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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 18@ Land Disposal Restrictions

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Article 12@ Incineration Requirements of Certain Hazardous Waste

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Section 66268.124@ Emergency Variance from Sections 66268.120 and 66268.121

## **66268.124 Emergency Variance from Sections 66268.120 and 66268.121**

### **(a)**

A hazardous waste producer may request in writing, an emergency variance from the Department pursuant to Health and Safety Code section 25155.7. A producer of a hazardous waste subject to Land Disposal Restrictions established pursuant to section 6924(m) of Title 42 of the United States Code is not eligible for an emergency variance, unless the waste has been granted a variance, extension, or exemption by the EPA Administrator.

### **(b)**

After receiving an application for an emergency variance, the Department may request any additional information which it deems necessary to evaluate the application. Within 45 days of receipt of the application, the Department shall inform the applicant, in writing, that the application is complete and accepted for filing, or that the application is deficient and what specific information is required.

### **(c)**

On the basis of the information referred to in subsection (b) of this section, the Department may grant an emergency variance of up to 1 year upon the request of the applicant if the demonstration required pursuant to Health and Safety Code section 25155.7, can still be made. In no event will an emergency variance extend beyond 24 months from the date the Department determines the application is

complete and accepted for filing. The length of any emergency variance will be determined by the Department based on the time required for the applicant to secure other treatment pursuant to sections 66268.120 and 66268.121. The Department shall make a decision on an application for an emergency variance within 120 days of the filing of a completed application.