, contingency plan implementation and the identification and segregation of incompatible hazardous waste or product) relevant to the positions in which they are employed.

3. At a minimum, the training program must be designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems, including all of the following where applicable:

- a. Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment;
- b. Key parameters for automatic waste feed cut-off systems;
- c. Communications or alarm systems;
- d. Response to fires or explosions;
- e. Response to groundwater contamination incidents;
- f. Shutdown of operations;
- g. Self-protection measures; and
- h. Accident prevention methods.

4. The training program must also be designed to ensure the following every 24 months:

- a. General awareness training. The large quantity generator shall ensure all facility personnel successfully complete training that provides a description of the facility, and an overview of the facility and facility operations that are subject to this chapter, including, but not limited to, security and safety considerations; and
- b. Function-specific job training. The large

quantity generator shall ensure all facility personnel who are involved with hazardous waste management activities successfully complete training concerning the requirements of this chapter and any relevant hazardous waste procedures applicable to job tasks and functions performed by the facility personnel.

1.

The large quantity generator shall ensure that facility personnel successfully complete a training program through classroom, computer-based, or electronic instruction or on-the-job training that teaches facility personnel to perform their duties in a way that ensures the facility's compliance with the requirements of this chapter and section 5192, subsection (p), of Title 8, California Code of Regulations. Facility personnel engaged in shipping hazardous waste shall be triennially trained commensurate with their responsibilities to meet the requirements in section 172.704 of Title 49, Code of Federal Regulations. The large quantity generator shall ensure that this training program includes all the elements described in the documents required under subsection (a)(7)(D) of this section.

2.

Hazardous waste management training program shall be directed by a person trained in hazardous waste management procedures and shall include instruction that teaches facility personnel hazardous waste management procedures (including, but not limited to, contingency plan implementation and the identification and segregation of incompatible hazardous waste or product) relevant to the positions in which they are employed.

3.

At a minimum, the training program must be designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems, including all of the following where applicable: a. Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment; b. Key parameters for automatic waste feed cut-off systems; c. Communications or alarm systems; d.

Response to fires or explosions; e. Response to groundwater contamination incidents; f. Shutdown of operations; g. Self-protection measures; and h. Accident prevention methods.

a.

Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment;

b.

Key parameters for automatic waste feed cut-off systems;

c.

Communications or alarm systems;

d.

Response to fires or explosions;

e.

Response to groundwater contamination incidents;

f.

Shutdown of operations;

g.

Self-protection measures; and

h.

Accident prevention methods.

4.

The training program must also be designed to ensure the following every 24 months: a. General awareness training. The large quantity generator shall ensure all facility personnel successfully complete training that provides a description of the facility, and an overview of the facility and facility operations that are subject to this chapter, including, but not limited to, security and safety considerations; and b. Function-specific job training. The large quantity generator shall ensure all facility personnel who are involved with hazardous waste management activities successfully complete training concerning the requirements of this chapter and any relevant hazardous waste

procedures applicable to job tasks and functions performed by the facility personnel.

a.

General awareness training. The large quantity generator shall ensure all facility personnel successfully complete training that provides a description of the facility, and an overview of the facility and facility operations that are subject to this chapter, including, but not limited to, security and safety considerations; and

b.

Function-specific job training. The large quantity generator shall ensure all facility personnel who are involved with hazardous waste management activities successfully complete training concerning the requirements of this chapter and any relevant hazardous waste procedures applicable to job tasks and functions performed by the facility personnel.

(B)

The large quantity generator shall ensure that facility personnel successfully complete the program required in subsection (a)(7)(A) of this section within six months after the date of their employment or assignment to the facility, or to a new position at the facility, whichever is later. Employees shall not work in unsupervised positions until they have completed the training requirements of subsection (a)(7)(A) of this section.

(C)

The large quantity generator shall ensure that facility personnel take part in an annual review of the initial training required in subsection (a)(7)(A) of this section.

(D)

The training records required by this subsection must demonstrate compliance with subsection (a)(7)(A) and include the specific elements set out in subsection (a)(7)(D)1 through 4. The large quantity generator shall maintain the following documents and records at the facility: 1. The job title for each position at the facility related to hazardous waste management, and the name of the facility personnel filling each job; 2. A written job

description for each position listed under subsection (a)(7)(D)1 of this section. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but shall include the requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position; 3. A written description, including a syllabus and/or outline, of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under subsection (a)(7)(D)1 of this section; and 4. Facility personnel -signed or -certified records that document that the training required under subsections (a)(7)(A), (B), and (C) of this section has been given to, and completed by, each facility personnel.

1.

The job title for each position at the facility related to hazardous waste management, and the name of the facility personnel filling each job;

2.

A written job description for each position listed under subsection (a)(7)(D)1 of this section. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but shall include the requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position;

3.

A written description, including a syllabus and/or outline, of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under subsection (a)(7)(D)1 of this section; and

4.

Facility personnel -signed or -certified records that document that the training required under subsections (a)(7)(A), (B), and (C) of this section has been given to, and completed by, each facility personnel.

(E)

The large quantity generator shall maintain training records on current personnel until closure of the facility. Training records on former employees shall be kept for at least three years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company.

(8)

Closure. A large quantity generator accumulating hazardous wastes in containers, tanks, drip pads, and containment buildings, prior to closing a unit at the facility, or prior to closing the facility, shall meet the following conditions: (A) Notification for closure of a waste accumulation unit. A large quantity generator shall perform one of the following when closing a waste accumulation unit: 1. Place a notice in the operating record within 30 days after closure identifying the location of the unit within the facility; or 2. Meet the closure performance standards of subsection (a)(8)(C) of this section for container, tank, and containment building waste accumulation units or subsection (a)(8)(D) of this section for drip pads, and notify the Department following the procedures in subsection (a)(8)(B)2 of this section for the waste accumulation unit. If the waste accumulation unit is subsequently reopened, the generator may remove the notice from the operating record. (B) Notification for closure of the facility. 1. A large quantity generator of RCRA hazardous waste shall notify the Department using form 8700-12 no later than 30 days prior to closing the facility. 2. A large quantity generator of RCRA hazardous waste shall notify the Department using form 8700-12 within 90 days after closing the facility that it has complied with the closure performance standards of subsection (a)(8)(C) or (D) of this section. If the facility cannot meet the closure performance standards of subsection (a)(8)(C) or (D) of this section, notify the Department using form 8700-12 that it will close as a landfill under section 66265.310 of this division in the case of a container, tank, or containment building unit(s) or, for a facility with drip pads, notify using form 8700-12 that it will

close under the standards of section 66265.445(b) of this division. 3. A large quantity generator of RCRA hazardous waste may request additional time to clean close, but it shall notify the Department using form 8700-12 within 75 days after the date provided in subsection (a)(8)(B)1 of this section to request an extension and provide an explanation as to why the additional time is required. (C) Closure performance standards for container, tank systems, and containment building waste accumulation units. 1. At closure, the generator shall close the waste accumulation unit or facility in a manner that: a. Minimizes the need for further maintenance by controlling, minimizing, or eliminating, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground or surface waters or to the atmosphere; and b. Removes or decontaminates all contaminated equipment, structures, and soil and any remaining hazardous waste residues from waste accumulation units including containment system components (e.g., pads, liners), contaminated soils and subsoils, bases, and structures and equipment contaminated with waste, unless section 66261.3(d) of this division applies. c. Any hazardous waste generated in the process of closing either the generator's facility or unit(s) accumulating hazardous waste shall be managed in accordance with all applicable standards of chapters 12, 13, 15 and 18 of this division, including removing any hazardous waste contained in these units within 90 days of generating it and managing these wastes in a hazardous waste permitted transfer, treatment, storage, and disposal facility or interim status facility. d. If the generator demonstrates that any contaminated soils and wastes cannot be practicably removed or decontaminated as required in subsection (a)(8)(B)1.b of this section, then the waste accumulation unit is considered to be a landfill and the generator shall close the waste accumulation unit and perform post-closure care in accordance with the closure and

post-closure care requirements that apply to landfills (section 66265.310 of this division). In addition, for the purposes of closure, post-closure, and financial responsibility, such a waste accumulation unit is then considered to be a landfill, and the generator shall meet all of the requirements for landfills specified in articles 7 and 8 of chapter 15 of this division. (D) Closure performance standards for drip pad waste accumulation units. At closure, the generator shall comply with the closure requirements of subsections (a)(8)(B) and (a)(8)(C)1.a and c of this section, and subsections 66265.445(a) and (b) of this division. (E) The closure requirements of subsection (a)(8) of this section do not apply to satellite accumulation areas.

(A)

Notification for closure of a waste accumulation unit. A large quantity generator shall perform one of the following when closing a waste accumulation unit: 1. Place a notice in the operating record within 30 days after closure identifying the location of the unit within the facility; or 2. Meet the closure performance standards of subsection (a)(8)(C) of this section for container, tank, and containment building waste accumulation units or subsection (a)(8)(D) of this section for drip pads, and notify the Department following the procedures in subsection (a)(8)(B)2 of this section for the waste accumulation unit. If the waste accumulation unit is subsequently reopened, the generator may remove the notice from the operating record.

1.

Place a notice in the operating record within 30 days after closure identifying the location of the unit within the facility; or

2.

Meet the closure performance standards of subsection (a)(8)(C) of this section for container, tank, and containment building waste accumulation units or subsection (a)(8)(D) of this section for drip pads, and notify the Department following the procedures in subsection (a)(8)(B)2 of this section for

the waste accumulation unit. If the waste accumulation unit is subsequently reopened, the generator may remove the notice from the operating record.

(B)

Notification for closure of the facility. 1. A large quantity generator of RCRA hazardous waste shall notify the Department using form 8700-12 no later than 30 days prior to closing the facility. 2. A large quantity generator of RCRA hazardous waste shall notify the Department using form 8700-12 within 90 days after closing the facility that it has complied with the closure performance standards of subsection (a)(8)(C) or (D) of this section. If the facility cannot meet the closure performance standards of subsection (a)(8)(C) or (D) of this section, notify the Department using form 8700-12 that it will close as a landfill under section 66265.310 of this division in the case of a container, tank, or containment building unit(s) or, for a facility with drip pads, notify using form 8700-12 that it will close under the standards of section 66265.445(b) of this division. 3. A large quantity generator of RCRA hazardous waste may request additional time to clean close, but it shall notify the Department using form 8700-12 within 75 days after the date provided in subsection (a)(8)(B)1 of this section to request an extension and provide an explanation as to why the additional time is required.

1.

A large quantity generator of RCRA hazardous waste shall notify the Department using form 8700-12 no later than 30 days prior to closing the facility.

2.

A large quantity generator of RCRA hazardous waste shall notify the Department using form 8700-12 within 90 days after closing the facility that it has complied with the closure performance standards of subsection (a)(8)(C) or (D) of this section. If the facility cannot meet the closure performance standards of subsection (a)(8)(C) or (D) of this section, notify the Department using form 8700-12 that it will close as a landfill under section 66265.310 of this division in the case of a container,

tank, or containment building unit(s) or, for a facility with drip pads, notify using form 8700-12 that it will close under the standards of section 66265.445(b) of this division.

3.

A large quantity generator of RCRA hazardous waste may request additional time to clean close, but it shall notify the Department using form 8700-12 within 75 days after the date provided in subsection (a)(8)(B)1 of this section to request an extension and provide an explanation as to why the additional time is required.

(C)

Closure performance standards for container, tank systems, and containment building waste accumulation units. 1. At closure, the generator shall close the waste accumulation unit or facility in a manner that: a. Minimizes the need for further maintenance by controlling, minimizing, or eliminating, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground or surface waters or to the atmosphere; and b. Removes or decontaminates all contaminated equipment, structures, and soil and any remaining hazardous waste residues from waste accumulation units including containment system components (e.g., pads, liners), contaminated soils and subsoils, bases, and structures and equipment contaminated with waste, unless section 66261.3(d) of this division applies. c. Any hazardous waste generated in the process of closing either the generator's facility or unit(s) accumulating hazardous waste shall be managed in accordance with all applicable standards of chapters 12, 13, 15 and 18 of this division, including removing any hazardous waste contained in these units within 90 days of generating it and managing these wastes in a hazardous waste permitted transfer, treatment, storage, and disposal facility or interim status facility. d. If the generator demonstrates that any contaminated soils and wastes cannot be practicably removed or decontaminated as required in subsection (a)(8)(B)1.b of this section, then the

waste accumulation unit is considered to be a landfill and the generator shall close the waste accumulation unit and perform post-closure care in accordance with the closure and post-closure care requirements that apply to landfills (section 66265.310 of this division). In addition, for the purposes of closure, post-closure, and financial responsibility, such a waste accumulation unit is then considered to be a landfill, and the generator shall meet all of the requirements for landfills specified in articles 7 and 8 of chapter 15 of this division.

1.

At closure, the generator shall close the waste accumulation unit or facility in a manner that: a. Minimizes the need for further maintenance by controlling, minimizing, or eliminating, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground or surface waters or to the atmosphere; and b. Removes or decontaminates all contaminated equipment, structures, and soil and any remaining hazardous waste residues from waste accumulation units including containment system components (e.g., pads, liners), contaminated soils and subsoils, bases, and structures and equipment contaminated with waste, unless section 66261.3(d) of this division applies. c. Any hazardous waste generated in the process of closing either the generator's facility or unit(s) accumulating hazardous waste shall be managed in accordance with all applicable standards of chapters 12, 13, 15 and 18 of this division, including removing any hazardous waste contained in these units within 90 days of generating it and managing these wastes in a hazardous waste permitted transfer, treatment, storage, and disposal facility or interim status facility. d. If the generator demonstrates that any contaminated soils and wastes cannot be practicably removed or decontaminated as required in subsection (a)(8)(B)1.b of this section, then the waste accumulation unit is considered to be a landfill and the generator shall close the waste accumulation unit and perform post-closure care in accordance with the closure and post-closure care requirements that apply to landfills (section 66265.310 of this division). In addition, for the purposes of closure, post-closure, and financial responsibility, such a waste

accumulation unit is then considered to be a landfill, and the generator shall meet all of the requirements for landfills specified in articles 7 and 8 of chapter 15 of this division.

a.

Minimizes the need for further maintenance by controlling, minimizing, or eliminating, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground or surface waters or to the atmosphere; and

b.

Removes or decontaminates all contaminated equipment, structures, and soil and any remaining hazardous waste residues from waste accumulation units including containment system components (e.g., pads, liners), contaminated soils and subsoils, bases, and structures and equipment contaminated with waste, unless section 66261.3(d) of this division applies.

c.

Any hazardous waste generated in the process of closing either the generator's facility or unit(s) accumulating hazardous waste shall be managed in accordance with all applicable standards of chapters 12, 13, 15 and 18 of this division, including removing any hazardous waste contained in these units within 90 days of generating it and managing these wastes in a hazardous waste permitted transfer, treatment, storage, and disposal facility or interim status facility.

d.

If the generator demonstrates that any contaminated soils and wastes cannot be practicably removed or decontaminated as required in subsection (a)(8)(B)1.b of this section, then the waste accumulation unit is considered to be a landfill and the generator shall close the waste accumulation unit and perform post-closure care in accordance with the closure and post-closure care requirements that apply to landfills (section 66265.310 of this division). In addition, for the purposes of closure, post-closure, and financial responsibility, such a waste accumulation unit is then considered to be a landfill, and the generator shall meet all of the requirements for landfills specified in articles 7 and 8 of chapter 15 of this division.

(D)

Closure performance standards for drip pad waste accumulation units. At closure, the generator shall comply with the closure requirements of subsections (a)(8)(B) and (a)(8)(C)1.a and c of this section, and subsections 66265.445(a) and (b) of this division.

(E)

The closure requirements of subsection (a)(8) of this section do not apply to satellite accumulation areas.

(9)

Land disposal restrictions. The large quantity generator shall comply with all applicable requirements under chapter 18 of this division.

(b)

Accumulation time limit extension. A large quantity generator that accumulates hazardous waste for more than 90 days is subject to the requirements of chapters 14, 15, 16, 18, and 20 of this division, or the notification requirements pursuant to Health and Safety Code section 25153.6, unless the generator has been granted an extension to the 90-day period. An extension may be granted by the Department if hazardous wastes must remain on site for longer than 90 days due to unforeseeable, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted at the discretion of the Department on a case-by-case basis. An extension may be granted pursuant to section 66262.35 if non-RCRA or RCRA-exempt hazardous wastes must remain on site for longer than 90 days.

(c)

Rejected load. A large quantity generator that sends a shipment of hazardous waste to a designated facility, with the understanding that the designated facility can accept and manage the waste and later receives that shipment back as a

rejected load or residue in accordance with the manifest discrepancy provisions of sections 66264.72 or 66265.72 of this division, may accumulate the returned waste onsite in accordance with subsections (a) and (b) of this section. Upon receipt of the returned shipment, the generator shall: (1) Sign Item 18c of the manifest, if the transporter returned the shipment using the original manifest; or (2) Sign Item 20 of the manifest, if the transporter returned the shipment using a new manifest. (3) Submit a copy of the signed manifest to the Department within 30 days of receipt. Mail the legible manifest copy, specifically the Designated Facility-to-Destination State manifest copy (Page 1 of the manifest as provided in section 66262.21, subsection (d)) to: DTSC FACILITY MANIFESTS P.O. BOX 3000, SACRAMENTO, CA 95812-3000

(1)

Sign Item 18c of the manifest, if the transporter returned the shipment using the original manifest; or

(2)

Sign Item 20 of the manifest, if the transporter returned the shipment using a new manifest.

(3)

Submit a copy of the signed manifest to the Department within 30 days of receipt. Mail the legible manifest copy, specifically the Designated Facility-to-Destination State manifest copy (Page 1 of the manifest as provided in section 66262.21, subsection (d)) to: DTSC FACILITY MANIFESTS P.O. BOX 3000, SACRAMENTO, CA 95812-3000

(d)

The large quantity generator of the rejected hazardous waste shall label or mark the hazardous waste in a manner that indicates that it is rejected hazardous waste and shall include the date it was received by the generator. If the generator

of the rejected hazardous waste commingles it with other hazardous wastes, the shorter of any applicable accumulation time limits shall apply to the commingled hazardous waste.

(e)

The 90-day accumulation time period, for purposes of subsections (a) or (b) of this section, begins when any amount of hazardous waste first begins to accumulate in that month.