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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 7@ Interim Status

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Section 66270.70@ Qualifying for Interim Status

66270.70 Qualifying for Interim Status

(a)

Any person who owns or operates an "existing HWM facility" or a facility in existence on the effective date of statutory or regulatory amendments under the Act that render the facility subject to the requirement to have a permit shall have interim status and shall be treated as having been issued a permit to the extent the owner or operator has:(1) complied with the requirements of Health and Safety Code section 25153.6 pertaining to notification of hazardous waste activity. Existing facilities not required to file a notification under Health and Safety Code section 25153.6 shall qualify for interim status by meeting subsection (a)(2) of this section; (2) complied with the requirements of section 66270.10 governing a submission of Part A applications.

(1)

complied with the requirements of Health and Safety Code section 25153.6 pertaining to notification of hazardous waste activity. Existing facilities not required to file a notification under Health and Safety Code section 25153.6 shall qualify for interim status by meeting subsection (a)(2) of this section;

(2)

complied with the requirements of section 66270.10 governing a submission of Part A applications.

(b)

When the Department determines on examination or reexamination of a Part A application that it fails to meet the standards of these regulations, it shall notify the owner or operator in writing that the application is deficient, and specify the grounds for the Department's belief that the application is deficient. The Department may also notify the owner or operator that the owner or operator is therefore not entitled to interim status. The owner or operator will then be subject to enforcement for operating without a permit.

(c)

Subsection (a) of this section shall not apply to any facility which has been previously denied a permit or if authority to operate the facility has been previously terminated.