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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 67450.25@ Requirements Applicable to Permanent Household Hazardous Waste Collection Facilities
Deemed to Have a Permit by Rule

67450.25 Requirements Applicable to Permanent Household Hazardous Waste Collection Facilities Deemed to Have a Permit by Rule

(a)

The operator or contractor who operates a PHHWCF deemed to have a permit by rule pursuant to section 66270.60 shall do all of the following: (1) Maintain compliance with sections 66262.10 through 66262.44 (except section 66262.41), article 8 of chapter 12 of this division (Transboundary Movements of Hazardous Waste for Recovery or Disposal), 66264.175, and 66265.148, except as follows: (A) the engineering certification required by section 66264.175(c) shall be provided by a manufacturer, an independent professional engineer registered in the State of California or a professional engineer employed by the local government entity and from a different division or agency than the operator. (2) Maintain compliance with the following regulations in Chapter 15 of this division, including those referring to permit applications: (A) Article 2 commencing with section 66265.10. General Facility Standards (except sections 66265.12(b), and 66265.13). However, the operator or contractor shall prepare and maintain a written waste analysis plan describing the procedures which the operator or contractor will carry out to characterize unidentified wastes received at the facility. Field analysis methods such as Hazardous Category (HAZCAT) analysis may be used to characterize unidentifiable wastes into Federal Department of

Transportation (DOT) hazard classes; (B) Article 3 commencing with section 66265.30. Preparedness and Prevention; (C) Article 4 commencing with section 66265.50. Contingency Plan and Emergency Procedures (except section 66265.53(b)); (D) Article 5 commencing with section 66265.70. Manifest System, Recordkeeping and Reporting (except that sections 66265.73(b)(2), 66265.73(b)(6), 66265.73(b)(7), 66265.73(b)(15) and 66265.75 and sections 66265.71, 66265.72, and 66265.76 shall not apply to operators of facilities that do not receive manifested waste); (E) Article 7 sections 66265.110 through 66265.115. Closure and Post-Closure (F) Article 9 commencing with section 66265.170. Use and Management of Containers (except that the minimum distance specified in section 66265.176 may, at the discretion of the operator or contractor, be less than 15 meters (50 feet) from the facility's property line if the shorter distance minimizes the possibility of migration of contaminants to any adjacent property should a release occur, meets the Uniform Fire Code or local fire code requirements (whichever are more stringent), and the operator or contractor has written approval from all the appropriate local agencies to use the shorter distance); (G) Article 10 commencing with section 66265.190. Tank Systems (except that the contingency plan for post-closure required by section 66265.197(c)(2) shall be maintained with the closure plan required by section 66265.112, and the engineering certification required by section 66265.192(g) shall be provided by a manufacturer, an independent professional engineer registered in the State of California or a professional engineer employed by the local government entity and from a different division or agency than the operator). (3) Prepare and maintain at the facility an operation plan comprising a copy of the notification submitted pursuant to section 66270.60(d)(6)(A), copies of the financial assurance documents required by section 67450.30, a copy of the

acknowledgement from CUPA or authorized agency specified in section 66270.60(d)(6)(B), copies of the documents required by subsection (a)(2) of this section, and the items specified in subparagraphs (A) and (B) of this paragraph.

(A) a written plan addressing the procedures to be followed whenever the PHHWCF meets or exceeds its maximum storage capacity, so that the appropriate storage conditions may be maintained. This plan shall be implemented when necessary. (B) the information required by sections 67450.4(b)(6), (b)(8), (b)(9), (b)(13), (b)(14) if applicable, (b)(16), (b)(17), and (b)(18). (C) The operator or contractor shall make the operation plan available upon request to any representative of the Department, the U.S. EPA, or a local governmental agency having jurisdiction over the operation of the PHHWCF. A copy of the operation plan shall also be delivered in person or by certified mail with return receipt requested to CUPA or authorized agency when requested by CUPA or authorized agency. (4) Maintain compliance with sections 67450.4(d), (e), (g), (h)(3), and (i) as those sections apply to THHWCFs, except as modified below: (A) 67450.4(d)(4). The waste handling and storage areas of the PHHWCF shall have a continuous base that meets the requirements of section 66264.175(b)(1); (B) 67450.4(d)(9)(E). Does not apply to PHHWCFs. (C) 67450.4(d)(10)(D). The operator shall assure that persons delivering the waste remain in their vehicles while in the waste acceptance area of the facility and shall assure that no unauthorized persons enter waste handling and storage areas. (D) 67450.4(e)(2). The operator of a PHHWCF may consolidate the following wastes: water-based paints, oil-based paints, compatible solvents, gasoline, antifreeze, used oil, organic resins including but not limited to roofing tar, caulking and patching compounds, and adhesives, photofinishing finishing solutions and miscellaneous compatible solvent-containing wastes. If solvents, oil-based paints or gasoline are consolidated, the operator

shall conduct these operations in an area approved by the local fire department and air quality management district. (5) Maintain compliance with Health and Safety Code section 25200.14, except as specified below: (A) Complete and file a Phase I environmental assessment with the Department within one year of commencing operation pursuant to section 66270.60 or by June 6, 1997, whichever date is later. A PHHWCF previously authorized to operate that completed the Phase I environmental assessment required by Health and Safety Code section 25200.14 is not required to complete a new Phase I environmental assessment for the purpose of this subparagraph. 1. The Phase I environmental assessment required by Health and Safety Code section 25200.14 shall be limited to the area defined by the operational boundary of the PHHWCF. The assessment shall be conducted only on the area directly affected by the operations of the PHHWCF. Corrective action, if any, taken pursuant to Health and Safety Code section 25200.14(f), shall be limited to releases from regulated units at the PHHWCF. 2. The certification required by Health and Safety Code section 25200.14(c) may be obtained from the owner, operator, or their designee, a professional engineer registered in the State of California, a registered geologist, or a registered environmental assessor. 3. The Phase I environmental assessment and certification required by this section shall be submitted to the Department at the same address specified in section 66270.60(d)(6)(A). A copy of the Phase I environmental assessment and the certification shall be made part of the operation plan required by subsection (a)(4) of this section. (6) The operator of a PHHWCF may store wastes at the facility for up to one year from the date of collection.

(1)

Maintain compliance with sections 66262.10 through 66262.44 (except section

66262.41), article 8 of chapter 12 of this division (Transboundary Movements of Hazardous Waste for Recovery or Disposal), 66264.175, and 66265.148, except as follows: (A) the engineering certification required by section 66264.175(c) shall be provided by a manufacturer, an independent professional engineer registered in the State of California or a professional engineer employed by the local government entity and from a different division or agency than the operator.

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(2)

Maintain compliance with the following regulations in Chapter 15 of this division, including those referring to permit applications: (A) Article 2 commencing with section 66265.10. General Facility Standards (except sections 66265.12(b), and 66265.13). However, the operator or contractor shall prepare and maintain a written waste analysis plan describing the procedures which the operator or contractor will carry out to characterize unidentified wastes received at the facility. Field analysis methods such as Hazardous Category (HAZCAT) analysis may be used to characterize unidentifiable wastes into Federal Department of Transportation (DOT) hazard classes; (B) Article 3 commencing with section 66265.30. Preparedness and Prevention; (C) Article 4 commencing with section 66265.50. Contingency Plan and Emergency Procedures (except section 66265.53(b)); (D) Article 5 commencing with section 66265.70. Manifest System, Recordkeeping and Reporting (except that sections 66265.73(b)(2), 66265.73(b)(6), 66265.73(b)(7), 66265.73(b)(15) and 66265.75 and sections 66265.71, 66265.72, and 66265.76 shall not apply to operators of

facilities that do not receive manifested waste); (E) Article 7 sections 66265.110 through 66265.115. Closure and Post-Closure (F) Article 9 commencing with section 66265.170. Use and Management of Containers (except that the minimum distance specified in section 66265.176 may, at the discretion of the operator or contractor, be less than 15 meters (50 feet) from the facility's property line if the shorter distance minimizes the possibility of migration of contaminants to any adjacent property should a release occur, meets the Uniform Fire Code or local fire code requirements (whichever are more stringent), and the operator or contractor has written approval from all the appropriate local agencies to use the shorter distance); (G) Article 10 commencing with section 66265.190. Tank Systems (except that the contingency plan for post-closure required by section 66265.197(c)(2) shall be maintained with the closure plan required by section 66265.112, and the engineering certification required by section 66265.192(g) shall be provided by a manufacturer, an independent professional engineer registered in the State of California or a professional engineer employed by the local government entity and from a different division or agency than the operator).

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(B)

Article 3 commencing with section 66265.30. Preparedness and Prevention;

(C)

Article 4 commencing with section 66265.50. Contingency Plan and Emergency Procedures (except section 66265.53(b));

(D)

Article 5 commencing with section 66265.70. Manifest System, Recordkeeping and Reporting (except that sections 66265.73(b)(2), 66265.73(b)(6), 66265.73(b)(7), 66265.73(b)(15) and 66265.75 and sections 66265.71, 66265.72, and 66265.76 shall not apply to operators of facilities that do not receive manifested waste);

(E)

Article 7 sections 66265.110 through 66265.115. Closure and Post-Closure

(F)

Article 9 commencing with section 66265.170. Use and Management of Containers (except that the minimum distance specified in section 66265.176 may, at the discretion of the operator or contractor, be less than 15 meters (50 feet) from the facility's property line if the shorter distance minimizes the possibility of migration of contaminants to any adjacent property should a release occur, meets the Uniform Fire Code or local fire code requirements (whichever are more stringent), and the operator or contractor has written approval from all the appropriate local agencies to use the shorter distance);

(G)

Article 10 commencing with section 66265.190. Tank Systems (except that the contingency plan for post-closure required by section 66265.197(c)(2) shall be maintained with the closure plan required by section 66265.112, and the engineering certification required by section 66265.192(g) shall be provided by a manufacturer, an independent professional engineer registered in the State of California or a professional engineer employed by the local government entity and from a different division or agency than the operator).

(3)

Prepare and maintain at the facility an operation plan comprising a copy of the notification submitted pursuant to section 66270.60(d)(6)(A), copies of the financial assurance documents required by section 67450.30, a copy of the acknowledgement from CUPA or authorized agency specified in section 66270.60(d)(6)(B), copies of the documents required by subsection (a)(2) of this section, and the items specified in subparagraphs (A) and (B) of this paragraph. (A) a written plan addressing the procedures to be followed whenever the PHHWCF meets or exceeds its maximum storage capacity, so that the appropriate storage conditions may be maintained. This plan shall be implemented when necessary. (B) the information required by sections 67450.4(b)(6), (b)(8), (b)(9), (b)(13), (b)(14) if applicable, (b)(16), (b)(17), and (b)(18). (C) The operator or contractor shall make the operation plan available upon request to any representative of the Department, the U.S. EPA, or a local governmental agency having jurisdiction over the operation of the PHHWCF. A copy of the operation plan shall also be delivered in person or by certified mail with return receipt requested to CUPA or authorized agency when requested by CUPA or authorized agency.

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(C)

The operator or contractor shall make the operation plan available upon request to any representative of the Department, the U.S. EPA, or a local governmental agency having jurisdiction over the operation of the PHHWCF. A copy of the operation plan shall also be

delivered in person or by certified mail with return receipt requested to CUPA or authorized agency when requested by CUPA or authorized agency.

(4)

Maintain compliance with sections 67450.4(d), (e), (g), (h)(3), and (i) as those sections apply to THHWCFs, except as modified below: (A) 67450.4(d)(4). The waste handling and storage areas of the PHHWCF shall have a continuous base that meets the requirements of section 66264.175(b)(1); (B) 67450.4(d)(9)(E). Does not apply to PHHWCFs. (C) 67450.4(d)(10)(D). The operator shall assure that persons delivering the waste remain in their vehicles while in the waste acceptance area of the facility and shall assure that no unauthorized persons enter waste handling and storage areas. (D) 67450.4(e)(2). The operator of a PHHWCF may consolidate the following wastes: water-based paints, oil-based paints, compatible solvents, gasoline, antifreeze, used oil, organic resins including but not limited to roofing tar, caulking and patching compounds, and adhesives, photofinishing finishing solutions and miscellaneous compatible solvent-containing wastes. If solvents, oil-based paints or gasoline are consolidated, the operator shall conduct these operations in an area approved by the local fire department and air quality management district.

(A)

67450.4(d)(4). The waste handling and storage areas of the PHHWCF shall have a continuous base that meets the requirements of section 66264.175(b)(1);

(B)

67450.4(d)(9)(E). Does not apply to PHHWCFs.

(C)

67450.4(d)(10)(D). The operator shall assure that persons delivering the waste remain in their vehicles while in the waste acceptance area of the facility and shall assure that no unauthorized persons enter waste handling and storage areas.

(D)

67450.4(e)(2). The operator of a PHHWCF may consolidate the following wastes: water-based paints, oil-based paints, compatible solvents, gasoline, antifreeze, used oil, organic resins including but not limited to roofing tar, caulking and patching compounds, and adhesives, photofinishing finishing solutions and miscellaneous compatible solvent-containing wastes. If solvents, oil-based paints or gasoline are consolidated, the operator shall conduct these operations in an area approved by the local fire department and air quality management district.

(5)

Maintain compliance with Health and Safety Code section 25200.14, except as specified below: (A) Complete and file a Phase I environmental assessment with the Department within one year of commencing operation pursuant to section 66270.60 or by June 6, 1997, whichever date is later. A PHHWCF previously authorized to operate that completed the Phase I environmental assessment required by Health and Safety Code section 25200.14 is not required to complete a new Phase I environmental assessment for the purpose of this subparagraph. 1. The Phase I environmental assessment required by Health and Safety Code section 25200.14 shall be limited to the area defined by the operational boundary of the PHHWCF. The assessment shall be conducted only on the area directly affected by the operations of the PHHWCF. Corrective action, if any, taken pursuant to Health and Safety Code section 25200.14(f), shall be limited to releases from regulated units at the PHHWCF. 2. The certification required by Health and Safety Code section 25200.14(c) may be obtained from the owner, operator, or their designee, a professional engineer registered in the State of California, a registered geologist, or a registered environmental assessor. 3. The Phase I environmental assessment and certification required by this section shall be submitted to the Department at the same address

specified in section 66270.60(d)(6)(A). A copy of the Phase I environmental assessment and the certification shall be made part of the operation plan required by subsection (a)(4) of this section.

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Complete and file a Phase I environmental assessment with the Department within one year of commencing operation pursuant to section 66270.60 or by June 6, 1997, whichever date is later. A PHHWCF previously authorized to operate that completed the Phase I environmental assessment required by Health and Safety Code section 25200.14 is not required to complete a new Phase I environmental assessment for the purpose of this subparagraph. 1. The Phase I environmental assessment required by Health and Safety Code section 25200.14 shall be limited to the area defined by the operational boundary of the PHHWCF. The assessment shall be conducted only on the area directly affected by the operations of the PHHWCF. Corrective action, if any, taken pursuant to Health and Safety Code section 25200.14(f), shall be limited to releases from regulated units at the PHHWCF. 2. The certification required by Health and Safety Code section 25200.14(c) may be obtained from the owner, operator, or their designee, a professional engineer registered in the State of California, a registered geologist, or a registered environmental assessor. 3. The Phase I environmental assessment and certification required by this section shall be submitted to the Department at the same address specified in section 66270.60(d)(6)(A). A copy of the Phase I environmental assessment and the certification shall be made part of the operation plan required by subsection (a)(4) of this section.

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The Phase I environmental assessment required by Health and Safety Code section 25200.14 shall be limited to the area defined by the operational boundary of the PHHWCF. The assessment shall be conducted only on the area directly affected by the operations of the PHHWCF. Corrective action, if any, taken pursuant to Health and Safety Code section 25200.14(f), shall be limited to releases

from regulated units at the PHHWCF.

2.

The certification required by Health and Safety Code section 25200.14(c) may be obtained from the owner, operator, or their designee, a professional engineer registered in the State of California, a registered geologist, or a registered environmental assessor.

3.

The Phase I environmental assessment and certification required by this section shall be submitted to the Department at the same address specified in section 66270.60(d)(6)(A). A copy of the Phase I environmental assessment and the certification shall be made part of the operation plan required by subsection (a)(4) of this section.

(6)

The operator of a PHHWCF may store wastes at the facility for up to one year from the date of collection.