Standardized Permit Renewal Application Workshop

August 30, 2006
Department of Toxic Substances Control
Standardized Permitting and Corrective Action Branch
Berkeley, CA

WELCOME, PURPOSE AND INTRODUCTIONS

Mohinder S. Sandhu, P.E., Chief
Standardized Permitting and Corrective Action Branch

Overview of Renewal Application Documents

Wei Wei Chui
Section Chief
Standardized Permitting and Corrective Action Branch

RENEWAL APPLICATION

- without changes
- with changes
  - minor
  - major – land use issue (“Tanner”)

FEES

- Permit Activity Fee
  - Standard Fee – 50% to 80% of new application activity fee
  - Fee for Services Agreement/Cost Recovery
- California Environmental Quality Act (CEQA) Fee
  - Cost Recovery

REQUIRED DOCUMENTS

1. Disclosure Statement
2. Community Profile
3. Environmental Information
4. DTSC Form 1093
5. Operation Plan

** Phase 1 Environmental Assessment (not needed)

DISCLOSURE STATEMENT APPROVAL

1. Disclosure Form
2. Finger Prints
3. DTSC HQ, Ms. Karla Gillespie

   (916) 323-8510

OPERATION PLAN
TABLE OF CONTENT

- Section I – Facility Identification/Location
- Section II – Facility Operation and Hazardous Waste Management Practice
- Section III – Waste Analysis
- Section IV – Facility Design (Storage)
- Section V – Facility Design (Treatment)
- Section VI – Training Plan

OPERATION PLAN
TABLE OF CONTENTS
(Cont…)

- Section VII - Inspection Plan
- Section VIII - Contingency Plan
- Section IX - Closure Plan
- Section X - Certifications
  - **Security**
  - **Facility Location / Siting Information**
  - **Manifest System, Recordkeeping and Reporting**
  - **Preparedness and Prevention**
- Section XI - Financial Responsibility

APPLICATIONS

Please submit an electronic version of the Operation Plan along with the hard copy

FACILITY DESIGN

Sal Ciriello, P.E.
Section Chief
Standardized Permitting and Corrective Action Branch

FACILITY DESIGN

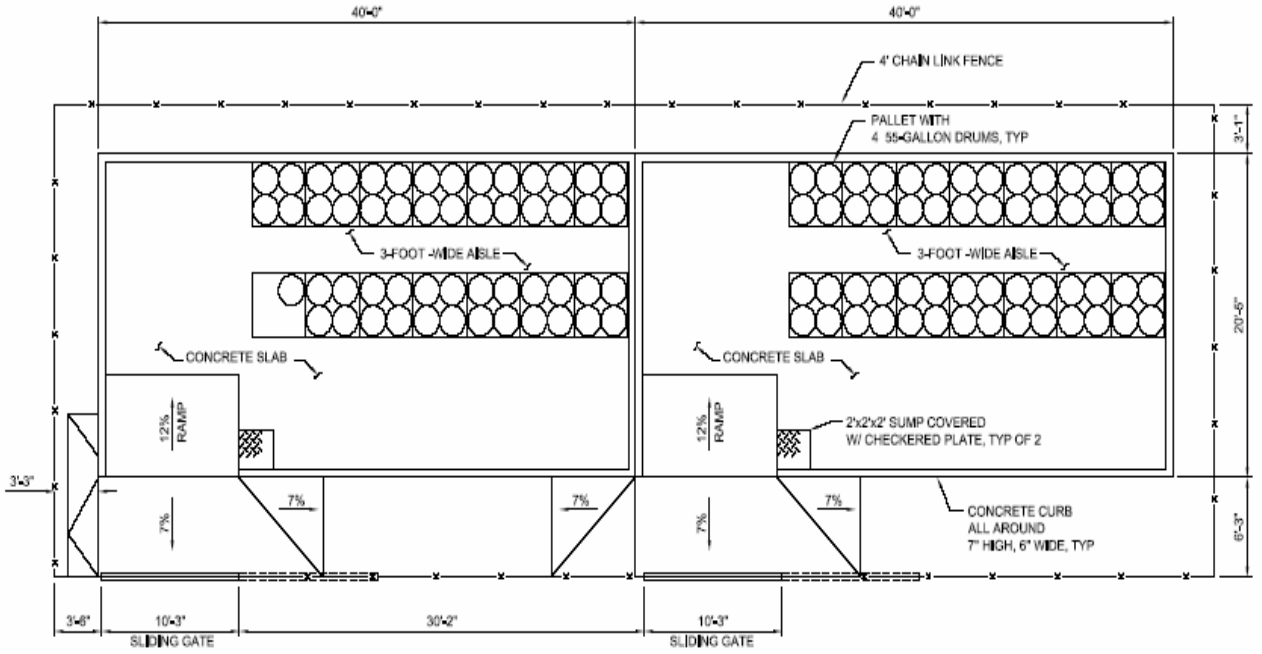
- STORAGE IN CONTAINERS (Section IV)
- STORAGE IN TANKS (Section IV)
- TREATMENT SYSTEMS (Section V)

CONTAINER STORAGE DESIGN

PLOT PLAN

- PHYSICAL DIMENSIONS OF THE REGULATED UNITS
- AISLE SPACING
- DRAINAGE
- LOADING AND UNLOADING AREA

PLOT PLAN



PLOT PLAN
SCALE: 1/8"=1'-0"

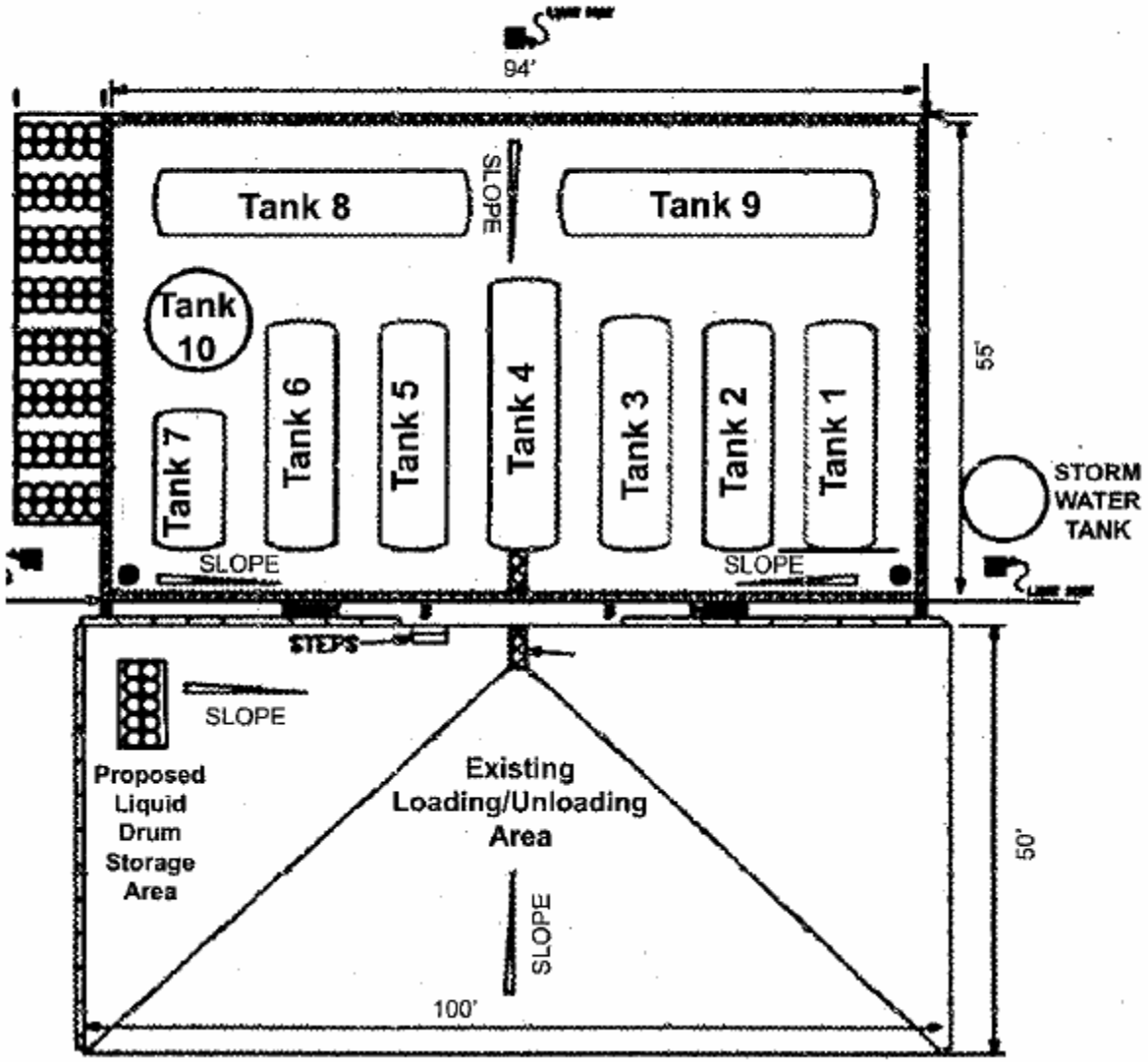
STORAGE DESIGN (cont'd)

- IMPERVIOUS COATING
- SECONDARY CONTAINMENT CERTIFICATION
- VISUAL INSPECTION REPORT

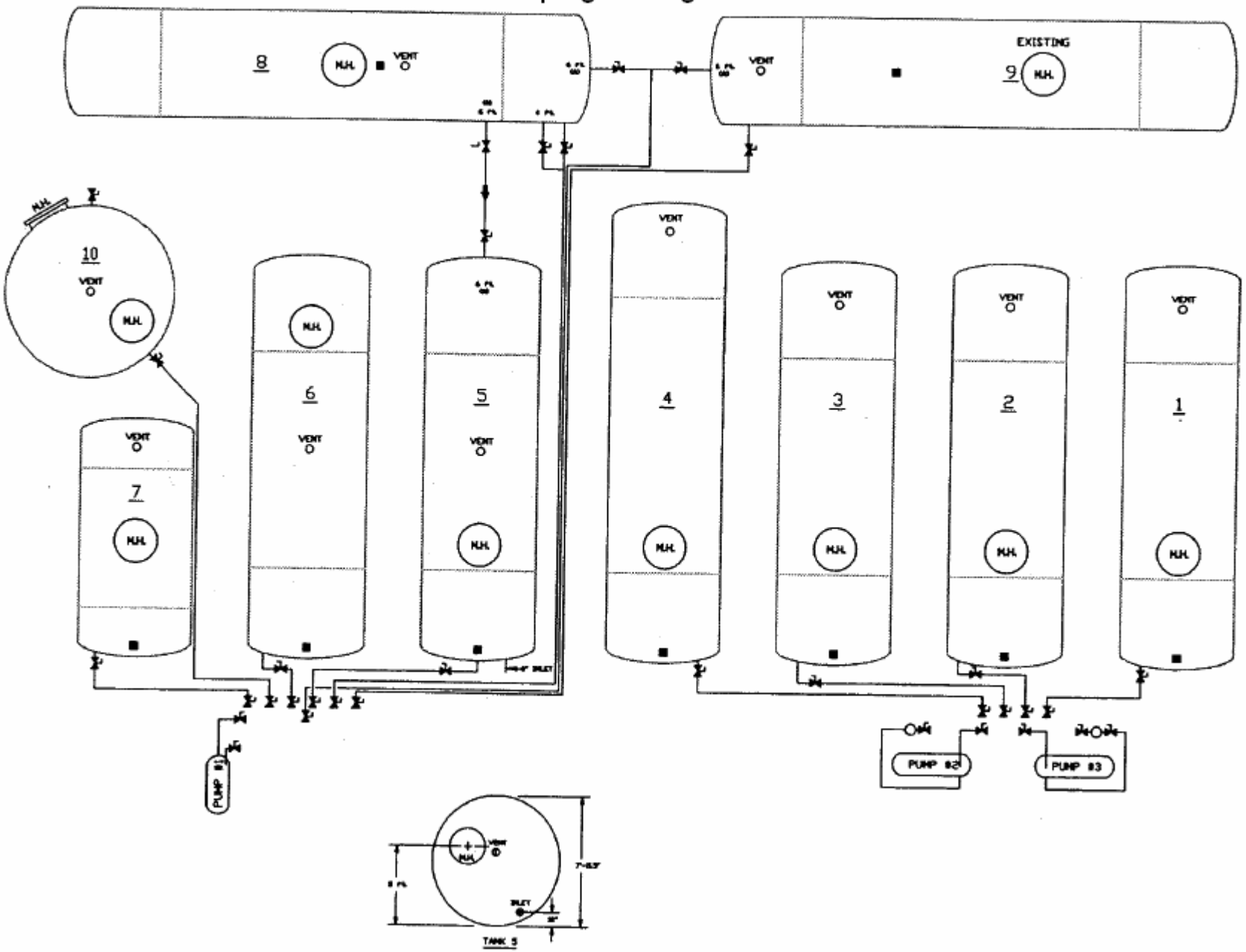
TANK STORAGE DESIGN

- PLOT PLAN
- PIPING DRAWING

Tank Plot Plan



Tank and Piping Arrangement



TANK DESIGN (cont'd)

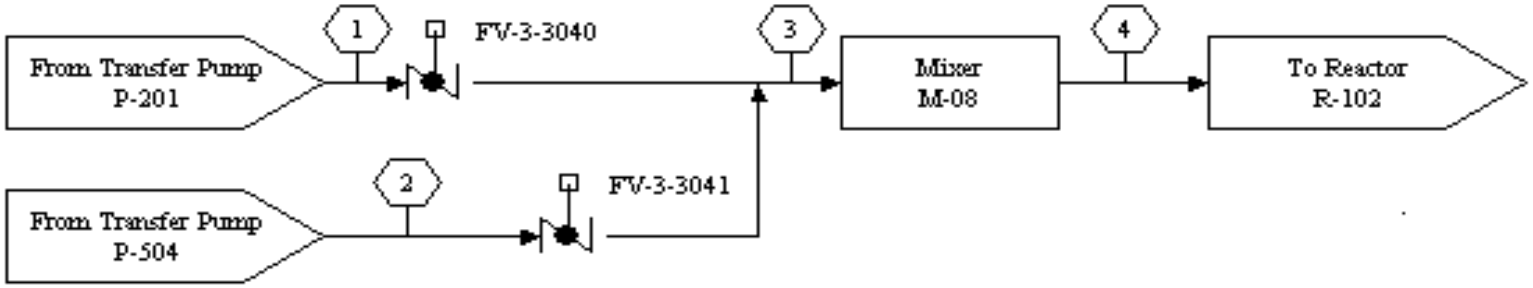
TANK INTEGRITY ASSESSMENT

- SECONDARY CONTAINMENT
- TANK SHELL THICKNESS
- SEISMIC ANALYSIS
- VISUAL LEAK INSPECTION

TREATMENT SYSTEM DESIGN

- PROVIDE PROCESS DESCRIPTION
- PROCESS CONTROLS
- FEED RATES AND PRODUCT/EFFLUENT RATES

SAMPLE PROCESS FLOW DIAGRAM



Mode	Parameter	Points			
		1	2	3	4
Normal	Pressure MPa				
	Temp °C				
	Flow m^3/hr				
Maximum	Pressure MPa				
	Temp °C				
	Flow m^3/hr				

A Small and Simplified

Process Flow Diagram

www.EngineeringToolBox.com

TREATMENT PROCESS DESCRIPTIONS

- PHYSICAL OR CHEMICAL TREATMENT STEPS
  - Batch versus continuous operations
  - Flow rates of wastes and treatment chemicals
  - Product and by-product rates
  - Equipment types, dimensions, materials of construction

AIR EMISSION CONTROLS

- Provide documentation from Air Quality Management District on need/exemption for permit
- DTSC Air Emission Requirements

  Clarify whether liquids being stored are RCRA wastes and have greater than 500 ppm Volatile Organic Compounds

Permit Renewal Environmental Review Process

Valerie Namba
Environmental Planner
Planning & Environmental Analysis Section

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- Permit decision is considered a new "discretionary action"

  - Subject to environmental analysis under the California Environmental Quality Act (CEQA)

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- Potential impacts upon current environmental conditions are required to be analyzed
  - As they exist at the time of the decision
  - At and in close proximity to the project
- Results establish if project is exempt from CEQA or subject to further environmental analysis

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- DTSC conducts preliminary analysis to establish if the project or the environmental conditions have changed
  - Review proposed project description
  - Review previous CEQA analyses and project description
  - Review Environmental Information Form
  - Review other recently approved internal or external environmental documents

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- If conditions have not changed, DTSC would evaluate if the project would qualify for a CEQA exemption
  - Additional information may not be required to be submitted by applicant
  - NOE would be prepared and filed upon project approval
    - Begins a 35-day legal challenge period under CEQA

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- If conditions have changed, an Initial Study would be prepared
  - Applicable portions of previous CEQA analysis
  - Environmental Information Form
  - Permit Application
  - Information supplied by outside agencies
  - Other recently approved internal or external environmental documents

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

How you can help…..

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- Review proposed project description
- Review previous CEQA analyses and project description
- Fill out the Environmental Information Form
- Submit Environmental Information Form with permit application

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

How to Complete the Environmental Information Form….

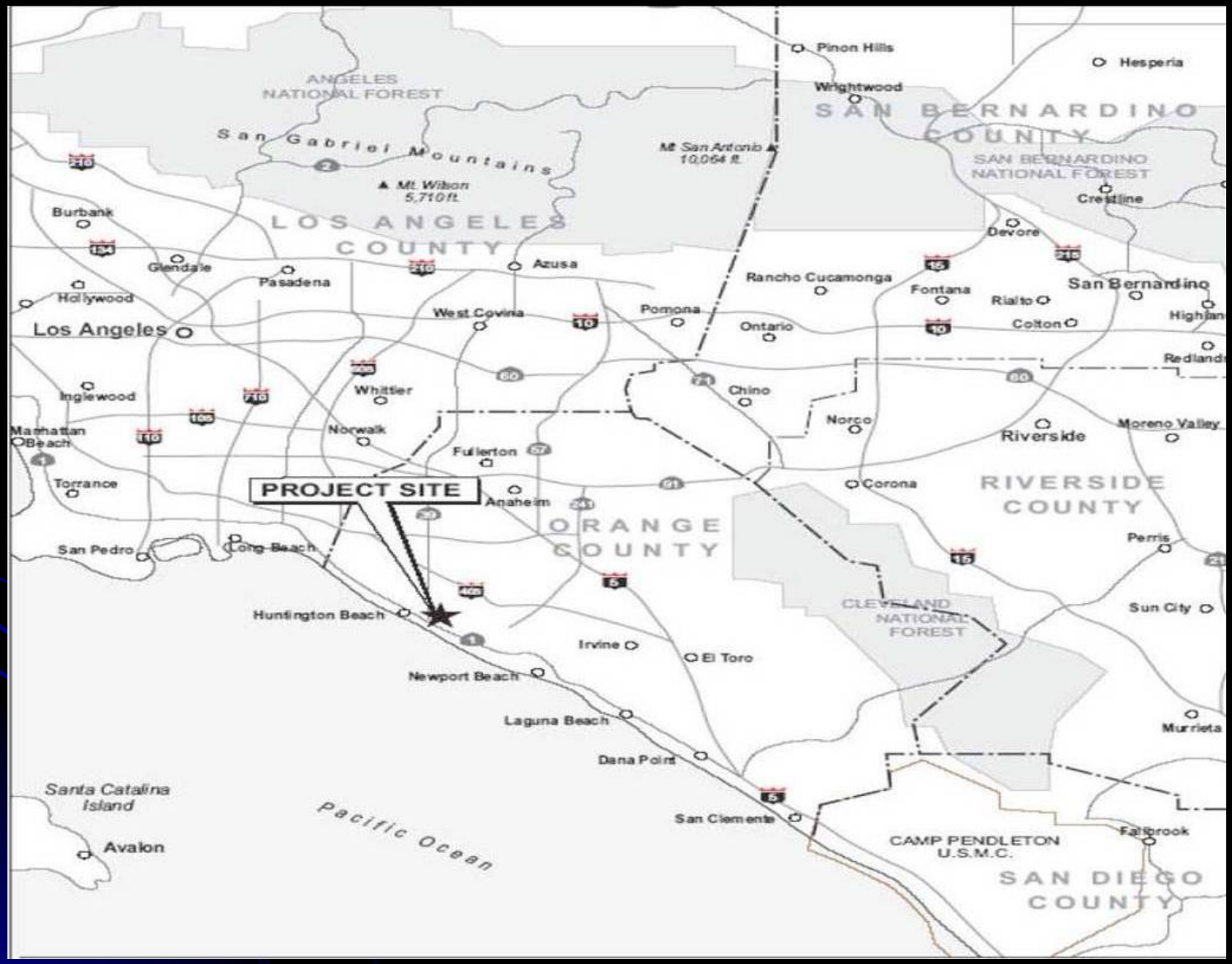
PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- Project Description
  - Describe all proposed activities
    - Operation
    - Construction
    - Modifications

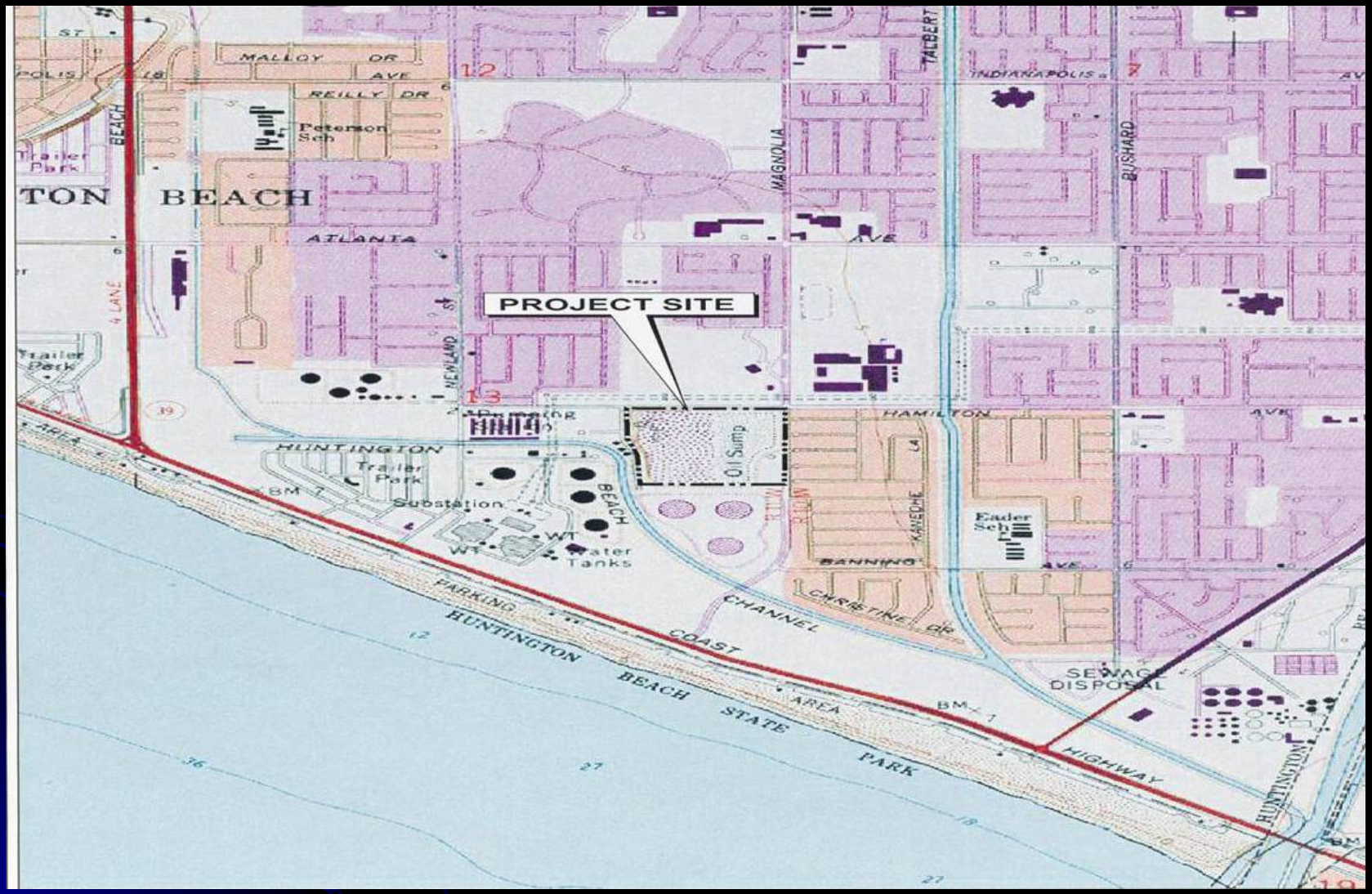
PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- Provide Maps
  - Regional
  - Area/Vicinity
    - Proposed transportation routes
    - Adjacent land uses / sensitive receptors
    - Adjacent waterways
  - Site
    - Permitted units

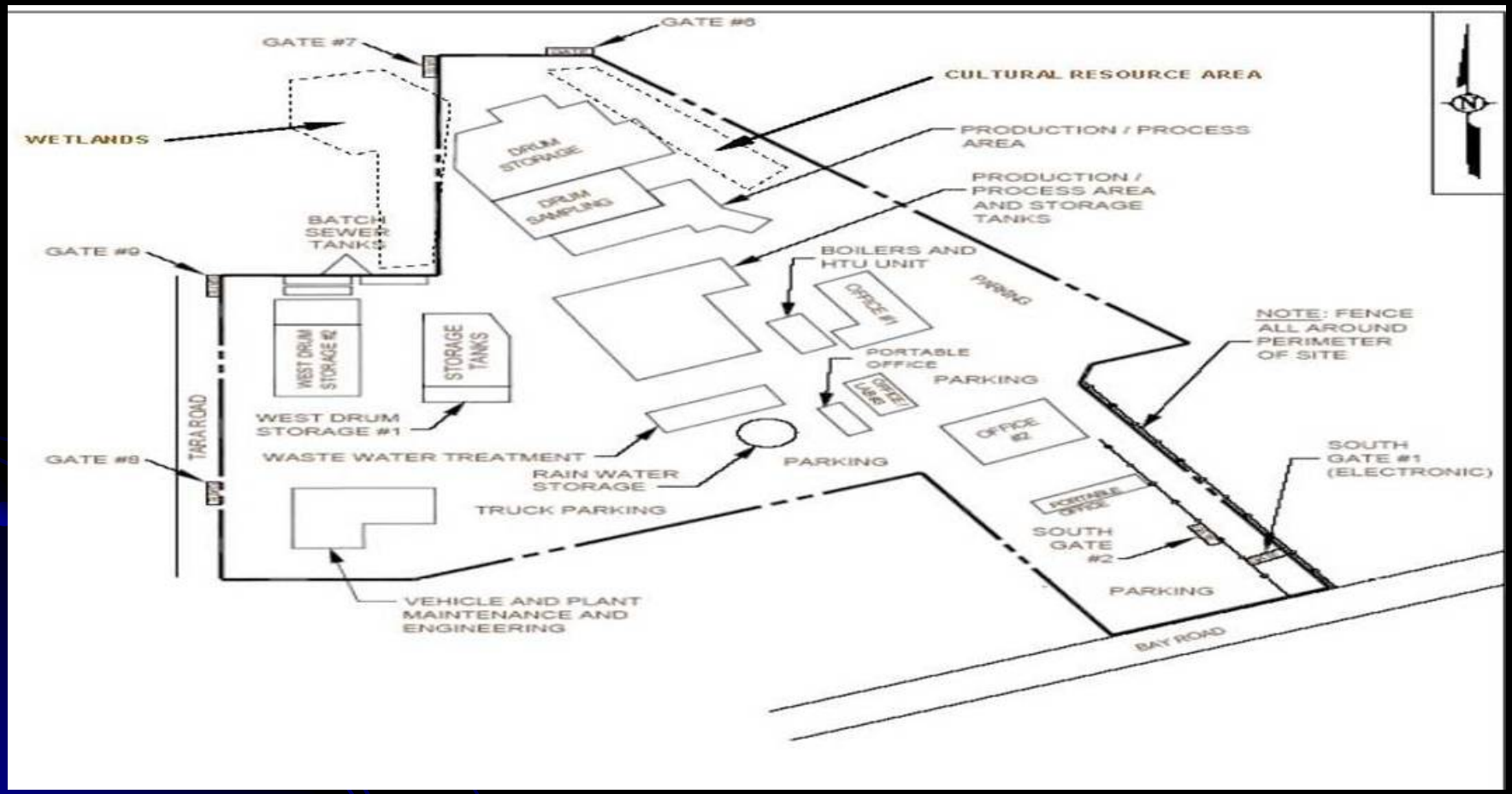
REGIONAL MAP



VICINITY MAP



SITE MAP


GATE #7
GATE #8
CULTURAL RESOURCE AREA
WETLANDS
DRUM STORAGE
DRUM SAMPLING
PRODUCTION / PROCESS AREA
PRODUCTION / PROCESS AREA AND STORAGE TANKS
BATCH SEWER TANKS
GATE #9
BOILERS AND HTU UNIT
PARKING
OFFICE #1
NOTE: FENCE ALL AROUND PERIMETER OF SITE
WEST DRUM STORAGE #2
STORAGE TANKS
PORTABLE OFFICE
OFFICE LABS
PARKING
WEST DRUM STORAGE #1
TARA ROAD
GATE #9
WASTE WATER TREATMENT
RAIN WATER STORAGE
PARKING
OFFICE #2
SOUTH GATE #1 (ELECTRONIC)
TRUCK PARKING
PORTABLE OFFICE
SOUTH GATE #2
VEHICLE AND PLANT MAINTENANCE AND ENGINEERING
PARKING
BAY ROAD

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- Environmental Setting
  - Aesthetics
  - Agriculture Resources
  - Air Quality
    - Air Resource Board and Regional Air Districts: *http://www.arb.ca.gov/capcoa/roster.htm*
  - Biological Resources
  - Cultural Resources

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- Geology and Soils
  - Department of Conservation/Earthquakes: *http://www.consrv.ca.gov/dmg/eq-index.htm*
  - Local Government Planning: *http://www.ceres.ca.gov/planning*
- Hazards and Hazardous Materials
  - DTSC: *http://www.dtsc.ca.gov*
  - U.S. EPA: *http://www.epa.gov/epahome/lawregs.htm*

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- Hydrology and Water Quality
  - Local Government Planning: *http://www.ceres.ca.gov/planning*
  - Water Resources Control Board: *http://swrcb.ca.gov/*
  - Department of Water Resources/Groundwater: *http://www.owe.water.ca.gov/dwsites.isp*

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- Land Use and Planning
  - Local Government Planning: *http://www.ceres.ca.gov/planning*
  - Office of Planning and Research: *http://opr.ca.gov*
    - Tanner/ Local Hazardous Waste Management Plan
  - California Coastal Commission: *http://coastal.ca.gov/web*

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- Mineral Resources
- Noise
  - Local Government Planning: *http://www.ceres.ca.gov/planning*
- Population and Housing
- Public Services
- Recreation

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- Transportation/Traffic
  - Local Government Planning: *http://www.ceres.ca.gov/planning*
  - Department of Transportation: *http://www.dot.ca.gov*
  - County congestion management agencies: *http://transweb.sjsu.edu/dist4.htm*
- Utilities and Service Systems

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

The
"Tanner"
HW Facility Siting &
Expansion Process

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- Applies when:
  - A new facility or “significant” expansion or modification of an existing facility is proposed
  - Facility serves more than one producer of hazardous waste (off-site)

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- Triggered when:
  - Local land use decision is required
    - Pursuant to Title 7 of the CA Government Code
  - An Environmental Impact Report is required

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- What you should do….

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- Contact local agency to find out if proposed expansion or modification requires a local land use decision
- Notify DTSC

PERMIT RENEWAL ENVIRONMENTAL REVIEW PROCESS

- Yeah, but I still don't quite get it? Who can I contact for additional CEQA/ Tanner assistance?"

Closure Plan and Financial Assurance

Alfred Wong, P.E.
Senior Hazardous Substances Engineer
Standardized Permitting and Corrective Action Branch

CLOSURE PLAN AND FINANCIAL ASSURANCE

- Closure Plan (Section IX)
- Financial Responsibility (Section XI)

CLOSURE PLAN

- Plan that describes how the facility will be properly closed
- Allows the facility to begin closure after notification of intent to close
  - If no significant changes, then no additional approval needed and no additional public hearing

CONTENT OF CLOSURE PLAN

- Section A - Introduction
- Section B - Closure Performance Standard
- Section C - Maximum Inventory Estimates
- Section D - Waste Removal /Treatment
- Section E - Decontamination Procedures
- Section F - Confirmation Sampling Plan for Structures, Equipment, and Buildings

CONTENT OF CLOSURE PLAN (CONT.')

- Section G - Confirmation Soil Sampling Plan
- Section H - Analytical Test Methods
- Section I - Closure Cost Estimate
- Section J - Closure Schedule
- Section K - Closure Health and Safety Plan

INTRODUCTION

- Provide a brief description of the facility and facility operations.
- Provide a summary of the procedures to be used to close the facility.

CLOSURE PERFORMANCE STANDARDS

- Benchmark to which data is compared to show that closure has been achieved.
- Title 22, CCR, Section 66264.111 requires the facility to be closed in a manner that:
  - minimizes the need for further maintenance
  - controls, minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated rainfall or run-off, or waste decomposition products to the ground or surface waters or to the atmosphere

CLOSURE PERFORMANCE STANDARDS (CONT.')

- Criteria that can be used
  - Background level
    - Applicable mostly to soils
    - Naturally occurring constituents (i.e., metals)
  - Non-detect level
    - Used mainly for equipment, structures, and buildings
  - Health Risk Based
    - Health Risk Assessment based on unrestricted land use scenario
    - California Human Health Screening Levels

MAXIMUM INVENTORY ESTIMATES

- Over the active life of the facility
  - Include number of containers and tanks
  - Include waste designated for storage only
  - Separate by type of waste or disposal method
- Waste generated as a result of closure
  - Washwater, rags, sampling equipment, etc.

WASTE REMOVAL/TREATMENT

- Describe methods for removing, transporting, treating, disposing of waste
- Provide list of possible offsite treatment and disposal facilities to be used
- Provide alternative scenarios for disposal of all waste offsite (for closure cost estimate purposes)

DECONTAMINATION PROCEDURES

- List equipment, structures, and buildings needed to be decontaminated
  - Tanks, containers, container storage buildings, secondary containment systems, pumps, forklifts, pallet jacks, etc.
- Describe methods and procedures to be used for decontamination
  - Steam cleaning, pressure washing, hand washing, sand blasting, sweeping, etc.

CONFIRMATION SAMPLING PLAN FOR STRUCTURES, EQUIPMENT, AND BUILDINGS

- Demonstrate closure performance standards have been met
  - Tanks, pumps, secondary containment system, container storage buildings or sheds, piping, etc.
- Sampling Methods
  - Wipe samples
  - Chip samples
  - Cleaning solution samples

CONFIRMATION SOIL SAMPLING PLAN

- Demonstrate that soil has not been impacted by facility operations
- Sampling Strategies
  - Biased
  - Random (Statistical)
- Soil
  - Hand Auger, Trowel, Rig
- Groundwater samples may also be required

CONFIRMATION SOIL SAMPLING PLAN (CONT.')

- Sampling Methods
  - Hand Auger, Trowel, Rig, etc.
- Sampling Locations
  - Minimum of 4 samples per unit under 1600 square feet
  - One sample every 400 square feet for units over 1600 square feet
  - Samples taken at 3 depths (surface, 3 feet, and 6 feet)
  - Minimum of 3 background samples (if applicable)

ANALYTICAL TEST METHODS

- Must be performed by a California Certified Analytical Laboratory
- Describe analysis that will be performed including:
  - Waste constituent being analyzed
  - Preparation method
  - Analytical method
  - Detection limit
- Quality Assurance/Quality Control

CLOSURE COST ESTIMATE

- Estimate of the cost needed to properly close the facility
- Must be detailed enough to determine validity
- Must be consistent with closure plan with one exception
  - Waste removal cost must be based on shipping waste offsite
    - Include waste analysis for inventory

CLOSURE COST ESTIMATE (CONT.)

- Must be equal the cost of final closure at the point in the facility's active life when the extent and manner of its operation would make closure the most expensive
- Must be based on third party cost
- No salvage cost for equipment or zero cost of hazardous waste disposal
- Must include 20% contingency cost
- Updated annually for inflated or when significant change in facility or operations

CLOSURE SCHEDULE

- Must notify DTSC at least 90 days prior to implementing closure plan
- Waste must be removed and equipment and structures decontaminated within 90 days after facility stopped receiving waste
- All closure activities must be completed within 180 days after facility stops receiving waste or closure plan approval, whichever is later

CLOSURE HEALTH AND SAFETY PLAN

- Does not need to be submitted with Standardized Permit Application
- But must acknowledge that this will be needed prior to implementing closure plan
- Must be approved by a certified industrial hygienist

CLOSURE CERTIFICATION REPORT

- Document closure activities
- Modifications to the approved closure plan
- Photographs
- Sampling data and analysis
- Signed by an Independent Professional Engineer registered in California

FINANCIAL RESPONSIBLITY

- Financial Assurance for Closure
  - Required to ensure adequate money is available to properly close the facility in case operator and owner no longer viable
  - Based on Closure Cost Estimate
  - Mechanisms found in Section 66264.143, Title 22, CCR
    - i.e., Closure Trust Fund, Certificate of Deposit, Letter of Credit, Surety Bond, Corporate Guarantee

FINANCIAL RESPONSIBILITY (Cont.')

- Sudden And Accidental Liability
  - Required to ensure adequate funds is available to deal with any accidents or upsets at the facility
  - Based on size of facility
    - Series A - $1 million per occurrence/$2 million annual aggregate
    - Series B - $500,000 per occurrence/$1 million annual aggregate
    - Series C - $300,000 per occurrence/$600,000 annual aggregate
    - Series Small-Quantity C - $100,000 per occurrence/$200,000 annual aggregate
  - Section 66264.147 for detailed information

Self Certifications and Enforcement Feedback

Charlene Williams, Chief
Northern California
Statewide Compliance Branch

CERTIFICATIONS

- MANIFEST SYSTEM, RECORD KEEPING AND REPORTING
- FACILITY LOCATION, SEISMIC AND PRECIPITATION INFORMATION
- SECURITY
- PREPAREDNESS AND PREVENTION

CERTIFICATION LANGUAGE

"I understand that this certification is an integral part of the formal application for a Standardized Permit for my facility and that any falsification is equivalent to a false statement under Health and Safety Code Section 25191 and may be grounds for a permit denial."

VIOLATIONS OF CERTIFICATIONS

2 Violations Rather than 1

1) Cite you for the specific violation

2) Also cite you for filing false information

COMMONLY FOUND VIOLATIONS

- Nonexistent/inadequate training plan/records
- Nonexistent/inadequate inspection plan/records
- Inadequate documentation of repairs on inspection records
- Accepting/treating wastes not allowed in permit
- Storing longer than permit allows
- Inadequate operating records

PROPOSED STANDARDIZED PERMIT REGULATIONS

Jan Smith

Senior Hazardous Substances Scientist

Regulations Development

INTENT OF THESE REGULATIONS

These regulations provide clarification only; they do not change the eligibility or requirements for standardized permit facilities.

- Available only for non-RCRA-regulated activities,
- Primarily for storage and/or treatment in tanks and containers, and
- Not available for incineration, thermal destruction, land disposal, or treating used oil or solvents. Very limited eligibility for dry cleaning solvent treatment and surface impoundments used for once-per-year washouts.

PROPOSED CHANGES

- Creates a new article -chapter 20, article 6.5 - to contain all sections specific to standardized permits,
- Renumbers existing sections 66270.67, 66270.69, 67800.1 and 67800.5 so they will be in new article 6.5,
- Adds new section 66270.69.2 to define the application process, and
- Makes minor changes to reflect recent statutory amendments.

REASON CHANGES ARE NEEDED FOR THE STANDARDIZED PERMIT REGULATIONS

PROBLEM: The existing regulations do not clearly define the application process.

- The existing regulations are scattered throughout title 22, and
- Sixteen of the standardized permits issued in the mid-1990s will soon need renewing; applicants should have clear regulations to follow.

EXISTING SECTIONS, RENUMBERED

- 66270.69.1 = defines eligibility for a standardized permit *(previously 66270.69)*
- 66270.69.3 = operating requirements for a standardized permit facility *(previously 67800.1)*
- 66270.69.4 = financial responsibility for a standardized permit facility *(previously 67800.5)*
- 66270.69.5 = standardized permit transportable treatment units *(previously 66270.67)*

NEW SECTION: 66270.69.2

- An applicant for a standardized permit must submit the information applicable to that permit. These requirements are detailed in Chapters 14, 20 and 21 of Title 22.

****

FORMAT OPTIONS:

- An applicant may submit the application package just as would be submitted for a full permit; or
- The applicant may use the guidance documents that DTSC has developed specifically for the standardized permit applications; these are available from your project manager. This format is strongly encouraged, as it will assist the applicant in the appropriate level of detail and organization of the necessary information.
- Regardless of the application format, the eligibility and operating requirements are the same.

TIMELINE FOR THESE REGULATIONS

- The formal public comment period will begin soon. No substantive changes are expected, so, for now, we can use them as unofficial guidance. They should be finalized in the next few months.

- Any questions about the regulations themselves, please let me know.

  jsmith1@dtsc.ca.gov

  or

  (916) 324-0705

- Any facility-specific or application process questions, please contact Wei Wei, Sal or the project manager assigned to your facility.
  - Wei Wei Chui (510) 540 - 3975
  - Sal Ciriello (510) 540 - 3972

Overview of Permitting Process

Mohinder S. Sandhu. P.E.
Branch Chief
Standardized Permitting and Corrective Action Branch

PERMITTING PROCESS

- 1. Administrative Review
- 2. Technical Review
- 3. Prepare Environmental Analysis Document
- 4. Prepare Draft Permit
- 5. Public Comment Period – 45 days
- 6. Respond to Public Comments
- 7. Issue Final Permit Decision
- 8. Permit Appeal
- 9. Filing CEQA Notice of Determination

General Q/A

Mohinder S. Sandhu, P.E., Chief
Standardized Permitting and Corrective Action Branch

INDUSTRY Q/A