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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 20@ The Hazardous Waste Permit Program

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Article 3@ Permit Conditions

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Section 66270.33@ Schedules of Compliance

## **66270.33 Schedules of Compliance**

### **(a)**

The permit may, when appropriate, specify a schedule of compliance leading to compliance with the statutes and regulations. (1) Time for compliance. Any schedules of compliance under this section shall require compliance as soon as possible. (2) Interim dates. Except as provided in subsection (b)(1)(B) of this section, if a permit establishes a schedule of compliance which exceeds one year from the date of permit issuance, the schedule shall set forth interim requirements and the dates for their achievement. (A) The time between interim dates shall not exceed one year. (B) If the time necessary for completion of any interim requirement is more than one year and is not readily divisible into stages for completion, the permit shall specify interim dates for the submission of reports of progress toward completion of the interim requirements and indicate a projected completion date. (3) Reporting. The permit shall be written to require that no later than 14 days following each interim date and the final date of compliance, the permittee shall notify the Department in writing, of its compliance or noncompliance with the interim or final requirements.

### **(1)**

Time for compliance. Any schedules of compliance under this section shall require compliance as soon as possible.

### **(2)**

Interim dates. Except as provided in subsection (b)(1)(B) of this section, if a permit establishes a schedule of compliance which exceeds one year from the date of permit issuance, the schedule shall set forth interim requirements and the dates for their achievement. (A) The time between interim dates shall not exceed one year. (B) If the time necessary for completion of any interim requirement is more than one year and is not readily divisible into stages for completion, the permit shall specify interim dates for the submission of reports of progress toward completion of the interim requirements and indicate a projected completion date.

**(A)**

The time between interim dates shall not exceed one year.

**(B)**

If the time necessary for completion of any interim requirement is more than one year and is not readily divisible into stages for completion, the permit shall specify interim dates for the submission of reports of progress toward completion of the interim requirements and indicate a projected completion date.

**(3)**

Reporting. The permit shall be written to require that no later than 14 days following each interim date and the final date of compliance, the permittee shall notify the Department in writing, of its compliance or noncompliance with the interim or final requirements.

**(b)**

Alternative schedules of compliance. A permit applicant or permittee may cease conducting regulated activities (by receiving a terminal volume of hazardous waste and, for transfer, treatment and storage hazardous waste management facilities, closing pursuant to applicable requirements; and, for disposal hazardous waste management facilities, closing and conducting post-closure care pursuant

to applicable requirements) rather than continue to operate and meet permit requirements as follows. (1) If the permittee decides to cease conducting regulated activities at a given time within the term of a permit which has already been issued: (A) the permit may be modified to contain a new or additional schedule leading to timely cessation of activities; or (B) the permittee shall cease conducting permitted activities before noncompliance with any interim or final compliance schedule requirement already specified in the permit. (2) If the decision to cease conducting regulated activities is made before issuance of a permit whose term will include the termination date, the permit shall contain a schedule leading to termination which will ensure timely compliance with applicable requirements. (3) If the permittee is undecided whether to cease conducting regulated activities, the Department may issue or modify a permit to contain two schedules as follows: (A) both schedules shall contain an identical interim deadline requiring a final decision on whether to cease conducting regulated activities no later than a date which ensures sufficient time to comply with applicable requirements in a timely manner if the decision is to continue conducting regulated activities; (B) one schedule shall lead to timely compliance with applicable requirements; (C) the second schedule shall lead to cessation of regulated activities by a date which will ensure timely compliance with applicable requirements; (D) each permit containing two schedules shall include a requirement that after the permittee has made a final decision under subsection (b)(3)(A) of this section it shall follow the schedule leading to compliance if the decision is to continue conducting regulated activities, and follow the schedule leading to termination if the decision is to cease conducting regulated activities. (4) The applicant's or permittee's decision to cease conducting regulated activities shall be evidenced by a firm public commitment satisfactory to the Department,

such as resolution of the board of directors of a corporation.

**(1)**

If the permittee decides to cease conducting regulated activities at a given time within the term of a permit which has already been issued: (A) the permit may be modified to contain a new or additional schedule leading to timely cessation of activities; or (B) the permittee shall cease conducting permitted activities before noncompliance with any interim or final compliance schedule requirement already specified in the permit.

**(A)**

the permit may be modified to contain a new or additional schedule leading to timely cessation of activities; or

**(B)**

the permittee shall cease conducting permitted activities before noncompliance with any interim or final compliance schedule requirement already specified in the permit.

**(2)**

If the decision to cease conducting regulated activities is made before issuance of a permit whose term will include the termination date, the permit shall contain a schedule leading to termination which will ensure timely compliance with applicable requirements.

**(3)**

If the permittee is undecided whether to cease conducting regulated activities, the Department may issue or modify a permit to contain two schedules as follows: (A) both schedules shall contain an identical interim deadline requiring a final decision on whether to cease conducting regulated activities no later than a date which ensures sufficient time to comply with applicable requirements in a timely manner if the decision is to continue conducting regulated activities; (B) one schedule shall lead to

timely compliance with applicable requirements; (C) the second schedule shall lead to cessation of regulated activities by a date which will ensure timely compliance with applicable requirements; (D) each permit containing two schedules shall include a requirement that after the permittee has made a final decision under subsection (b)(3)(A) of this section it shall follow the schedule leading to compliance if the decision is to continue conducting regulated activities, and follow the schedule leading to termination if the decision is to cease conducting regulated activities.

**(A)**

both schedules shall contain an identical interim deadline requiring a final decision on whether to cease conducting regulated activities no later than a date which ensures sufficient time to comply with applicable requirements in a timely manner if the decision is to continue conducting regulated activities;

**(B)**

one schedule shall lead to timely compliance with applicable requirements;

**(C)**

the second schedule shall lead to cessation of regulated activities by a date which will ensure timely compliance with applicable requirements;

**(D)**

each permit containing two schedules shall include a requirement that after the permittee has made a final decision under subsection (b)(3)(A) of this section it shall follow the schedule leading to compliance if the decision is to continue conducting regulated activities, and follow the schedule leading to termination if the decision is to cease conducting regulated activities.

**(4)**

The applicant's or permittee's decision to cease conducting regulated activities shall be evidenced by a firm public commitment satisfactory to the Department, such as

resolution of the board of directors of a corporation.