REGULATORY REQUIREMENTS SUMMARY CHART FOR ONSITE TIERED PERMITTING (TP) FACILITIES

*note that the cells contain subsection numbers that continue from the column header; other sections also listed as needed

Onsite Tiered Permitting notifications and updates must be done in **CERS**-California Environmental Reporting System http://cers.calepa.ca.gov/

http://www.dtsc.ca.gov/LawsRegsPolicies/Title22/index.cfm **Regulations** **CITATION SECTIONS*** https://www.dtsc.ca.gov/HazardousWaste/Tiered_Permit_Guidance.cfm

	REGULATORY REQUIREMENT/CITATION vs. PERMIT TIER	CESW/CESQT tier HSC §25201.5	CA tier HSC §25200.3	PBR tier CCR Title 22-§67450.3
	GENERATOR REQUIREMENTS	(d)(9)	(f)	(c)(8); (c)(9)
1	Compliance w/ Contingency Plan & emergency procedures	(d)(9)	(f)	(c)(9)(C); (c)(8)(D)
2	Training documents and records available	(d)(9)	(f)	(c)(9)(A); (c)(8)(C) - documents
3	Container management standards met	(d)(9)	(c)(4)	(c)(9)(E)
4	Tank system design/management standards/PE Certification met	(d)(9)-LQGs only.	(c)(4)	(c)(9)(F)
5	Hazardous waste (HW) determination properly made	(d)(9); CCR 66262.11	(f); CCR 66262.11	(c)(8)(A); CCR 66262.11
	TREATMENT REQUIREMENTS -FACILITY WIDE			
6	Operator submitted waste treatment notification in CERS (60 days before treatment starts-notification required)	(d)(7) HSC 25404(e)(4)	(e)(1)(3) HSC 25404(e)(4)	67450.2(b)(2) (c)(1)-annual submittal; & (c)(8)(E) copy onsite of notification. HSC 25404(e)(4)
7	Amended unit notification submitted within 30 days after a change has occurred	(i)	(k)	(c)(2)
8	Unauthorized treatment of HW	HSC 25201(a); 25201.5	25201(a); 25200.3	25201(a); 67450.1
9	All TP units properly ID'd in CERS	(d)(7)	(e)(3)	67450.2(b)(3)(G)
10	All Generator Info Properly ID'd in CERS	(d)(7)(C)	(e)(3)	67450.2(b)(3)(B)
11	Plot plan/map correctly shows unit locations	Required in CERS submittal	(e)(3) Required in CERS submittal	67450.2(b)(3)(B) Required in CERS submittal

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12	Wastewater pretreatment standards compliance (sewer discharge) records/documentation satisfactory	(d)(6)	(c)(7) – 5 yrs records retention	(c)(5)
	TIERED PERMITTING UNITS: CONFIRMATION & OPERATION			
13	All wastes treated is generated onsite	(d)(1)	(c)(8)	(c)(6)
14	# of tanks and containers is accurate in CERS	(d)(7) Required in CERS submittal	(e)(3) Required in CERS submittal	67450.2(b)(3)(G) Required in CERS submittal
15	Estimated monthly treatment volume is appropriate for tier. [<55 gal or <500 lbs/ facility for CESQT and no other TP authorization on site in addition to CESQT]; PBR unlimited volumes can be treated. CA tier - check the statute for monthly volume limits.	(a) or (c) if not appropriate then 25201(a)	(b)(1); if not appropriate 25201(a)	N/A-PBR units have no volume limitation.
16	Wastestream(s) being treated are appropriate for tier	(a),(c); if not appropriate HSC 25201(a)	(a); if not appropriate 25201(a)	(c)(4), 67450.11; if not appropriate 25201(a)
17	Treatment process(es) are appropriate for tier	(a),(c); if not appropriate: HSC 25201(a)	(a),(d); if not appropriate: 25201(a)	(c)(4); 67450.2(b)(3)(G); if not appropriate: 25201(a)
18	Treatment residual and waste effluent management/disposal is correct and appropriate/the POTW sewer discharge limits achieved	(d)(6); (d)(7)(C)(iv)	(b)(4); (c)(7); (c)(6)(E) how to address residuals	(c)(5); 67450.2(b)(3)(G)
19	Basis for non-RCRA treatment is correct	(d)(2)	(e)(3)(C)	HSC 25201(a); 67450.2(b)(3)(G)
20	Written operating instructions for unit (i.e.. How to operate treatment unit and carry out treatment) and waste treatment records for the unit; records of dates, concentrations, amounts, and type of waste treated (May get process information by reviewing facility's POTW or industrial waste discharge permit requirements/records)	(d)(3),(5) – 3 years of records	(c)(6), (c)(7) – 5 years of records	67450.2(b)(3)(G) initial notification. No specific operating instructions & only operating record as per 67450.3(c)(9)(D)-recordkeeping

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21	Written inspection schedule for unit (i.e...inspect TP equipment, safety & emergency response supplies & equipment, waste storage areas). The operator shall develop and follow a written schedule for inspecting all monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment (such as dikes and sump pumps) that are important to preventing, detecting, or responding to environmental or human health hazards. The schedule shall identify the types of problems (e.g., malfunctions or deterioration) which are to be looked for during the inspection (e.g., inoperative sump pump, leaking fitting, eroding dike, etc.).	(d)(4),(5); at least weekly per generator standards; 66262.34(d)(2).	(c)(5); weekly for waste storage areas, daily for tank system (c)(4); 66265.174 The owner or operator shall inspect areas used for container storage or transfer, at least weekly, looking for leaking containers and for deterioration of containers and the containment system caused by corrosion or other factors.	(c)(8)(B); weekly for waste storage areas, daily for tank system; 66265.15(b) 66265.174 The owner or operator shall inspect areas used for container storage or transfer, at least weekly, looking for leaking containers and for deterioration of containers and the containment system caused by corrosion or other factors.
22	Written inspection log is present. 66265.15 The owner or operator shall record inspections in an inspection log or summary. The owner or operator shall keep these records for at least <u>three years</u> from the date of inspection. At a minimum, these records shall include the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or other remedial actions.	(d)(4),(5)	(c)(5)	(c)(9)(A), CCR 66265.15(d)
23	If TP unit closed, then CUPA has been notified in writing of the closure. (Independent PE & owner/operator closure plan certification is required for PBR.) If contamination is found at facility then refer case for corrective action oversight.	(d)(8)	(g)(1)(2)	(c)(8)(G), (c)(11)(D)(F) & (c)(11)(G) 15 days advance notice reqd. prior to completion of closure
24	Proper secondary containment for treatment in a container	N/A	(c)(4); 66264.175	(c)(12)
25	Proper secondary containment for tank system & ancillary equipment [66265.193(a)(f); [permitted underground storage tank (UST) - follow Title 23 UST permitting regs.]	<u>If a LQG</u> then 66265.193(a); 66265.193(j)(1); 66265.193(*l*)	(c)(4); 66265.193(j)(1); 66265.193(*l*); 66265.193(a)	(c)(9)(F); 66265.193(j)(1); 66265.193(*l*); 66265.193(a)

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26	Treatment is limited to using container or tank systems	(d)(9)	(b)(2)	67450.11(a)
27	Tank System Design Standards are fully met with the independent PE Assessment/Certification completed when required. (PE assessment report reqd. every 5 years for TP units and/or non-RCRA waste storage tank)	If a LQG then (d)(9) If a SQG then 66262.34(d)(2) adopts fed. regs for SQG tank.	(c)(4) New 66265.192(k), (h)(1) Existing w/o 2nd containment then 66265.191(a)	(c)(9)(F) Existing w/o 2nd containment then 66265.191(a)
28	Exterior of treatment unit is labeled or marked (reqd. as a HW generator or the unit specific markings for a PBR unit)	66262.34 generator standards require proper HW labeling of container or tank.	66262.34 generator standards require proper HW labeling of container or tank.	(c)(7); 67450.2(b)(3)(G) [EPA ID number, serial number, and name of facility O/O]
	FOR EACH CA and PBR UNIT			
29	Annual hazwaste minimization certification	N/A	(c)(2)	HSC 25202.9
30	TP unit area and hazardous waste security in place	N/A	(c)(1); CCR 66265.14	(c)(9)(A)
31	Warning signage posted	N/A	(c)(1); CCR 66265.14(c)	(c)(9)(A); CCR 66265.14(c)
32	Financial Assurance (FA) mechanism done for closure cost estimates Facility operated < 30days in a calendar year (no FA); and FA for facility <$10,000 exemption. More than $10,000, needs FA mechanism.	N/A	67450.13	(c)(9); 67450.2(b)(3)(D); 67450.13
33	Annual closure cost estimate adjustment by March 1st	N/A	67450.13(a)(2)	67450.13(a)(2)
34	Phase I Environmental Assessment DTSC checklist completed within 1 year	N/A	(c)(3); HSC 25200.14	(c)(8)(H); 67450.2(b)(3)(E); 67450.7; HSC 25200.14
35	Enforcement history documents for the past 3years	N/A	(e)(3)(E)	67450.2(b)(3)F)
	FOR EACH PBR UNIT			
36	Written waste analysis plan is available	N/A	N/A	(c)(8)(A); 66265.13(b)
37	Waste analysis records are on file	N/A	N/A	(c)(9)(D)-recordkeeping 66265.73
38	PBR notification renewed/filed using CERS with the CUPA **annually** by January 1st	N/A	N/A	67450.3(c)(1) & (2)

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39	Written closure plan is at facility and done	N/A	N/A	(c)(8)(G); (c)(11)(B)
40	Closure plan is adequate	N/A	N/A	67450.3(c)(11)
41	All HW removed from unit within 90 days of last treatment	N/A	N/A	67450.3(c)(11)(D)
42	All closure activities were completed within 180 days after final treatment	N/A	N/A	67450.3(c)(11)(E)
	RELEASE			
43	Unauthorized or accidental release to the environment within the past three years from the treatment unit [66262.34(a)(4)]	(d)(9); 66265.31 if a LQG; or 66262.34(d)(2) if SQG	(f); 66265.31	(c)(9); 66265.31
44	**WASTE SOURCE REDUCTION See CCR §67100.1 to §67100.14**			

HazWaste Source Reduction: regulate the facility per CCR 67100.2 (a) if the facility routinely generates, through ongoing processes and operations, more than 12,000 kilograms of hazardous waste in the reporting year or more than 12 kilograms of extremely hazardous waste in a reporting year. **Verify list of wastes exempt from SB14 requirements (22CCR, section 67100.2 (c))**

Generator is subject to SB14 and has failed to prepare and retain current **source reduction documents**, as applicable, or make them available to the inspector within (5) days. CCR 67100.3, 67100.4, 67100.5; & HSC 25244.19, HSC 25244.21
Prepare a summary progress report on or before September 1, 1999 and every four years thereafter; CCR 67100.9
Last due date was September 2011. Next due date September 2015 for CY 2014.

Source Reduction Evaluation Review and Plan failed to contain, at a minimum, the following five required elements: certification, amounts of wastes generated, process description, block diagrams, and implementation schedule of selected source reduction measures.

45	**ADDITIONAL REQUIRMENTS FOR CYANIDE TREATERS – PBR Tier, Cyanide-containing aqueous waste**	N/A	N/A	67450.11(d)

CCR 67450.11(d) Best Management Practices for Cyanide Containing Aqueous Waste Streams:

The following processes may be used to treat the waste:

(A) oxidation by addition of hypochlorite;

(B) oxidation by addition of peroxide or ozone, with or without the use of ultraviolet light;

(C) alkaline chlorination;

(D) electrochemical oxidation;

(E) ion exchange; or

(F) reverse osmosis.

Note: Spent process solutions containing recoverable amounts of metal may be treated by electrowinning.

- Waste minimization program exists that ensures that work areas use holding racks or drain racks/boards to minimize drag out to rinse tanks and use countercurrent rinsing when multiple sequential rinse tanks are used. The cyanide containing working solutions must be examined at least every 4 years to determine if a non-cyanide alternative is available.
- Training is provided to all employees who work with cyanide, both as a material and as a waste. The training shall address:
    - Waste reduction by reducing bath dragout
    - Methods of plating to minimize process bath contamination
    - Methods to extend plating bath life
    - Methods to minimize spills and splashes during processing
    - Spill response

Owners or operators managing **cyanide-containing spent process solutions** shall ensure the following 67450.11(d)(6) & (7):

- The concentration of cyanide in process (non-rinse) solutions (treated in accordance with subsection 67450.11(d)(3) – by bleach, alkaline chlorination, electrochemical oxidation, ion exchange, or reverse osmosis)) shall not exceed 5000 milligrams per liter or parts per million (ppm) of total cyanide 67450.11(d)(7)(A);
- Residual solids generated by any treatment process allowed in section 67450.11, such as filtercakes and sludges from clarifiers, are either per 67450.11(d)(7)(B):
  1. recycled by a facility that recovers metals from the residual solids, or are partially reclaimed for further processing by another metal recovery facility; or
  2. determined not amenable for recycling due to technological or economic reasons in accordance with paragraph 67450.11(d)(7)(C), and;
- A justification statement is prepared when any residual solids are not recycled in accordance with subparagraph 67450.11(d)(7)(B)(1) in a calendar year. Owners or operators shall complete this justification statement by January 30 for any shipment of residual solids not recycled in the previous calendar year. The justification statement shall include all information per 67450.11(d)(7)(C).
- The justification statement may include any other information that influenced or formed the basis of the generator's decision to not recycle the residual solids; 67450.11(d)(7)(D). This supplemental information may include the availability of suitable processing technology and facilities; or the marketability of the residual solid or its reclaimed components; and
- The following records are maintained at the facility for a minimum of three years from the last date of any activity authorized pursuant to this paragraph of this subsection and made available to authorized representatives of the Department, the CUPA, or the U.S. EPA upon request: 67450.11(d)(7)(E)
    - written approval from the agency operating the POTW receiving the facility's discharges required by section 67450.3 subsections (a)(7)(A) or (c)(5)((A);
    - written method documented in the waste analysis plan required by section 67450.3 subsections (a)(10)(A) and (c)(8)(A) for ensuring that the concentration of total cyanide does not exceed 5000 milligrams per liter in the aqueous waste resulting from the mixing authorized in subsection (d)(7); and
    - documentation that the residual solids generated by the treatment pursuant to paragraph (7)(B) of this subsection have been either:
      a. sent offsite for metals recovery or reclamation; or
      b. determined to be not amenable for recycling in accordance with paragraph (7)(C).