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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 15.5@ Corrective Action for Waste Management Units

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Section 66264.553@ Temporary Units

66264.553 Temporary Units

(a)

For temporary tanks and container storage areas used for treatment or storage of hazardous remediation wastes, during corrective action activities required under this article, Health and Safety Code sections 25200.10, 25187, or 25200.14, or section 25358.9 where as provided for under the provisions of that section the Department has excluded the removal or remedial action at a site from the hazardous waste facilities permit required by Health and Safety Code section 25201, or federal RCRA section 3005 [Title 42, U.S.C., section 6925], the Department may determine that a design, operating, or closure standard applicable to such units may be replaced by alternative requirements which are protective of human health or the environment.

(b)

Any temporary unit to which alternative requirements are applied in accordance with subsection (a) of this section shall be: (1) Located within the facility boundary; and (2) Used only for treatment or storage of remediation wastes.

(1)

Located within the facility boundary; and

(2)

Used only for treatment or storage of remediation wastes.

(c)

In establishing standards to be applied to a temporary unit, the Department shall consider the following factors: (1) Length of time such unit will be in operation; (2) Type of unit; (3) Volumes of wastes to be managed; (4) Physical and chemical characteristics of the wastes to be managed in the unit; (5) Potential for releases from the unit; (6) Hydrogeological and other relevant environmental conditions at the facility which may influence the migration of any potential releases; and (7) Potential for exposure of humans and environmental receptors if releases were to occur from the unit.

(1)

Length of time such unit will be in operation;

(2)

Type of unit;

(3)

Volumes of wastes to be managed;

(4)

Physical and chemical characteristics of the wastes to be managed in the unit;

(5)

Potential for releases from the unit;

(6)

Hydrogeological and other relevant environmental conditions at the facility which may influence the migration of any potential releases; and

(7)

Potential for exposure of humans and environmental receptors if releases were to occur from the unit.

(d)

The Department shall specify in the permit or order the length of time a

temporary unit will be allowed to operate, to be no longer than a period of one year. The Department shall also specify the design, operating, and closure requirements for the unit.

(e)

The Department may extend the operational period of a temporary unit once for no longer than a period of one year beyond that originally specified in the permit or order, if the Department determines that: (1) Continued operation of the unit will not pose a threat to human health or the environment; and (2) Continued operation of the unit is necessary to ensure timely and efficient implementation of corrective actions at the facility.

(1)

Continued operation of the unit will not pose a threat to human health or the environment; and

(2)

Continued operation of the unit is necessary to ensure timely and efficient implementation of corrective actions at the facility.

(f)

Incorporation of a temporary unit or a time extension for a temporary unit into an existing permit shall be: (1) Approved in accordance with the procedures for Department-initiated permit modifications under section 66270.41 of chapter 20 of this division; or (2) Requested by the owner or operator as a Class II modification according to the procedures under section 66270.42 of chapter 20 of this division.

(1)

Approved in accordance with the procedures for Department-initiated permit modifications under section 66270.41 of chapter 20 of this division; or

(2)

Requested by the owner or operator as a Class II modification according to the procedures under section 66270.42 of chapter 20 of this division.

(g)

The Department shall document the rationale for designating a temporary unit and for granting time extensions for temporary units and shall make such documentation available to the public.