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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 14@ Standards for Owners and Operators of Hazardous Waste Transfer, Treatment, Storage, and Disposal Facilities

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Article 15@ Incinerators

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Section 66264.340@ Applicability

66264.340 Applicability

(a)

The regulations in this article apply to owners or operators of facilities that incinerate hazardous waste, except as 66264.1 provides otherwise. The following facility owners or operators are considered to incinerate hazardous waste: (1) owners or operators of hazardous waste incinerators (as defined in section 66260.10).

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owners or operators of hazardous waste incinerators (as defined in section 66260.10).

(b)

After consideration of the waste analysis included with Part B of the permit application, the Department, in establishing the permit conditions, shall exempt the applicant from all requirements of this article except sections 66264.341 (Waste analysis) and 66264.351 (Closure): (1) if the Department finds that the waste to be burned is: (A) listed as a hazardous waste in article 4 of chapter 11 of this division solely because it is ignitable (Hazard Code I), corrosive (Hazard Code C), or both; or (B) listed as a hazardous waste in article 4 of chapter 11 of this division solely because it is reactive (Hazard Code R) for characteristics other than those listed in section 66261.33(a)(4) and (a)(5), and will not be burned when other hazardous wastes are present in the combustion zone; or (C) a hazardous waste solely because it possesses the characteristic of ignitability, corrosivity, or

both, as determined by the test for characteristics of hazardous wastes under article 3 of chapter 11 of this division; or (D) a hazardous waste solely because it possesses any of the reactivity characteristics described by section 66261.23(a)(1), (a)(2), (a)(3), (a)(6), (a)(7), and (a)(8), and will not be burned when other hazardous wastes are present in the combustion zone; and (2) if the waste analysis shows that the waste contains none of the hazardous constituents listed in Appendix VIII of chapter 11 of this division, which would reasonably be expected to be in the waste.

(1)

if the Department finds that the waste to be burned is: (A) listed as a hazardous waste in article 4 of chapter 11 of this division solely because it is ignitable (Hazard Code I), corrosive (Hazard Code C), or both; or (B) listed as a hazardous waste in article 4 of chapter 11 of this division solely because it is reactive (Hazard Code R) for characteristics other than those listed in section 66261.33(a)(4) and (a)(5), and will not be burned when other hazardous wastes are present in the combustion zone; or (C) a hazardous waste solely because it possesses the characteristic of ignitability, corrosivity, or both, as determined by the test for characteristics of hazardous wastes under article 3 of chapter 11 of this division; or (D) a hazardous waste solely because it possesses any of the reactivity characteristics described by section 66261.23(a)(1), (a)(2), (a)(3), (a)(6), (a)(7), and (a)(8), and will not be burned when other hazardous wastes are present in the combustion zone; and

(A)

listed as a hazardous waste in article 4 of chapter 11 of this division solely because it is ignitable (Hazard Code I), corrosive (Hazard Code C), or both; or

(B)

listed as a hazardous waste in article 4 of chapter 11 of this division solely because it is

reactive (Hazard Code R) for characteristics other than those listed in section

66261.33(a)(4) and (a)(5), and will not be burned when other hazardous wastes are present in the combustion zone; or

(C)

a hazardous waste solely because it possesses the characteristic of ignitability, corrosivity, or both, as determined by the test for characteristics of hazardous wastes under article 3 of chapter 11 of this division; or

(D)

a hazardous waste solely because it possesses any of the reactivity characteristics described by section 66261.23(a)(1), (a)(2), (a)(3), (a)(6), (a)(7), and (a)(8), and will not be burned when other hazardous wastes are present in the combustion zone; and

(2)

if the waste analysis shows that the waste contains none of the hazardous constituents listed in Appendix VIII of chapter 11 of this division, which would reasonably be expected to be in the waste.

(c)

If the waste to be burned is one which is described by subsections (b)(1)(A), (b)(1)(B), (b)(1)(C), or (b)(1)(D) of this section and contains insignificant concentrations of the hazardous constituents listed in Appendix VIII to chapter 11 of this division, then the Department shall, in establishing permit conditions, exempt the applicant from all requirements of this article, except sections 66264.341 (Waste analysis) and 66264.351 (Closure), after consideration of the waste analysis included with Part B of the permit application, unless the Department finds that the waste will pose a threat to human health and the environment when burned in an incinerator.

(d)

The owner or operator of an incinerator may conduct trial burns subject only to the requirements of section 66270.62 (Short term and incinerator permits).