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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 21@ Procedures for Hazardous Waste Permit Decisions

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Article 2@ Specific Procedures Applicable to RCRA Permits

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Section 66271.31@ Pre-Application Public Meeting and Notice

## **66271.31 Pre-Application Public Meeting and Notice**

### **(a)**

Applicability. The requirements of this section shall apply to all RCRA part B applications seeking initial RCRA permits for hazardous waste management units. The requirements of this section shall also apply to RCRA part B applications seeking renewal of permits for such units, where the renewal application is proposing a significant change in facility operations. For the purposes of this section, a "significant change" is any change that would qualify as a class 3 permit modification under 40 CFR, section 270.42. The requirements of this section do not apply to permit modifications under section 66270.42 or to applications when either are submitted for the sole purpose of conducting post-closure activities or post-closure activities and corrective action at a facility.

### **(b)**

Prior to the submission of a part B RCRA permit application for a facility, the applicant must hold at least one meeting with the public in order to solicit questions from the community and inform the community of proposed hazardous waste management activities. The applicant shall post a sign-in sheet or otherwise provide a voluntary opportunity for attendees to provide their names and addresses.

### **(c)**

The applicant shall submit a summary of the meeting, along with a list of

attendees and their addresses developed under subsection (b) of this section, and copies of any written comments or materials submitted at the meeting, to the Department as a part of the part B application, in accordance with section 66270.14(b).

**(d)**

The applicant must provide public notice of the pre-application meeting at least 30 days prior to the meeting. The applicant must maintain, and provide to the Department upon request, documentation of the notice.(1) The applicant shall provide public notice in all of the following forms: (A) A newspaper advertisement. The applicant shall publish a notice, fulfilling the requirements in subsection (d)(2) of this section, in a newspaper of general circulation in the county or equivalent jurisdiction that hosts the proposed location of the facility. In addition, the Director shall instruct the applicant to publish the notice in newspapers of general circulation in adjacent counties or equivalent jurisdictions, where the Director determines that such publication is necessary to inform the affected public. The notice must be published as a display advertisement. (B) A visible and accessible sign. The applicant shall post a notice on a clearly marked sign at or near the facility, fulfilling the requirements in subsection (d)(2) of this section. If the applicant places the sign on the facility property, then the sign must be large enough to be readable from the nearest point where the public would pass by the site. (C) A broadcast media announcement. The applicant shall broadcast a notice, fulfilling the requirements in subsection (d)(2) of this section, at least once on at least one local radio station or television station. The applicant may employ another medium with prior approval of the Director. (D) A notice to the Department. The applicant shall send a copy of the newspaper notice to the permitting agency and to the appropriate units of State and local government, in

accordance with section 66271.9(c)(1)(E). (2) The notices required under subsection (d)(1) of this section must include: (A) The date, time, and location of the meeting; (B) A brief description of the purpose of the meeting; (C) A brief description of the facility and proposed operations, including the address or a map (e.g., a sketched or copied street map) of the facility location; (D) A statement encouraging people to contact the facility at least 72 hours before the meeting if they need special access to participate in the meeting; and (E) The name, address, and telephone number of a contact person for the applicant.

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**(B)**

A visible and accessible sign. The applicant shall post a notice on a clearly marked sign at or near the facility, fulfilling the requirements in subsection (d)(2) of this section. If the applicant places the sign on the facility property, then the sign must be large enough to be readable from the nearest point where the public would pass by the site.

**(C)**

A broadcast media announcement. The applicant shall broadcast a notice, fulfilling the requirements in subsection (d)(2) of this section, at least once on at least one local radio station or television station. The applicant may employ another medium with prior approval of the Director.

**(D)**

A notice to the Department. The applicant shall send a copy of the newspaper notice to the permitting agency and to the appropriate units of State and local government, in accordance with section 66271.9(c)(1)(E).

**(2)**

The notices required under subsection (d)(1) of this section must include: (A) The date, time, and location of the meeting; (B) A brief description of the purpose of the

meeting; (C) A brief description of the facility and proposed operations, including the address or a map (e.g., a sketched or copied street map) of the facility location; (D) A statement encouraging people to contact the facility at least 72 hours before the meeting if they need special access to participate in the meeting; and (E) The name, address, and telephone number of a contact person for the applicant.

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