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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 13@ Standards Applicable to Transporters of Hazardous Waste

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Article 1@ General

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Section 66263.18@ Exempt Transfer Facility

66263.18 Exempt Transfer Facility

(a)

A transfer facility, as defined in section 25123.3(a)(3) of the Health and Safety Code, shall not be subject to the requirements of chapters 14, 15, 18 and 20 regarding a permit for waste storage when, during the normal course of transportation, hazardous waste is held as specified in subsection (b), and: (1) all manifested shipments of packaged or containerized hazardous wastes meeting the packaging requirements of section 66262.30 shall only be transferred from one vehicle to another; and (2) all packages or containers used in this transfer shall be the same packages or containers used for transporting the hazardous wastes and no additional handling shall take place.

(1)

all manifested shipments of packaged or containerized hazardous wastes meeting the packaging requirements of section 66262.30 shall only be transferred from one vehicle to another; and

(2)

all packages or containers used in this transfer shall be the same packages or containers used for transporting the hazardous wastes and no additional handling shall take place.

(b)

Hazardous waste is held at a transfer facility pursuant to any one of the following

conditions: (1) if located in an area zoned by the local planning authority for industrial or agricultural land use, and hazardous wastes is held for 10 days or less, unless subject to subsection (b)(2). (2) if located in an area zoned agricultural by the local planning authority that commenced initial operations before January 1, 2005 and is located within 500 feet of a structure identified in Health and Safety Code, section 25232, subdivision (b), paragraph (1), subparagraphs (A) to (E), and hazardous waste is held for six days or less. (3) if located on land zoned by the local planning authority for other land use, unless subject to paragraph (1) and (2) of subsection (b) or not prohibited by subsection (c) of this section, and hazardous waste is held for six days or less.

(1)

if located in an area zoned by the local planning authority for industrial or agricultural land use, and hazardous wastes is held for 10 days or less, unless subject to subsection (b)(2).

(2)

if located in an area zoned agricultural by the local planning authority that commenced initial operations before January 1, 2005 and is located within 500 feet of a structure identified in Health and Safety Code, section 25232, subdivision (b), paragraph (1), subparagraphs (A) to (E), and hazardous waste is held for six days or less.

(3)

if located on land zoned by the local planning authority for other land use, unless subject to paragraph (1) and (2) of subsection (b) or not prohibited by subsection (c) of this section, and hazardous waste is held for six days or less.

(c)

The transfer facility exemption of this section does not apply and is prohibited as follows: (1) if located on property zoned residential by the local planning

authority; or (2) if located at a transfer facility that commenced initial operations on and after January 1, 2005 and is located within 500 feet of a structure identified in Health and Safety Code section 25232, subdivision (b), paragraph (1), subparagraphs (A) to (E).

(1)

if located on property zoned residential by the local planning authority; or

(2)

if located at a transfer facility that commenced initial operations on and after January 1, 2005 and is located within 500 feet of a structure identified in Health and Safety Code section 25232, subdivision (b), paragraph (1), subparagraphs (A) to (E).