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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 5@ Expiration and Continuation of Permits

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Section 66270.65@ Research, Development, and Demonstration Permits

66270.65 Research, Development, and Demonstration Permits

(a)

The Department may issue a research, development, and demonstration permit for any hazardous waste treatment facility which proposes to utilize an innovative and experimental hazardous waste treatment technology or process for which permit standards for such experimental activity have not been promulgated under chapter 14 or 16 of this division. Any such permit shall include such terms and conditions that shall assure protection of human health and safety, livestock, wildlife and the environment. Such permits: (1) shall provide for the construction of such facilities as necessary, and for operation of the facility for not longer than one year unless renewed as provided in subsection (d) of this section, and (2) shall provide for the receipt and treatment by the facility of only those types and quantities of hazardous waste which the Department deems necessary for purposes of determining the efficacy and performance capabilities of the technology or process and the effects of such technology or process on human health and safety, livestock, wildlife and the environment, and (3) shall include such requirements as the Department deems necessary to protect human health and safety, livestock, wildlife and the environment (including, but not limited to, requirements regarding monitoring, operation, financial responsibility, closure, and remedial action), and such requirements as the Department deems necessary

regarding testing and providing of information to the Department with respect to the operation of the facility.

(1)

shall provide for the construction of such facilities as necessary, and for operation of the facility for not longer than one year unless renewed as provided in subsection (d) of this section, and

(2)

shall provide for the receipt and treatment by the facility of only those types and quantities of hazardous waste which the Department deems necessary for purposes of determining the efficacy and performance capabilities of the technology or process and the effects of such technology or process on human health and safety, livestock, wildlife and the environment, and

(3)

shall include such requirements as the Department deems necessary to protect human health and safety, livestock, wildlife and the environment (including, but not limited to, requirements regarding monitoring, operation, financial responsibility, closure, and remedial action), and such requirements as the Department deems necessary regarding testing and providing of information to the Department with respect to the operation of the facility.

(b)

If an applicant demonstrates to the satisfaction of the Department that the expedited review and issuance of a permit under this section is necessary for the protection of human health and safety, and the environment, the Department shall modify or waive permit application and permit issuance requirements in chapters 20 and 21 of this division to the extent necessary to protect human health and safety and the environment except that there may be no modification

or waiver of regulations regarding financial responsibility (including insurance) or of procedures regarding public participation.

(c)

The Department shall order an immediate termination of all operations at the facility at any time the Department determines that termination is necessary to protect human health and safety, livestock, wildlife and the environment.

(d)

Any permit issued under this section may be renewed not more than three times. Each such renewal shall be for a period of not more than 1 year.