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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 45@ Requirements for Units and Facilities Deemed to Have a Permit by Rule

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Article 1@ Permit by Rule

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Section 67450.3@ Requirements Applicable to Fixed and Transportable Treatment Units Deemed to Have a Permit by Rule

67450.3 Requirements Applicable to Fixed and Transportable Treatment Units Deemed to Have a Permit by Rule

(a)

The owner or operator of a transportable treatment unit (TTU) deemed to hold a permit by rule pursuant to section 67450.2(a) shall do all of the following: (1) Submit, in person or by certified mail with return receipt requested, four (4) complete annual Transportable Treatment Unit (TTU) Permit by Rule/Conditional Exemption Unit-Specific Notifications (DTSC Form 1199, (1/96)) to the Department at the address specified in section 67450.2(a)(1), by March 1 of each year following the year in which the initial unit-specific notifications required by section 67450.2(a)(1) are submitted unless the Department notifies the owner or operator, in writing, of an alternate submittal date. Each annual notification shall be completed, dated and signed according to the requirements of section 66270.11 as those requirements apply to permit applications and shall contain all of the information specified in section 67450.2(a)(2). (2) Submit, in person or by certified mail with return receipt requested, four (4) complete amended TTU Permit by Rule/Conditional Exemption Unit-Specific Notifications (DTSC Form 1197, (1/96)) to the Department at the address specified in section 67450.2(a)(1), within thirty (30) days of any change to the information contained in the most recent unit-specific notification. Each amended notification shall be

completed, dated and signed according to the requirements of section 66270.11 as those requirements apply to permit applications and shall contain all of the information specified in section 67450.2(a)(2). (3) Submit, in person or by certified mail with return receipt requested, a Transportable Treatment Unit (TTU) Permit by Rule Site-Specific Notification (DTSC Form 1197 (1/96)) to the Department at the address specified in section 67450.2(a)(1) for each site where the TTU will perform treatment. The site-specific notification shall be submitted at least twenty-one (21) days prior to each site visit. Upon good cause shown by the owner or operator, the Department shall shorten the notification period. Each site-specific notification shall be completed, dated and signed according to the requirements of section 66270.11 as those requirements apply to permit applications, and shall contain all of the following: (A) The name, physical address and telephone number of the owner and operator, if different, the mailing address of the owner and operator, if different, the TTU serial number, owner or operator identification number and Board of Equalization account number, site or facility name, address or legal description of the site or facility location, site or facility identification number, site or facility contact person(s) and telephone number(s), the information required by section 66270.13(c), identification of the influent waste(s), identification of the type of business generating waste(s) to be treated by the TTU, a plot plan detailing where the hazardous waste treatment will occur, the anticipated time periods(s) the unit will be at the site or facility, the anticipated date(s) and hour(s) the unit will be in operation, a description of the hazardous waste(s) to be treated, and an estimate of the quantity or volume of hazardous waste(s) to be treated, an estimate of the quantity or volume of treatment effluents or residuals that will be discharged to a POTW, an estimate of the volume or quantity of treatment effluents or residuals

that will not be discharged to a POTW, an explanation of how all treatment effluents or residuals will be managed, and the basis for determining that a hazardous waste facility permit is not required under the federal act. (B) A certification, signed by the owner or operator, specifying the local authorities that have been notified of the intended date(s) of operation. At a minimum, the owner or operator shall notify the Certified Unified Program Agency (CUPA) or authorized agency, the agency operating the POTW, if the treatment results in discharge to a POTW, and any other agency that requires notification for the operation of the TTU at that site or facility; (C) A copy of any local Air District permit and other permits required for the operation of the TTU; (D) Documentation that the property owner, if different from the facility operator, has been notified of the operation of the TTU; (E) The certifications specified in sections 66262.45 and 66264.175(c), if applicable; and (F) The documentation specified in section 67450.7, if applicable. (4) Submit, in person or by certified mail with return receipt requested, an amended TTU Permit by Rule Site-Specific Notification (DTSC Form 1197, (1/96)) to the Department at the address specified in section 67450.2(a)(1) whenever there is any change to information contained in the preceding Site-Specific Notification for the site or facility where the TTU is operating or proposing to operate. An amended notification shall not be required when the change to information contained in a preceding notification is limited to a change in the period of operation specified pursuant to subsection (a)(3)(A) of this section and the Department has granted an extension pursuant to subsection (a)(8)(A) or (a)(8)(B) of this section. Each amended notification submitted pursuant to this subsection shall be completed, dated and signed according to the requirements of section 66270.11 as those requirements apply to permit applications and shall contain all of the information specified in subsection (a)(3) of this section. (5)

Submit the notification fee required by Health and Safety Code section 25205.14.

Each TTU owner or operator who is required to submit a notification to the Department pursuant to this section shall pay 100 percent of the initial notification fee established by Health and Safety Code section 25205.14, for each notification required pursuant to subsection (a)(1) of this section within thirty (30) days after the date the fee is assessed by the Board of Equalization as specified in Revenue and Taxation Code section 43152.10. For purposes of fee assessment each set of notifications required by subsections (a)(1) and (a)(2) of this section shall be considered a single notification. (6) Restrict treatment to those processes and wastes listed in section 67450.11; (7) Discharge any effluent or treatment residual as follows: (A) To a publicly owned treatment works (POTW) in accordance with all applicable industrial waste discharge requirements issued by the agency operating the POTW. Hazardous wastes shall not be discharged to a POTW unless the POTW is authorized to receive the hazardous waste and the discharge of hazardous waste is specifically approved in writing by the agency operating the POTW. The facility owner or operator shall inform the agency operating the POTW of the time, volume, content, characteristics and point of the discharge; or (B) In accordance with waste discharge requirements issued by a Regional Water Quality Control Board; or a National Pollutant Discharge Elimination System (NPDES) permit; or (C) To a treatment, storage or disposal facility authorized to receive the waste; or (D) In accordance with any other applicable state law allowing alternative disposition of the effluent or treatment residual. (8) Treat only waste which is generated onsite. A residual material from treatment of a hazardous waste generated offsite is not a waste that has been generated onsite. Limit the operation of the TTU as specified in subsection (a)(8)(A) or subsection (a)(8)(B) of this section. (A) TTUs may be stationed and

operated at an on-site facility, or at an off-site facility if the following conditions are met: 1. TTUs shall not be operated at any single on-site or off-site facility for more than one year. Upon good cause shown by the owner or operator, the Department shall grant up to two extensions, of six months duration, to the period of operation specified pursuant to subsection (a)(3)(A) of this section. 2. A TTU operating under a permit by rule shall only treat waste at an off-site facility if that off-site facility has a permit or other grant of authorization to manage the same wastestream with the treatment process to be used by the TTU. 3. When operating at an off-site facility, the total processing rate for any wastestream, including all approved fixed units and all TTUs, shall not exceed, at any time, the capacity stated in the off-site facility's permit or other grant of authorization. (B) A TTU may be stationed and operated at a hazardous substance release site or on-site or off-site facility as part of a site remediation, corrective action or closure activity for a maximum of one (1) calendar year. Upon good cause shown by the owner or operator, the Department shall grant up to two extensions, of six months duration each, to the period of operation specified pursuant to subsection (a)(3)(A) of this section. (9) Permanently mark the exterior of each TTU with the name of the person which owns or operates the TTU, owner or operator identification number and an individual serial number; (10) Maintain the documents specified below at the site or facility where the TTU is operating. The owner or operator shall make these documents available upon demand at the site or facility to any representative of the Department, the U.S. Environmental Protection Agency (EPA) or a local governmental agency. A copy of these documents shall be delivered in person or by certified mail with return receipt requested to the Department when requested in writing by the Department. Any request from the Department shall specify the documents which are required, where and how to

submit the required documents and the date by which the documents shall be submitted. The documents include: (A) A waste analysis plan for the treatment operation as specified in section 66265.13(b); (B) A written inspection schedule as specified in section 66265.15(b); (C) Training documents as specified in section 66265.16(d)(3) as they pertain to the operator(s); (D) A contingency plan which contains the information specified in section 66265.52; (E) A copy of the most recent Unit-Specific Notification submitted as required by sections 67450.2(a)(1), 67450.3(a)(1) and 67450.3(a)(2), a copy of the most recent acknowledgement received from the Department pursuant to sections 67450.2(a)(3) and 67450.3(b), a copy of the most recent Site-Specific Notification as specified in sections 67450.3(a)(3) and 67450.3(a)(4), and a copy of the most recent corresponding acknowledgement received from the Department pursuant to section 67450.3(b); (F) A copy of the closure plan required by subsection (a)(13)(B) of this section; (G) A copy of documents related to the environmental investigation and any cleanup, abatement or other necessary remedial action taken pursuant to section 67450.7, if applicable. (H) Documentation of any convictions, judgments, settlements, or orders resulting from any action by any local, State, or federal environmental or public health enforcement agency concerning the operation of the facility within the last three years, as the documents would be available under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Part 1 of Division 7 of Title 1 of the Government Code) and the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of the Civil Code); (11) Maintain compliance with sections 66264.175, 66265.148, 67450.7, 67450.13 and and with the following regulations in chapter 15 of this division, including those referring to permit applications:(A) Article 2. General Facility

Standards (except for section 66265.25); (B) Article 3. Preparedness and Prevention; (C) Article 4. Contingency Plan and Emergency Procedures; (D) Article 5. Manifest System, Recordkeeping and Reporting (except for sections 66265.73(b)(2), 66265.73(b)(6), 66265.73(b)(7), 66265.73(b)(15) and 66265.75); (E) Article 9. Use and Management of Containers; (F) Article 10. Tank Systems (except that the contingent plan for post-closure required by section 66265.197(c)(2) shall be maintained with the closure plan required by subsection (a)(13)(B) of this section); (G) Article 16. Thermal Treatment; (H) Article 17. Chemical, Physical, and Biological Treatment. (12) Prepare and submit an annual report to the Department when requested by the Department. The annual report shall be delivered in person or by certified mail with return receipt requested to the Department when requested in writing by the Department. The request from the Department shall specify where and how to submit the annual report and the date by which the annual report shall be submitted. The report shall be dated, and signed according to the requirements of section 66270.11 as those requirements apply to permit applications, and shall include the following information for each site or facility where treatment was performed during the calendar year preceding the Department's request: (A) The serial number(s) of the TTU(s) involved in the treatment; (B) The physical and mailing address of the person which owns or operates the TTU(s) and the TTU owner's or operator's identification number; (C) The name, title and phone number of each TTU contact person; (D) The name and address or legal description of each site or facility; (E) The site or facility identification number(s), when applicable; (F) The number of days each TTU was operated; (G) The quantity of hazardous waste(s) treated by each TTU; (H) The composition and hazardous characteristics of the influent hazardous waste(s); (I) The treatment method(s) used for each hazardous waste treated by each TTU; (J)

The quantity, composition and hazardous characteristic(s) of any treatment effluent or residual discharged from each TTU to a POTW, if applicable; and (K)

The quantity, composition, hazardous characteristic(s) and disposition of any TTU treatment effluent or residual that was not discharged to a POTW, if applicable.

(13) Maintain compliance with the following requirements regarding closure: (A) Sections 66264.178, 66265.111(a) and 66265.111(b), in the same manner as those sections apply to facilities and section 66265.114; (B) The TTU owner or operator shall have a written closure plan. The closure plan shall include: 1. A description of how and when each TTU will be closed. The description shall identify the maximum extent of the operation during the life of the TTU(s), and how the applicable requirements of sections 66264.178, 66265.114, 66265.197 and 66265.404 will be met; 2. A description of the steps needed to decontaminate the treatment equipment during closure; and 3. An estimate of the expected year of closure and a schedule for final closure. The schedule for final closure shall include, at a minimum, the total time required to close the TTU(s). (C) The TTU owner or operator shall amend the closure plan at any time during the active life of the TTU(s) (the active life of a TTU is that period during which wastes are periodically treated) when changes in operating plans or TTU design affect the closure plan, or whenever there is a change in the expected year of closure. (D) Within ninety (90) days after treating the final volume of hazardous waste, the TTU owner or operator shall treat or remove from the TTU(s), all hazardous waste in accordance with the closure plan and the applicable requirements of this chapter unless the owner or operator demonstrates to the Department that the activities required to treat and/or remove all hazardous waste from the TTU(s) will require longer than ninety (90) days. (E) The TTU owner or operator shall complete closure activities in accordance with the closure plan within 180 days after

treating the final volume of hazardous waste unless the owner or operator demonstrates to the Department that the activities required to complete the closure will require longer than 180 days to complete. (F) The TTU owner or operator shall notify the Department, the Certified Unified Program Agency (CUPA) or if there is no CUPA, then the officer or agency authorized pursuant to subdivision (f) of Health and Safety Code Section 25404.3 to implement and enforce the requirements of Health and Safety Code Section 25404(c)(1), and any other agencies having jurisdiction over the closure project at least fifteen (15) days prior to completion of closure; and (G) The TTU owner or operator shall remain in compliance with the applicable requirements of this section until the owner or operator submits to the Department a certification signed by the owner or operator and by an independent, professional engineer registered in California, that closure has been completed in accordance with the closure plan and that the closure plan meets or exceeds the applicable requirements of this chapter. (14) If treatment will be conducted in containers, the containment requirements of section 66264.175 applicable to transfer and storage areas shall be complied with for areas where treatment occurs.

(1)

Submit, in person or by certified mail with return receipt requested, four (4) complete annual Transportable Treatment Unit (TTU) Permit by Rule/Conditional Exemption Unit-Specific Notifications (DTSC Form 1199, (1/96)) to the Department at the address specified in section 67450.2(a)(1), by March 1 of each year following the year in which the initial unit-specific notifications required by section 67450.2(a)(1) are submitted unless the Department notifies the owner or operator, in writing, of an alternate submittal date. Each annual notification shall be completed, dated and signed according to the requirements of section 66270.11 as those requirements apply to

permit applications and shall contain all of the information specified in section 67450.2(a)(2).

(2)

Submit, in person or by certified mail with return receipt requested, four (4) complete amended TTU Permit by Rule/Conditional Exemption Unit-Specific Notifications (DTSC Form 1197, (1/96)) to the Department at the address specified in section 67450.2(a)(1), within thirty (30) days of any change to the information contained in the most recent unit-specific notification. Each amended notification shall be completed, dated and signed according to the requirements of section 66270.11 as those requirements apply to permit applications and shall contain all of the information specified in section 67450.2(a)(2).

(3)

Submit, in person or by certified mail with return receipt requested, a Transportable Treatment Unit (TTU) Permit by Rule Site-Specific Notification (DTSC Form 1197 (1/96)) to the Department at the address specified in section 67450.2(a)(1) for each site where the TTU will perform treatment. The site-specific notification shall be submitted at least twenty-one (21) days prior to each site visit. Upon good cause shown by the owner or operator, the Department shall shorten the notification period. Each site-specific notification shall be completed, dated and signed according to the requirements of section 66270.11 as those requirements apply to permit applications, and shall contain all of the following: (A) The name, physical address and telephone number of the owner and operator, if different, the mailing address of the owner and operator, if different, the TTU serial number, owner or operator identification number and Board of Equalization account number, site or facility name, address or legal description of the site or facility location, site or facility identification number, site or facility contact person(s) and telephone number(s), the information required by section

66270.13(c), identification of the influent waste(s), identification of the type of business generating waste(s) to be treated by the TTU, a plot plan detailing where the hazardous waste treatment will occur, the anticipated time periods(s) the unit will be at the site or facility, the anticipated date(s) and hour(s) the unit will be in operation, a description of the hazardous waste(s) to be treated, and an estimate of the quantity or volume of hazardous waste(s) to be treated, an estimate of the quantity or volume of treatment effluents or residuals that will be discharged to a POTW, an estimate of the volume or quantity of treatment effluents or residuals that will not be discharged to a POTW, an explanation of how all treatment effluents or residuals will be managed, and the basis for determining that a hazardous waste facility permit is not required under the federal act. (B) A certification, signed by the owner or operator, specifying the local authorities that have been notified of the intended date(s) of operation. At a minimum, the owner or operator shall notify the Certified Unified Program Agency (CUPA) or authorized agency, the agency operating the POTW, if the treatment results in discharge to a POTW, and any other agency that requires notification for the operation of the TTU at that site or facility; (C) A copy of any local Air District permit and other permits required for the operation of the TTU; (D) Documentation that the property owner, if different from the facility operator, has been notified of the operation of the TTU; (E) The certifications specified in sections 66262.45 and 66264.175(c), if applicable; and (F) The documentation specified in section 67450.7, if applicable.

(A)

The name, physical address and telephone number of the owner and operator, if different, the mailing address of the owner and operator, if different, the TTU serial number, owner or operator identification number and Board of Equalization account number, site or facility name, address or legal description of the site or facility location, site or facility identification number, site or facility contact person(s) and telephone number(s), the information required

by section 66270.13(c), identification of the influent waste(s), identification of the type of business generating waste(s) to be treated by the TTU, a plot plan detailing where the hazardous waste treatment will occur, the anticipated time periods(s) the unit will be at the site or facility, the anticipated date(s) and hour(s) the unit will be in operation, a description of the hazardous waste(s) to be treated, and an estimate of the quantity or volume of hazardous waste(s) to be treated, an estimate of the quantity or volume of treatment effluents or residuals that will be discharged to a POTW, an estimate of the volume or quantity of treatment effluents or residuals that will not be discharged to a POTW, an explanation of how all treatment effluents or residuals will be managed, and the basis for determining that a hazardous waste facility permit is not required under the federal act.

(B)

A certification, signed by the owner or operator, specifying the local authorities that have been notified of the intended date(s) of operation. At a minimum, the owner or operator shall notify the Certified Unified Program Agency (CUPA) or authorized agency, the agency operating the POTW, if the treatment results in discharge to a POTW, and any other agency that requires notification for the operation of the TTU at that site or facility;

(C)

A copy of any local Air District permit and other permits required for the operation of the TTU;

(D)

Documentation that the property owner, if different from the facility operator, has been notified of the operation of the TTU;

(E)

The certifications specified in sections 66262.45 and 66264.175(c), if applicable; and

(F)

The documentation specified in section 67450.7, if applicable.

(4)

Submit, in person or by certified mail with return receipt requested, an amended TTU Permit by Rule Site-Specific Notification (DTSC Form 1197, (1/96)) to the Department at the address specified in section 67450.2(a)(1) whenever there is any change to information contained in the preceding Site-Specific Notification for the site or facility where the TTU is operating or proposing to operate. An amended notification shall not be required when the change to information contained in a preceding notification is limited to a change in the period of operation specified pursuant to subsection (a)(3)(A) of this section and the Department has granted an extension pursuant to subsection (a)(8)(A) or (a)(8)(B) of this section. Each amended notification submitted pursuant to this subsection shall be completed, dated and signed according to the requirements of section 66270.11 as those requirements apply to permit applications and shall contain all of the information specified in subsection (a)(3) of this section.

(5)

Submit the notification fee required by Health and Safety Code section 25205.14. Each TTU owner or operator who is required to submit a notification to the Department pursuant to this section shall pay 100 percent of the initial notification fee established by Health and Safety Code section 25205.14, for each notification required pursuant to subsection (a)(1) of this section within thirty (30) days after the date the fee is assessed by the Board of Equalization as specified in Revenue and Taxation Code section 43152.10. For purposes of fee assessment each set of notifications required by subsections (a)(1) and (a)(2) of this section shall be considered a single notification.

(6)

Restrict treatment to those processes and wastes listed in section 67450.11;

(7)

Discharge any effluent or treatment residual as follows:(A) To a publicly owned

treatment works (POTW) in accordance with all applicable industrial waste discharge requirements issued by the agency operating the POTW. Hazardous wastes shall not be discharged to a POTW unless the POTW is authorized to receive the hazardous waste and the discharge of hazardous waste is specifically approved in writing by the agency operating the POTW. The facility owner or operator shall inform the agency operating the POTW of the time, volume, content, characteristics and point of the discharge; or (B) In accordance with waste discharge requirements issued by a Regional Water Quality Control Board; or a National Pollutant Discharge Elimination System (NPDES) permit; or (C) To a treatment, storage or disposal facility authorized to receive the waste; or (D) In accordance with any other applicable state law allowing alternative disposition of the effluent or treatment residual.

(A)

To a publicly owned treatment works (POTW) in accordance with all applicable industrial waste discharge requirements issued by the agency operating the POTW. Hazardous wastes shall not be discharged to a POTW unless the POTW is authorized to receive the hazardous waste and the discharge of hazardous waste is specifically approved in writing by the agency operating the POTW. The facility owner or operator shall inform the agency operating the POTW of the time, volume, content, characteristics and point of the discharge; or

(B)

In accordance with waste discharge requirements issued by a Regional Water Quality Control Board; or a National Pollutant Discharge Elimination System (NPDES) permit; or

(C)

To a treatment, storage or disposal facility authorized to receive the waste; or

(D)

In accordance with any other applicable state law allowing alternative disposition of the effluent or treatment residual.

(8)

Treat only waste which is generated onsite. A residual material from treatment of a hazardous waste generated offsite is not a waste that has been generated onsite. Limit the operation of the TTU as specified in subsection (a)(8)(A) or subsection (a)(8)(B) of this section. (A) TTUs may be stationed and operated at an on-site facility, or at an off-site facility if the following conditions are met: 1. TTUs shall not be operated at any single on-site or off-site facility for more than one year. Upon good cause shown by the owner or operator, the Department shall grant up to two extensions, of six months duration, to the period of operation specified pursuant to subsection (a)(3)(A) of this section. 2. A TTU operating under a permit by rule shall only treat waste at an off-site facility if that off-site facility has a permit or other grant of authorization to manage the same wastestream with the treatment process to be used by the TTU. 3. When operating at an off-site facility, the total processing rate for any wastestream, including all approved fixed units and all TTUs, shall not exceed, at any time, the capacity stated in the off-site facility's permit or other grant of authorization. (B) A TTU may be stationed and operated at a hazardous substance release site or on-site or off-site facility as part of a site remediation, corrective action or closure activity for a maximum of one (1) calendar year. Upon good cause shown by the owner or operator, the Department shall grant up to two extensions, of six months duration each, to the period of operation specified pursuant to subsection (a)(3)(A) of this section.

(A)

TTUs may be stationed and operated at an on-site facility, or at an off-site facility if the following conditions are met: 1. TTUs shall not be operated at any single on-site or off-site facility for more than one year. Upon good cause shown by the owner or operator, the Department shall grant up to two extensions, of six months duration, to the period of operation specified pursuant to subsection (a)(3)(A) of this section. 2. A TTU operating under

a permit by rule shall only treat waste at an off-site facility if that off-site facility has a permit or other grant of authorization to manage the same wastestream with the treatment process to be used by the TTU. 3. When operating at an off-site facility, the total processing rate for any wastestream, including all approved fixed units and all TTUs, shall not exceed, at any time, the capacity stated in the off-site facility's permit or other grant of authorization.

1.

TTUs shall not be operated at any single on-site or off-site facility for more than one year. Upon good cause shown by the owner or operator, the Department shall grant up to two extensions, of six months duration, to the period of operation specified pursuant to subsection (a)(3)(A) of this section.

2.

A TTU operating under a permit by rule shall only treat waste at an off-site facility if that off-site facility has a permit or other grant of authorization to manage the same wastestream with the treatment process to be used by the TTU.

3.

When operating at an off-site facility, the total processing rate for any wastestream, including all approved fixed units and all TTUs, shall not exceed, at any time, the capacity stated in the off-site facility's permit or other grant of authorization.

(B)

A TTU may be stationed and operated at a hazardous substance release site or on-site or off-site facility as part of a site remediation, corrective action or closure activity for a maximum of one (1) calendar year. Upon good cause shown by the owner or operator, the Department shall grant up to two extensions, of six months duration each, to the period of operation specified pursuant to subsection (a)(3)(A) of this section.

(9)

Permanently mark the exterior of each TTU with the name of the person which owns or operates the TTU, owner or operator identification number and an individual serial

number;

(10)

Maintain the documents specified below at the site or facility where the TTU is operating. The owner or operator shall make these documents available upon demand at the site or facility to any representative of the Department, the U.S. Environmental Protection Agency (EPA) or a local governmental agency. A copy of these documents shall be delivered in person or by certified mail with return receipt requested to the Department when requested in writing by the Department. Any request from the Department shall specify the documents which are required, where and how to submit the required documents and the date by which the documents shall be submitted. The documents include: (A) A waste analysis plan for the treatment operation as specified in section 66265.13(b); (B) A written inspection schedule as specified in section 66265.15(b); (C) Training documents as specified in section 66265.16(d)(3) as they pertain to the operator(s); (D) A contingency plan which contains the information specified in section 66265.52; (E) A copy of the most recent Unit-Specific Notification submitted as required by sections 67450.2(a)(1), 67450.3(a)(1) and 67450.3(a)(2), a copy of the most recent acknowledgement received from the Department pursuant to sections 67450.2(a)(3) and 67450.3(b), a copy of the most recent Site-Specific Notification as specified in sections 67450.3(a)(3) and 67450.3(a)(4), and a copy of the most recent corresponding acknowledgement received from the Department pursuant to section 67450.3(b); (F) A copy of the closure plan required by subsection (a)(13)(B) of this section; (G) A copy of documents related to the environmental investigation and any cleanup, abatement or other necessary remedial action taken pursuant to section 67450.7, if applicable. (H) Documentation of any convictions, judgments, settlements, or orders resulting from any action by any local, State, or federal environmental or public health enforcement agency concerning the operation of

the facility within the last three years, as the documents would be available under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Part 1 of Division 7 of Title 1 of the Government Code) and the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of the Civil Code);

(A)

A waste analysis plan for the treatment operation as specified in section 66265.13(b);

(B)

A written inspection schedule as specified in section 66265.15(b);

(C)

Training documents as specified in section 66265.16(d)(3) as they pertain to the operator(s);

(D)

A contingency plan which contains the information specified in section 66265.52;

(E)

A copy of the most recent Unit-Specific Notification submitted as required by sections 67450.2(a)(1), 67450.3(a)(1) and 67450.3(a)(2), a copy of the most recent acknowledgement received from the Department pursuant to sections 67450.2(a)(3) and 67450.3(b), a copy of the most recent Site-Specific Notification as specified in sections 67450.3(a)(3) and 67450.3(a)(4), and a copy of the most recent corresponding acknowledgement received from the Department pursuant to section 67450.3(b);

(F)

A copy of the closure plan required by subsection (a)(13)(B) of this section;

(G)

A copy of documents related to the environmental investigation and any cleanup, abatement or other necessary remedial action taken pursuant to section 67450.7, if applicable.

(H)

Documentation of any convictions, judgments, settlements, or orders resulting from any action by any local, State, or federal environmental or public health enforcement agency concerning the operation of the facility within the last three years, as the documents would be available under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Part 1 of Division 7 of Title 1 of the Government Code) and the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of the Civil Code);

(11)

Maintain compliance with sections 66264.175, 66265.148, 67450.7, 67450.13 and with the following regulations in chapter 15 of this division, including those referring to permit applications: (A) Article 2. General Facility Standards (except for section 66265.25); (B) Article 3. Preparedness and Prevention; (C) Article 4. Contingency Plan and Emergency Procedures; (D) Article 5. Manifest System, Recordkeeping and Reporting (except for sections 66265.73(b)(2), 66265.73(b)(6), 66265.73(b)(7), 66265.73(b)(15) and 66265.75); (E) Article 9. Use and Management of Containers; (F) Article 10. Tank Systems (except that the contingent plan for post-closure required by section 66265.197(c)(2) shall be maintained with the closure plan required by subsection (a)(13)(B) of this section); (G) Article 16. Thermal Treatment; (H) Article 17. Chemical, Physical, and Biological Treatment.

(A)

Article 2. General Facility Standards (except for section 66265.25);

(B)

Article 3. Preparedness and Prevention;

(C)

Article 4. Contingency Plan and Emergency Procedures;

(D)

Article 5. Manifest System, Recordkeeping and Reporting (except for sections 66265.73(b)(2), 66265.73(b)(6), 66265.73(b)(7), 66265.73(b)(15) and 66265.75);

(E)

Article 9. Use and Management of Containers;

(F)

Article 10. Tank Systems (except that the contingent plan for post-closure required by section 66265.197(c)(2) shall be maintained with the closure plan required by subsection (a)(13)(B) of this section);

(G)

Article 16. Thermal Treatment;

(H)

Article 17. Chemical, Physical, and Biological Treatment.

(12)

Prepare and submit an annual report to the Department when requested by the Department. The annual report shall be delivered in person or by certified mail with return receipt requested to the Department when requested in writing by the Department. The request from the Department shall specify where and how to submit the annual report and the date by which the annual report shall be submitted. The report shall be dated, and signed according to the requirements of section 66270.11 as those requirements apply to permit applications, and shall include the following information for each site or facility where treatment was performed during the calendar year preceding the Department's request: (A) The serial number(s) of the TTU(s) involved in the treatment; (B) The physical and mailing address of the person which owns or operates the TTU(s) and the TTU owner's or operator's identification number; (C) The name, title and phone number of each TTU contact person; (D) The name and address or legal description of each site or facility; (E) The site or facility identification

number(s), when applicable; (F) The number of days each TTU was operated; (G) The quantity of hazardous waste(s) treated by each TTU; (H) The composition and hazardous characteristics of the influent hazardous waste(s); (I) The treatment method(s) used for each hazardous waste treated by each TTU; (J) The quantity, composition and hazardous characteristic(s) of any treatment effluent or residual discharged from each TTU to a POTW, if applicable; and (K) The quantity, composition, hazardous characteristic(s) and disposition of any TTU treatment effluent or residual that was not discharged to a POTW, if applicable.

(A)

The serial number(s) of the TTU(s) involved in the treatment;

(B)

The physical and mailing address of the person which owns or operates the TTU(s) and the TTU owner's or operator's identification number;

(C)

The name, title and phone number of each TTU contact person;

(D)

The name and address or legal description of each site or facility;

(E)

The site or facility identification number(s), when applicable;

(F)

The number of days each TTU was operated;

(G)

The quantity of hazardous waste(s) treated by each TTU;

(H)

The composition and hazardous characteristics of the influent hazardous waste(s);

(I)

The treatment method(s) used for each hazardous waste treated by each TTU;

(J)

The quantity, composition and hazardous characteristic(s) of any treatment effluent or residual discharged from each TTU to a POTW, if applicable; and

(K)

The quantity, composition, hazardous characteristic(s) and disposition of any TTU treatment effluent or residual that was not discharged to a POTW, if applicable.

(13)

Maintain compliance with the following requirements regarding closure: (A) Sections 66264.178, 66265.111(a) and 66265.111(b), in the same manner as those sections apply to facilities and section 66265.114; (B) The TTU owner or operator shall have a written closure plan. The closure plan shall include: 1. A description of how and when each TTU will be closed. The description shall identify the maximum extent of the operation during the life of the TTU(s), and how the applicable requirements of sections 66264.178, 66265.114, 66265.197 and 66265.404 will be met; 2. A description of the steps needed to decontaminate the treatment equipment during closure; and 3. An estimate of the expected year of closure and a schedule for final closure. The schedule for final closure shall include, at a minimum, the total time required to close the TTU(s). (C) The TTU owner or operator shall amend the closure plan at any time during the active life of the TTU(s) (the active life of a TTU is that period during which wastes are periodically treated) when changes in operating plans or TTU design affect the closure plan, or whenever there is a change in the expected year of closure. (D) Within ninety (90) days after treating the final volume of hazardous waste, the TTU owner or operator shall treat or remove from the TTU(s), all hazardous waste in accordance with the closure plan and the applicable requirements of this chapter unless the owner or operator demonstrates to the Department that the activities required to treat and/or

remove all hazardous waste from the TTU(s) will require longer than ninety (90) days. (E) The TTU owner or operator shall complete closure activities in accordance with the closure plan within 180 days after treating the final volume of hazardous waste unless the owner or operator demonstrates to the Department that the activities required to complete the closure will require longer than 180 days to complete. (F) The TTU owner or operator shall notify the Department, the Certified Unified Program Agency (CUPA) or if there is no CUPA, then the officer or agency authorized pursuant to subdivision (f) of Health and Safety Code Section 25404.3 to implement and enforce the requirements of Health and Safety Code Section 25404(c)(1), and any other agencies having jurisdiction over the closure project at least fifteen (15) days prior to completion of closure; and (G) The TTU owner or operator shall remain in compliance with the applicable requirements of this section until the owner or operator submits to the Department a certification signed by the owner or operator and by an independent, professional engineer registered in California, that closure has been completed in accordance with the closure plan and that the closure plan meets or exceeds the applicable requirements of this chapter.

(A)

Sections 66264.178, 66265.111(a) and 66265.111(b), in the same manner as those sections apply to facilities and section 66265.114;

(B)

The TTU owner or operator shall have a written closure plan. The closure plan shall include:

1. A description of how and when each TTU will be closed. The description shall identify the maximum extent of the operation during the life of the TTU(s), and how the applicable requirements of sections 66264.178, 66265.114, 66265.197 and 66265.404 will be met;
2. A description of the steps needed to decontaminate the treatment equipment during closure; and 3. An estimate of the expected year of closure and a schedule for final closure.

The schedule for final closure shall include, at a minimum, the total time required to close the TTU(s).

1.

A description of how and when each TTU will be closed. The description shall identify the maximum extent of the operation during the life of the TTU(s), and how the applicable requirements of sections 66264.178, 66265.114, 66265.197 and 66265.404 will be met;

2.

A description of the steps needed to decontaminate the treatment equipment during closure; and

3.

An estimate of the expected year of closure and a schedule for final closure. The schedule for final closure shall include, at a minimum, the total time required to close the TTU(s).

(C)

The TTU owner or operator shall amend the closure plan at any time during the active life of the TTU(s) (the active life of a TTU is that period during which wastes are periodically treated) when changes in operating plans or TTU design affect the closure plan, or whenever there is a change in the expected year of closure.

(D)

Within ninety (90) days after treating the final volume of hazardous waste, the TTU owner or operator shall treat or remove from the TTU(s), all hazardous waste in accordance with the closure plan and the applicable requirements of this chapter unless the owner or operator demonstrates to the Department that the activities required to treat and/or remove all hazardous waste from the TTU(s) will require longer than ninety (90) days.

(E)

The TTU owner or operator shall complete closure activities in accordance with the closure plan within 180 days after treating the final volume of hazardous waste unless the owner or operator demonstrates to the Department that the activities required to complete the

closure will require longer than 180 days to complete.

(F)

The TTU owner or operator shall notify the Department, the Certified Unified Program Agency (CUPA) or if there is no CUPA, then the officer or agency authorized pursuant to subdivision (f) of Health and Safety Code Section 25404.3 to implement and enforce the requirements of Health and Safety Code Section 25404(c)(1), and any other agencies having jurisdiction over the closure project at least fifteen (15) days prior to completion of closure; and

(G)

The TTU owner or operator shall remain in compliance with the applicable requirements of this section until the owner or operator submits to the Department a certification signed by the owner or operator and by an independent, professional engineer registered in California, that closure has been completed in accordance with the closure plan and that the closure plan meets or exceeds the applicable requirements of this chapter.

(14)

If treatment will be conducted in containers, the containment requirements of section 66264.175 applicable to transfer and storage areas shall be complied with for areas where treatment occurs.

(b)

The Department, within thirty (30) calendar days of receipt of an annual or amended notification submitted pursuant to subsection (a)(1) or (a)(2) of this section, or within ten (10) calendar days of receipt of a site-specific notification submitted pursuant to subsection (a)(3) or (a)(4) of this section, shall acknowledge, in writing, receipt of the notification. The Department shall, in conjunction with the acknowledgement, authorize or reauthorize operation of the TTU subject to the requirements of this section and sections 67450.7, 67450.9(b) and 67450.9(c), terminate or deny authorization or reauthorization to operate

under a permit by rule pursuant to section 67450.9(a) or notify the owner or operator that the notification is incomplete or inaccurate. If the notification is incomplete or inaccurate, the Department shall specify what additional information or correction is needed. The Department shall authorize or reauthorize, or deny authorization or reauthorization to operate as specified in this subsection within thirty (30) calendar days of receipt of the requested information or correction for notifications submitted pursuant to subsections (a)(1) and (a)(2) of this section, and within ten (10) calendar days of receipt of the requested information or correction for notifications submitted pursuant to subsections (a)(3) or (a)(4) of this section. The Department shall reject the notification of any owner or operator who fails to provide the information or correction requested within ten (10) days of receipt of the acknowledgement. Upon good cause shown by the owner or operator, the Department shall grant the owner or operator additional time to provide the information or correction requested. An owner or operator whose notification is rejected may submit a new notification.

(c)

The owner or operator of a fixed treatment unit (FTU) deemed to hold a permit by rule pursuant to section 67450.2(b) shall do all of the following: (1) Submit, in person or by certified mail with return receipt requested, the annual Onsite Hazardous Waste Treatment Notification page, Business Activities Page, and the Business Owner/Operator Page of the Unified Program Consolidated Form (x/99), an alternative version or a computer generated facsimile as allowed pursuant to Title 27, CCR, Sections 15610 and 15620 to CUPA or authorized agency, by January 1, 1994, or by January 1 of each year following the first treatment of waste with the FTU, and by January 1 of each subsequent year unless CUPA or authorized agency notifies the owner or operator, in writing, of an alternate

submittal date. Each annual notification shall be completed, dated and signed according to the requirements of Section 66270.11 as those requirements apply to permit applications and, except as provided by subsection (c)(9) of this section, shall contain all of the information specified in Section 67450.2(b)(3). Businesses may report this information electronically, if the CUPA or authorized agency agrees and the business complies with Title 27, CCR, Section 15187. (2) Submit, in person or by certified mail with return receipt requested, an amended Onsite Hazardous Waste Treatment Notification page, Business Activities Page, and the Business Owner/Operator Page of the Unified Program Consolidated Form (x/99), an alternative version or a computer generated facsimile as allowed pursuant to Title 27, CCR, Sections 15610 and 15620 to CUPA or authorized agency, within thirty (30) days of any change to the information contained in the most recent notification. Each amended notification shall be completed, dated and signed according to the requirements of section 66270.11 as those requirements apply to permit applications and, except as provided by subsection (c)(9) of this section, shall contain all of the information specified in section 67450.2(b)(3). Businesses may report this information electronically, if the CUPA or authorized agency agrees and Title 27, CCR, Section 15187 is complied with. (3) Submit the notification fee required by Health and Safety Code section 25205.14(a). Each FTU owner or operator who is required to submit a notification to the Department pursuant to this section shall pay 100 percent of the notification fee established by Health and Safety Code section 25205.14(a) for each notification required by subsection (c)(1) of this section within thirty (30) days after the date the fee is assessed by the Board of Equalization, except as provided in section 67450.2(b)(7), as specified in Revenue and Taxation Code section 43152.10. (4) Restrict treatment to those processes and wastes listed in section 67450.11; (5)

Discharge any effluent or treatment residual as follows: (A) To a publicly-owned treatment works (POTW) in accordance with all applicable industrial waste discharge requirements issued by the agency operating the POTW. Hazardous waste shall not be discharged to a POTW unless the POTW is authorized to receive the hazardous waste and the discharge of the hazardous waste is specifically approved in writing by the agency operating the POTW. The FTU owner or operator shall inform the agency operating the POTW of the time, volume, content, characteristics and point of the discharge; or (B) In accordance with waste discharge requirements issued by a Regional Water Quality Control Board or a National Pollutant Discharge Elimination System (NPDES) permit; or (C) To a treatment, storage or disposal facility authorized to receive the waste; or (D) In accordance with any other applicable state law allowing alternative disposition of the effluent or treatment residual. (6) Operate the FTU at the same facility where the waste being treated is generated. A facility which accepts waste which is not generated onsite for treatment, storage or disposal is not eligible to operate a FTU pursuant to a permit by rule. (7) Permanently mark the exterior of each FTU with the name of the person which owns or operates the FTU, facility identification number and an individual serial number. (8) Maintain the documents specified below at the facility where the FTU is operating. The owner or operator shall make these documents available upon demand at the facility to any representative of the CUPA or authorized agency, Department, the EPA or a local governmental agency. A copy of these documents shall be delivered in person or by certified mail with return receipt requested to the Department, CUPA or authorized agency when requested in writing by the Department, CUPA or authorized agency. The request from the Department, CUPA or authorized agency shall specify the documents which are required, where and how to submit the required documents

and the date by which the documents shall be submitted. The documents include:

(A) A waste analysis plan for the treatment operation as specified in section 66265.13(b); (B) A written inspection schedule as specified in section 66265.15(b); (C) Training documents as specified in section 66265.16(d)(3); (D) A contingency plan which contains the information specified in section 66265.52; (E) A copy of the most recent notification submitted as required by sections 67450.2(b)(2), 67450.3(c)(1) and 67450.3(c)(2) and a copy of the most recent acknowledgement received from the Department, CUPA or authorized agency pursuant to sections 67450.2(b)(2) and 67450.3(d); (F) A copy of any local Air District permit and other permits required for the operation of the FTU; (G) A copy of the closure plan required by subsection (c)(11)(B) of this section; (H) A copy of documents related to the environmental investigation and any cleanup, abatement or other necessary remedial action taken pursuant to section 67450.7; (I) Documentation of any convictions, judgments, settlements, or orders resulting from any action by any local, State, or federal environmental or public health enforcement agency concerning the operation of the facility within the last three years, as the documents would be available under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Part 1 of Division 7 of Title 1 of the Government Code) and the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of the Civil Code); (9) Maintain compliance with sections 66264.175, 66265.148, 67450.7, 67450.13, and 66265.404 and with the following regulations in chapter 15 of this division, including those referring to permit applications: (A) Article 2. General Facility Standards; (B) Article 3. Preparedness and Prevention; (C) Article 4. Contingency Plan and Emergency Procedures; (D) Article 5. Manifest System, Recordkeeping and Reporting (except sections 66265.73(b)(2), 66265.73(b)(6),

66265.73(b)(7), 66265.73(b)(15) and 66265.75); (E) Article 9. Use and Management of Containers; (F) Article 10. Tank Systems (except that the contingent plan for post-closure required by section 66265.197(c)(2) shall be maintained with the closure plan required by subsection (b)(12)(B) of this section); (G) Article 16. Thermal Treatment; (H) Article 17. Chemical, Physical, and Biological Treatment. (10) Prepare and submit an annual report to CUPA or authorized agency when requested by CUPA or authorized agency. The annual report shall be delivered in person or by certified mail with return receipt requested to CUPA or authorized agency when requested in writing by CUPA or authorized agency. The request from CUPA or authorized agency shall specify where and how to submit the annual report and the date by which the annual report shall be submitted. The report shall be dated, and signed according to the requirements of section 66270.11 as those requirements apply to permit applications, and shall include the following information for each FTU which performed treatment during the calendar year preceding CUPA or authorized agency's request: (A) The serial number(s) of the FTU(s) involved in treatment; (B) The physical and mailing address of the business entity which owns or operates the FTU(s); (C) The name, title and telephone number of each FTU contact person; (D) The name and address or legal description of the facility; (E) The facility identification number; (F) The number of days each FTU was operated; (G) The quantity of hazardous waste(s) treated by each FTU; (H) The composition and hazardous characteristics of the influent hazardous waste(s); (I) The treatment method(s) used for each hazardous waste treated by each FTU; (J) The quantity, composition and hazardous characteristic(s) of any treatment effluent or residual discharged from each FTU to a POTW, if applicable; and (K) The quantity, composition, hazardous characteristic(s) and disposition of any FTU treatment

effluent or residual that was not discharged to a POTW, if applicable. (11) Maintain compliance with the following requirements regarding closure: (A) Sections 66264.178, 66265.111(a) and 66265.111(b), in the same manner as those sections apply to facilities and section 66265.114; (B) The FTU owner or operator shall have a written closure plan. The closure plan shall include: 1. A description of how and when each FTU will be closed. The description shall identify the maximum extent of the operation during the life of the FTU(s), and how the applicable requirements of sections 66264.178, 66265.114, 66265.197(a), 66265.197(b), (c)(1) and (c)(2) and 66265.404 will be met; 2. An estimate of the maximum inventory of waste in storage and in treatment at any time during the operation of the FTU(s) at the facility; 3. A description of the steps needed to decontaminate the treatment equipment during closure; and 4. An estimate of the expected year of closure and a schedule for final closure. The schedule for final closure shall include, at a minimum, the total time required to close each FTU. (C) The FTU owner or operator shall maintain the closure plan in compliance with section 66265.112(c); (D) Within ninety (90) days after treating the final volume of hazardous waste, the FTU owner or operator shall treat, remove from the facility, or dispose of on-site, all hazardous waste in accordance with the closure plan and the applicable requirements of this chapter unless the owner or operator demonstrates to CUPA or authorized agency that the activities required to complete the closure will require longer than ninety (90) days, or the FTU has the capacity to treat additional wastes, or there is a reasonable likelihood that a person other than the owner or operator will recommence operation of the FTU(s), and closure of the FTU(s) would be incompatible with the operation of the facility, and the owner or operator has taken and will continue to take all steps necessary to prevent threats to human health and the environment; (E) The FTU owner or

operator shall complete closure activities in accordance with the closure plan within 180 days after treating the final volume of hazardous waste unless the owner or operator demonstrates to CUPA or authorized agency that the activities required to complete the closure will require longer than 180 days to complete, or the FTU has the capacity to treat additional wastes, or there is a reasonable likelihood that a person other than the owner or operator will recommence operation of the FTU(s), and closure of the FTU(s) would be incompatible with the operation of the facility, and the owner or operator has taken and will continue to take all steps necessary to prevent threats to human health and the environment; (F) The FTU owner or operator shall notify the CUPA or authorized agency and any other agencies having jurisdiction over the closure project at least fifteen (15) days prior to completion of closure; and (G) The FTU owner or operator shall remain in compliance with all applicable requirements of this section until the owner or operator submits to CUPA or authorized agency a certification signed by the owner or operator and by an independent, professional engineer registered in California, that closure has been completed in accordance with the closure plan and that the closure plan meets or exceeds the applicable requirements of this chapter. (12) If treatment will be conducted in containers, the containment requirements of sections 66264.175 applicable to transfer and storage areas shall be complied with for areas where treatment occurs.

(1)

Submit, in person or by certified mail with return receipt requested, the annual Onsite Hazardous Waste Treatment Notification page, Business Activities Page, and the Business Owner/Operator Page of the Unified Program Consolidated Form (x/99), an alternative version or a computer generated facsimile as allowed pursuant to Title 27, CCR, Sections 15610 and 15620 to CUPA or authorized agency, by January 1, 1994, or

by January 1 of each year following the first treatment of waste with the FTU, and by January 1 of each subsequent year unless CUPA or authorized agency notifies the owner or operator, in writing, of an alternate submittal date. Each annual notification shall be completed, dated and signed according to the requirements of Section 66270.11 as those requirements apply to permit applications and, except as provided by subsection (c)(9) of this section, shall contain all of the information specified in Section 67450.2(b)(3). Businesses may report this information electronically, if the CUPA or authorized agency agrees and the business complies with Title 27, CCR, Section 15187.

(2)

Submit, in person or by certified mail with return receipt requested, an amended Onsite Hazardous Waste Treatment Notification page, Business Activities Page, and the Business Owner/Operator Page of the Unified Program Consolidated Form (x/99), an alternative version or a computer generated facsimile as allowed pursuant to Title 27, CCR, Sections 15610 and 15620 to CUPA or authorized agency, within thirty (30) days of any change to the information contained in the most recent notification. Each amended notification shall be completed, dated and signed according to the requirements of section 66270.11 as those requirements apply to permit applications and, except as provided by subsection (c)(9) of this section, shall contain all of the information specified in section 67450.2(b)(3). Businesses may report this information electronically, if the CUPA or authorized agency agrees and Title 27, CCR, Section 15187 is complied with.

(3)

Submit the notification fee required by Health and Safety Code section 25205.14(a). Each FTU owner or operator who is required to submit a notification to the Department pursuant to this section shall pay 100 percent of the notification fee established by

Health and Safety Code section 25205.14(a) for each notification required by subsection (c)(1) of this section within thirty (30) days after the date the fee is assessed by the Board of Equalization, except as provided in section 67450.2(b)(7), as specified in Revenue and Taxation Code section 43152.10.

(4)

Restrict treatment to those processes and wastes listed in section 67450.11;

(5)

Discharge any effluent or treatment residual as follows:(A) To a publicly-owned treatment works (POTW) in accordance with all applicable industrial waste discharge requirements issued by the agency operating the POTW. Hazardous waste shall not be discharged to a POTW unless the POTW is authorized to receive the hazardous waste and the discharge of the hazardous waste is specifically approved in writing by the agency operating the POTW. The FTU owner or operator shall inform the agency operating the POTW of the time, volume, content, characteristics and point of the discharge; or (B) In accordance with waste discharge requirements issued by a Regional Water Quality Control Board or a National Pollutant Discharge Elimination System (NPDES) permit; or (C) To a treatment, storage or disposal facility authorized to receive the waste; or (D) In accordance with any other applicable state law allowing alternative disposition of the effluent or treatment residual.

(A)

To a publicly-owned treatment works (POTW) in accordance with all applicable industrial waste discharge requirements issued by the agency operating the POTW. Hazardous waste shall not be discharged to a POTW unless the POTW is authorized to receive the hazardous waste and the discharge of the hazardous waste is specifically approved in writing by the agency operating the POTW. The FTU owner or operator shall inform the agency operating the POTW of the time, volume, content, characteristics and point of the discharge; or

(B)

In accordance with waste discharge requirements issued by a Regional Water Quality Control Board or a National Pollutant Discharge Elimination System (NPDES) permit; or

(C)

To a treatment, storage or disposal facility authorized to receive the waste; or

(D)

In accordance with any other applicable state law allowing alternative disposition of the effluent or treatment residual.

(6)

Operate the FTU at the same facility where the waste being treated is generated. A facility which accepts waste which is not generated onsite for treatment, storage or disposal is not eligible to operate a FTU pursuant to a permit by rule.

(7)

Permanently mark the exterior of each FTU with the name of the person which owns or operates the FTU, facility identification number and an individual serial number.

(8)

Maintain the documents specified below at the facility where the FTU is operating. The owner or operator shall make these documents available upon demand at the facility to any representative of the CUPA or authorized agency, Department, the EPA or a local governmental agency. A copy of these documents shall be delivered in person or by certified mail with return receipt requested to the Department, CUPA or authorized agency when requested in writing by the Department, CUPA or authorized agency. The request from the Department, CUPA or authorized agency shall specify the documents which are required, where and how to submit the required documents and the date by which the documents shall be submitted. The documents include: (A) A waste analysis plan for the treatment operation as specified in section 66265.13(b) (B) A written

inspection schedule as specified in section 66265.15(b); (C) Training documents as specified in section 66265.16(d)(3); (D) A contingency plan which contains the information specified in section 66265.52; (E) A copy of the most recent notification submitted as required by sections 67450.2(b)(2), 67450.3(c)(1) and 67450.3(c)(2) and a copy of the most recent acknowledgement received from the Department, CUPA or authorized agency pursuant to sections 67450.2(b)(2) and 67450.3(d); (F) A copy of any local Air District permit and other permits required for the operation of the FTU; (G) A copy of the closure plan required by subsection (c)(11)(B) of this section; (H) A copy of documents related to the environmental investigation and any cleanup, abatement or other necessary remedial action taken pursuant to section 67450.7; (I) Documentation of any convictions, judgments, settlements, or orders resulting from any action by any local, State, or federal environmental or public health enforcement agency concerning the operation of the facility within the last three years, as the documents would be available under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Part 1 of Division 7 of Title 1 of the Government Code) and the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of the Civil Code);

(A)

A waste analysis plan for the treatment operation as specified in section 66265.13(b)

(B)

A written inspection schedule as specified in section 66265.15(b);

(C)

Training documents as specified in section 66265.16(d)(3);

(D)

A contingency plan which contains the information specified in section 66265.52;

(E)

A copy of the most recent notification submitted as required by sections 67450.2(b)(2), 67450.3(c)(1) and 67450.3(c)(2) and a copy of the most recent acknowledgement received from the Department, CUPA or authorized agency pursuant to sections 67450.2(b)(2) and 67450.3(d);

(F)

A copy of any local Air District permit and other permits required for the operation of the FTU;

(G)

A copy of the closure plan required by subsection (c)(11)(B) of this section;

(H)

A copy of documents related to the environmental investigation and any cleanup, abatement or other necessary remedial action taken pursuant to section 67450.7;

(I)

Documentation of any convictions, judgments, settlements, or orders resulting from any action by any local, State, or federal environmental or public health enforcement agency concerning the operation of the facility within the last three years, as the documents would be available under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Part 1 of Division 7 of Title 1 of the Government Code) and the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of the Civil Code);

(9)

Maintain compliance with sections 66264.175, 66265.148, 67450.7, 67450.13, and 66265.404 and with the following regulations in chapter 15 of this division, including those referring to permit applications: (A) Article 2. General Facility Standards; (B) Article 3. Preparedness and Prevention; (C) Article 4. Contingency Plan and Emergency Procedures; (D) Article 5. Manifest System, Recordkeeping and Reporting (except sections 66265.73(b)(2), 66265.73(b)(6), 66265.73(b)(7),

66265.73(b)(15) and 66265.75); (E) Article 9. Use and Management of Containers; (F) Article 10. Tank Systems (except that the contingent plan for post-closure required by section 66265.197(c)(2) shall be maintained with the closure plan required by subsection (b)(12)(B) of this section); (G) Article 16. Thermal Treatment; (H) Article 17. Chemical, Physical, and Biological Treatment.

(A)

Article 2. General Facility Standards;

(B)

Article 3. Preparedness and Prevention;

(C)

Article 4. Contingency Plan and Emergency Procedures;

(D)

Article 5. Manifest System, Recordkeeping and Reporting (except sections 66265.73(b)(2), 66265.73(b)(6), 66265.73(b)(7), 66265.73(b)(15) and 66265.75);

(E)

Article 9. Use and Management of Containers;

(F)

Article 10. Tank Systems (except that the contingent plan for post-closure required by section 66265.197(c)(2) shall be maintained with the closure plan required by subsection (b)(12)(B) of this section);

(G)

Article 16. Thermal Treatment;

(H)

Article 17. Chemical, Physical, and Biological Treatment.

(10)

Prepare and submit an annual report to CUPA or authorized agency when requested by

CUPA or authorized agency. The annual report shall be delivered in person or by certified mail with return receipt requested to CUPA or authorized agency when requested in writing by CUPA or authorized agency. The request from CUPA or authorized agency shall specify where and how to submit the annual report and the date by which the annual report shall be submitted. The report shall be dated, and signed according to the requirements of section 66270.11 as those requirements apply to permit applications, and shall include the following information for each FTU which performed treatment during the calendar year preceding CUPA or authorized agency's request: (A) The serial number(s) of the FTU(s) involved in treatment; (B) The physical and mailing address of the business entity which owns or operates the FTU(s); (C) The name, title and telephone number of each FTU contact person; (D) The name and address or legal description of the facility; (E) The facility identification number; (F) The number of days each FTU was operated; (G) The quantity of hazardous waste(s) treated by each FTU; (H) The composition and hazardous characteristics of the influent hazardous waste(s); (I) The treatment method(s) used for each hazardous waste treated by each FTU; (J) The quantity, composition and hazardous characteristic(s) of any treatment effluent or residual discharged from each FTU to a POTW, if applicable; and (K) The quantity, composition, hazardous characteristic(s) and disposition of any FTU treatment effluent or residual that was not discharged to a POTW, if applicable.

(A)

The serial number(s) of the FTU(s) involved in treatment;

(B)

The physical and mailing address of the business entity which owns or operates the FTU(s);

(C)

The name, title and telephone number of each FTU contact person;

(D)

The name and address or legal description of the facility;

(E)

The facility identification number;

(F)

The number of days each FTU was operated;

(G)

The quantity of hazardous waste(s) treated by each FTU;

(H)

The composition and hazardous characteristics of the influent hazardous waste(s);

(I)

The treatment method(s) used for each hazardous waste treated by each FTU;

(J)

The quantity, composition and hazardous characteristic(s) of any treatment effluent or residual discharged from each FTU to a POTW, if applicable; and

(K)

The quantity, composition, hazardous characteristic(s) and disposition of any FTU treatment effluent or residual that was not discharged to a POTW, if applicable.

(11)

Maintain compliance with the following requirements regarding closure: (A) Sections 66264.178, 66265.111(a) and 66265.111(b), in the same manner as those sections apply to facilities and section 66265.114; (B) The FTU owner or operator shall have a written closure plan. The closure plan shall include: 1. A description of how and when each FTU will be closed. The description shall identify the maximum extent of the operation during the life of the FTU(s), and how the applicable requirements of sections 66264.178, 66265.114, 66265.197(a), 66265.197(b), (c)(1) and (c)(2) and 66265.404 will be met; 2. An estimate of the maximum inventory of waste in storage

and in treatment at any time during the operation of the FTU(s) at the facility; 3. A description of the steps needed to decontaminate the treatment equipment during closure; and 4. An estimate of the expected year of closure and a schedule for final closure. The schedule for final closure shall include, at a minimum, the total time required to close each FTU. (C) The FTU owner or operator shall maintain the closure plan in compliance with section 66265.112(c); (D) Within ninety (90) days after treating the final volume of hazardous waste, the FTU owner or operator shall treat, remove from the facility, or dispose of on-site, all hazardous waste in accordance with the closure plan and the applicable requirements of this chapter unless the owner or operator demonstrates to CUPA or authorized agency that the activities required to complete the closure will require longer than ninety (90) days, or the FTU has the capacity to treat additional wastes, or there is a reasonable likelihood that a person other than the owner or operator will recommence operation of the FTU(s), and closure of the FTU(s) would be incompatible with the operation of the facility, and the owner or operator has taken and will continue to take all steps necessary to prevent threats to human health and the environment; (E) The FTU owner or operator shall complete closure activities in accordance with the closure plan within 180 days after treating the final volume of hazardous waste unless the owner or operator demonstrates to CUPA or authorized agency that the activities required to complete the closure will require longer than 180 days to complete, or the FTU has the capacity to treat additional wastes, or there is a reasonable likelihood that a person other than the owner or operator will recommence operation of the FTU(s), and closure of the FTU(s) would be incompatible with the operation of the facility, and the owner or operator has taken and will continue to take all steps necessary to prevent threats to human health and the environment; (F) The FTU owner or operator shall notify the CUPA or authorized agency and any other agencies having jurisdiction over the closure project at least fifteen (15)

days prior to completion of closure; and (G) The FTU owner or operator shall remain in compliance with all applicable requirements of this section until the owner or operator submits to CUPA or authorized agency a certification signed by the owner or operator and by an independent, professional engineer registered in California, that closure has been completed in accordance with the closure plan and that the closure plan meets or exceeds the applicable requirements of this chapter.

(A)

Sections 66264.178, 66265.111(a) and 66265.111(b), in the same manner as those sections apply to facilities and section 66265.114;

(B)

The FTU owner or operator shall have a written closure plan. The closure plan shall include:

1. A description of how and when each FTU will be closed. The description shall identify the maximum extent of the operation during the life of the FTU(s), and how the applicable requirements of sections 66264.178, 66265.114, 66265.197(a), 66265.197(b), (c)(1) and (c)(2) and 66265.404 will be met; 2. An estimate of the maximum inventory of waste in storage and in treatment at any time during the operation of the FTU(s) at the facility; 3. A description of the steps needed to decontaminate the treatment equipment during closure; and 4. An estimate of the expected year of closure and a schedule for final closure. The schedule for final closure shall include, at a minimum, the total time required to close each FTU.

1.

A description of how and when each FTU will be closed. The description shall identify the maximum extent of the operation during the life of the FTU(s), and how the applicable requirements of sections 66264.178, 66265.114, 66265.197(a), 66265.197(b), (c)(1) and (c)(2) and 66265.404 will be met;

2.

An estimate of the maximum inventory of waste in storage and in treatment at any time during the operation of the FTU(s) at the facility;

3.

A description of the steps needed to decontaminate the treatment equipment during closure; and

4.

An estimate of the expected year of closure and a schedule for final closure. The schedule for final closure shall include, at a minimum, the total time required to close each FTU.

(C)

The FTU owner or operator shall maintain the closure plan in compliance with section 66265.112(c);

(D)

Within ninety (90) days after treating the final volume of hazardous waste, the FTU owner or operator shall treat, remove from the facility, or dispose of on-site, all hazardous waste in accordance with the closure plan and the applicable requirements of this chapter unless the owner or operator demonstrates to CUPA or authorized agency that the activities required to complete the closure will require longer than ninety (90) days, or the FTU has the capacity to treat additional wastes, or there is a reasonable likelihood that a person other than the owner or operator will recommence operation of the FTU(s), and closure of the FTU(s) would be incompatible with the operation of the facility, and the owner or operator has taken and will continue to take all steps necessary to prevent threats to human health and the environment;

(E)

The FTU owner or operator shall complete closure activities in accordance with the closure plan within 180 days after treating the final volume of hazardous waste unless the owner or operator demonstrates to CUPA or authorized agency that the activities required to complete the closure will require longer than 180 days to complete, or the FTU has the capacity to

treat additional wastes, or there is a reasonable likelihood that a person other than the owner or operator will recommence operation of the FTU(s), and closure of the FTU(s) would be incompatible with the operation of the facility, and the owner or operator has taken and will continue to take all steps necessary to prevent threats to human health and the environment;

(F)

The FTU owner or operator shall notify the CUPA or authorized agency and any other agencies having jurisdiction over the closure project at least fifteen (15) days prior to completion of closure; and

(G)

The FTU owner or operator shall remain in compliance with all applicable requirements of this section until the owner or operator submits to CUPA or authorized agency a certification signed by the owner or operator and by an independent, professional engineer registered in California, that closure has been completed in accordance with the closure plan and that the closure plan meets or exceeds the applicable requirements of this chapter.

(12)

If treatment will be conducted in containers, the containment requirements of sections 66264.175 applicable to transfer and storage areas shall be complied with for areas where treatment occurs.

(d)

CUPA or authorized agency, within forty-five (45) calendar days of receipt of an annual or amended notification submitted pursuant to subsection (c)(1) or (c)(2) of this section, shall acknowledge in writing receipt of the notification. CUPA or authorized agency shall, in conjunction with the acknowledgement, reauthorize operation of the FTU subject to the requirements of this section and sections 67450.7 and 67450.9(b) and (c), terminate or deny reauthorization to operate

under permit by rule pursuant to section 67450.9(a) or notify the owner or operator that the notification is incomplete or inaccurate. If the notification is incomplete or inaccurate, CUPA or authorized agency shall specify what additional information or correction is needed. CUPA or authorized agency shall reauthorize or deny reauthorization to operate as specified in this subsection within forty-five (45) calendar days of receipt of the requested information or corrected notifications. CUPA or authorized agency shall reject the notification of any owner or operator who fails to provide the information or correction requested within ten (10) days of receipt of the acknowledgement. Upon good cause shown by the owner or operator, CUPA or authorized agency shall grant the owner or operator additional time to provide the information or correction requested. An owner or operator whose notification is rejected may submit a new notification.