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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 5@ Requirements Applicable to the Operation of K-12 Schools Hazardous Waste Collection, Consolidation, and Accumulation Facilities (SHWCCAF) Deemed to Have a Permit by Rule

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Section 67450.50@ Revocation, Suspension and Denial of Authorization or Reauthorization, and Operating Restrictions for SHWCCAFs Operating Under Permit by Rule

## **67450.50 Revocation, Suspension and Denial of Authorization or Reauthorization, and Operating Restrictions for SHWCCAFs Operating Under Permit by Rule**

### **(a)**

Notwithstanding the provisions of Chapter 21 of this division, the Department, CUPA or authorized agency may revoke or suspend authorization or reauthorization for any SHWCCAF operating or proposing to operate under a permit by rule as provided in this section. The Department, CUPA or authorized agency may also deny authorization or reauthorization for a SHWCCAF operating or proposing to operate under a permit by rule as provided in this section. The Department, CUPA or authorized agency shall base a decision on any one of the factors set forth in section 66270.43(a) or (b) or on Health and Safety Code section 25186 or on a finding that operation of the SHWCCAF in question will endanger human health, domestic livestock, wildlife, or the environment. (1) Notice of revocation, suspension, or denial shall be provided to the owner or operator of a SHWCCAF by certified mail with return receipt requested or by personal service. (2) An owner or operator of a SHWCCAF whose authorization or reauthorization is revoked or suspended or who is denied authorization or reauthorization to operate a SHWCCAF under a permit by rule and who wishes to appeal the revocation, suspension, or denial shall appeal by submitting a letter

requesting a hearing to the agency revoking, suspending, or denying authorization within ten (10) days of receipt of notice of revocation, suspension, or denial. (3) Proceedings to appeal a CUPA or authorized agency's decision concerning revocation, suspension, or denial of authorization or reauthorization to operate under permit by rule shall be conducted in accordance with Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

**(1)**

Notice of revocation, suspension, or denial shall be provided to the owner or operator of a SHWCCAF by certified mail with return receipt requested or by personal service.

**(2)**

An owner or operator of a SHWCCAF whose authorization or reauthorization is revoked or suspended or who is denied authorization or reauthorization to operate a SHWCCAF under a permit by rule and who wishes to appeal the revocation, suspension, or denial shall appeal by submitting a letter requesting a hearing to the agency revoking, suspending, or denying authorization within ten (10) days of receipt of notice of revocation, suspension, or denial.

**(3)**

Proceedings to appeal a CUPA or authorized agency's decision concerning revocation, suspension, or denial of authorization or reauthorization to operate under permit by rule shall be conducted in accordance with Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

**(b)**

Any authorization or reauthorization to operate a SHWCCAF granted pursuant to this article is contingent upon the accuracy of information contained in the notifications required by sections 67450.43(b), (c), and (f). Any

misrepresentation or any failure to fully disclose all relevant facts shall render the authorization or reauthorization to operate null and void.

**(c)**

The Department, CUPA or authorized agency, when denying or revoking authorization for a SHWCCAF, shall send a copy of the letter sent pursuant to subsection (a)(1) to each CUPA or authorized agency with a contributing school in its jurisdiction.