

US EPA ARCHIVE DOCUMENT

## **SESSION 13**

### **RCRA PERMIT TRAINING:**

# **ORGANIZATION OF A HAZARDOUS AND SOLID WASTE AMENDMENT PERMIT**



## Session 13 Agenda: Organization of a HSWA Permit

- ▶ Introduction
  
- ▶ HSWA Permit
  - Title Page
  - Parts
  - Appendices



Introduction

## A HSWA permit is typically organized as follows:

- ▶ Title page
- ▶ Five parts
  - Standard Conditions
  - Corrective Action
  - Waste Minimization
  - Land Disposal Restrictions
  - Air Emission Requirements for Process Vents and Equipment Leaks



Introduction

## **A HSWA permit is typically organized as follows:**

- ▶ Common Appendices
  - A. Summary of Solid Waste Management Units and Areas of Concern
  - B. RCRA Facility Investigation (RFI) Work Plan Outline
  - C. Corrective Measures Study (CMS) Plan Outline
  - D. Schedule of Compliance
  - E. Waste Minimization Certification Requirements
  - F. Action Levels



HSWA Permit: Title Page

## **A HSWA permit title page consists of the following:**

- ▶ Facility name, address, and EPA ID number
- ▶ Duty to investigate any release of hazardous waste or hazardous constituents from the facility, and implementation of any corrective action for those releases
- ▶ Permit authority
- ▶ Effective dates of permit



HSWA Permit: Parts

## Part I: Standard Conditions

- ▶ “Boiler plate” language
- ▶ Specific items covered include:
  - Effect of permit
  - Permit Actions
  - Severability
  - Duties and requirements
  - Signatory requirement
  - Confidential information
  - Definitions



HSWA Permit: Parts

## Part I: Standard Conditions

- ▶ Effect of Permit
  - Compliance with HSWA permit constitutes compliance with Subtitle C of RCRA
  
- ▶ Permit Actions
  - Modification, revocation, reissuance and termination
  
- ▶ Severability
  - Provisions of permit are severable





HSWA Permit: Parts

## Part I: Standard Conditions

- ▶ Duties and Requirements
  - Specific facility duties including
    - Duty to comply and reapply
    - Obligation for corrective action
    - Duty to mitigate
    - Duty to provide information
    - Provision for proper operation and maintenance
    - Provision for inspection and entry



HSWA Permit: Parts

## Part I: Standard Conditions

- ▶ Duties and Requirements
  - Monitoring and records requirements
    - Sampling techniques must conform with Region 4 SOP and EPA RCRA protocols
    - Monitoring information records maintained for three years or termination of corrective action
    - LDR waste information retained for five years
  - Notification of planned changes or anticipated noncompliance
  - Permit transfer
  - Compliance schedules
  - Oral and written release reporting requirements



HSWA Permit: Parts

## Part I: Standard Conditions

- ▶ Signatory Requirements
  - All information signed and certified in accordance with 40 CFR §270.11
- ▶ Confidential Information
  - Information may be claimed RCRA CBI in accordance with 40 CFR §270.12
- ▶ Definitions
  - Permit definitions (e.g., AL, AOC, CAMU, facility, SWMU, solid waste)



HSWA Permit: Parts

## Part II: Corrective Action

- ▶ Corrective Action for Solid Waste Management Units and Areas of Concern
  - “Boiler plate” language
  - Specific items covered include:
    - Applicability
    - Notification an assessment for newly identified SWMUs and AOCs
    - Notification requirement for newly discovered releases at SWMUs
    - Confirmatory sampling
    - RCRA Facility Investigation



HSWA Permit: Parts

## Part II: Corrective Action

- ▶ Specific items covered (cont'd)

- Interim measures

- Corrective measures study

- Remedy approval and permit modification

- Modification of schedule of compliance

- Work plan and report requirements

- Approval/disapproval of submittals

- Dispute resolution



HSWA Permit: Parts

## Part II: Corrective Action

- ▶ Applicability
  - Permit conditions apply to SWMUs and AOCs listed in Appendices and other contamination which has migrated off site
  
- ▶ Notification and assessment for newly identified SWMUs and AOCs
  - Notification to Regional Administrator within 15 days
  - Preparation of SWMUs Assessment Report within 90 days
  
- ▶ Notification requirement for newly discovered releases at SWMUs
  - Notification to Regional Administrator within 15 days



HSWA Permit: Parts

## Part II: Corrective Action

- ▶ Confirmatory Sampling
  - Confirmatory Sampling Work Plan submitted within 45 days of permit issuance
  - Approval required prior to implementation
  - Confirmatory Sampling Report
  
- ▶ RCRA Facility Investigation
  - RFI Work Plan submitted within 90 days of permit issuance
  - RFI Work Plan must meet the requirements of Appendix B
  - Approval by the Agency prior to implementation
  - Submittal of draft and final RFI Reports



HSWA Permit: Parts

## Part II: Corrective Action

- ▶ Interim Measures
  - *If required by the Agency, submittal of IM Work Plan within 30 days of notification*
  
- ▶ Corrective Measures Study
  - CMS Work Plan submitted within 90 days after notification by Agency
  - CMS Work Plan must meet the requirements of Appendix C
  - CMS Work Plan requires approval prior to implementation
  - Implementation of CMS to begin within 15 days of agency approval
  - Submittal of draft and final CMS Reports





HSWA Permit: Parts

## Part II: Corrective Action

- ▶ Remedy approval and permit modification
  - Remedy selected from the CMS alternatives
  - Statement of Basis
  - Permit modification to incorporate the final remedy
  - Financial assurance within 120 days of permit modification
  
- ▶ CMI Implementation
  - Work Plan within 30 days
  - Operation and maintenance plan
  - Construction report
  - Progress reports
  - Remedy completion reports



HSWA Permit: Parts

## Part II: Corrective Action

- ▶ Modification of schedule of compliance
  - Regulatory Authority may modify the compliance schedule
  
- ▶ Work plan and report requirements
  - All work plans, reports and schedules require approval prior to implementation
  - All documents must be submitted in accordance with the approved schedule
  
- ▶ Approval/disapproval of submittals
  - The Agency shall approve/disapprove all of facility submittals
  
- ▶ Dispute resolution
  - Provisions for resolution of permit condition disputes



HSWA Permit: Parts

## Other HSWA Permit Parts (III-V)

- ▶ Part III: Waste Minimization
  - Permittee must certify that a program is in place to reduce the volume and toxicity of hazardous waste generated to the degree economically practicable
  
- ▶ Part IV: Land Disposal Restrictions
  - Permittee must maintain compliance with the LDR requirements of 40 CFR Part 268
  
- ▶ Part V: Air Emission Requirements for Process Vents and Equipment Leaks
  - Permittee must provide specific Part B information required pursuant to 40 CFR § 270.24 and 270.25 prior to the construction of any equipment with process vents



HSWA Permit: Appendices

## The HSWA permit has six appendices

- ▶ Appendix A: Summary of SWMUs and AOCs
  - Provides a listing of all SWMUs and AOCs identified at the facility, and specifies which units require no further action, confirmatory sampling, or an RFI.
  
- ▶ Appendix B: RFI Work Plan and Report
  - Outlines the RFI and RFI Work Plan requirements
  
- ▶ Appendix C: CMS Plan
  - Outlines the CMS and CMS Work Plan requirements



HSWA Permit: Appendices

## The HSWA permit has six appendices

- ▶ Appendix D: Compliance Schedule
  - Provides a schedule of compliance for all required activities at the facility
  
- ▶ Appendix E: Waste Minimization
  - Outlines the waste minimization certification objectives
  
- ▶ Appendix F: Action Levels
  - Specifies the hazardous constituent action levels for the facility

