



7.0 PREAPPLICATION REVIEW SITE VISIT



The purpose of the preapplication site visit is to:

1. Orient the permit writer with the general layout and waste management features of the applicant facility;
2. Determine whether the application submitted adequately reflects actual facility or site conditions and features (any inconsistencies must be detailed in the permit writer's Notice of Deficiency);
3. Check the facility for obvious signs of Solid Waste Management Units (SWMUs) or evidence of releases (this is in preparation of the "Corrective Action RCRA Facility Assessment (RFA) Visual Site Inspection" which will be done during preparation of the RFA. This preapplication site visit is just a preliminary fact finding visit);
4. Collect information for the CEQA Initial Study; and
5. Collect information that can be used to complete fee and RCRIS database information.
6. Identify critical engineering and process control features that should be carefully checked during the Phase I Technical Review.
7. Assess facility locale for potential community issues (Schools or homes nearby? Are surrounding businesses compatible? etc.).

Preparation

To prepare for the site visit, the permit writer should have made careful notes about the facility features, possible corrective action areas, surrounding land use, and specific facility and unit fee-related details during the preliminary review of the application, upon receipt ([see Chapter 3.0, Receive Application](#)). If this was not done, or if it has been several weeks (or several months) since the permit writer has looked at the application, the application should be quickly reviewed and preliminary notes prepared. These preliminary review notes should be used to prepare a written inspection agenda. At a minimum, the inspection agenda should cover the seven topics listed above.

Sufficient time should be scheduled at the facility to allow the permit writer to investigate and take careful notes on each point or item on the agenda, without hurrying and possibly missing important details that are needed to complete the RFA, CEQA Initial Study, community profile triage, and fee and RCRIS databases information. It is important that the permit writer take notes (and lots of photos) of each item or feature being inspected at the time its being looked at and not try to create a set of notes from memory after the inspection. The facility should be forewarned that the permit writer will need extra time for note taking and completing fee database unit profile forms and that the inspection will not be just a tour of the facility.

Facility and Unit Boundaries

The issue of the facility boundary and regulated treatment and storage unit boundaries must be investigated and settled during the preapplication site visit. In the past, DTSC has issued permits that did not explicitly describe what exactly was being permitted. DTSC has now linked the need to solve this problem and the need to have unit specific information for fee determinations, using the fees database to record required information and to generate the Part III portion of the permit that explicitly describes what is being permitted. If possible, the permit writer should make it a point to tour the entire facility boundary and walk the perimeter of each unit being permitted. There should be clear agreement between the applicant and the permit writer where these boundaries are physically and how they will be described in the permit.

Wastes Being Handled

For facilities having multiple units, the permit must accurately reflect what wastes are being handled by which units. The permit writer should take extra time during the preapplication review site visit to carefully check application information regarding waste handling against actual field practice. Frequently, the application is not sufficiently explicit or accurate in describing what wastes are being handled or processed by which units.

Critical Engineering and Process Control Features

When examining each unit for the above information, the permit writer should note critical engineering and process control features that should be carefully checked during the Phase I Technical Review. Preliminary review notes should have flagged many of these items. Look for things like pumps, unsecured pipes, weak flanges, or other waste handling machinery that could rupture during earthquakes or process upsets. Make note of rust and corrosion on or around any waste storage or treatment tank or device. Look for cracks in secondary containment structures. If areas are not visible for inspection, make the facility move moveable items to expose the area for inspection. Make note of alarm systems, pressure relief valves, emergency control systems, and other such equipment that will require a performance demonstration at the next site visit. Also note how such equipment may be demonstrated. Identify any underground pipes and other equipment that will need to be pressure tested during the next site visit.

Facility Surroundings and Environment

The permit writer should take this opportunity to observe the area surrounding the facility for local land use, and incorporate that information into the CEQA and public participation planning processes (See checklist additions at Appendix 7.0-2). Appendix 7.0-3 is policy and procedures for inspections of hazardous waste facilities (EO-93-004-PP).

Collect Fee Information

Fee related information is needed to (1) enable DTSC to charge the correct application and annual operating fee and (2) prepare detailed and specific descriptions of the facility and units and their boundaries as noted above. The RCRIS information is needed to ensure accurate, first-hand information is input into the RCRIS database, which is used by EPA and DTSC management to monitor progress on annual workplan commitments. Several copies (one for each unit plus extras) of the DTSC Facility Activity Unit Profile form, Appendix 5.0-1 to Chapter 5, Fees, should be taken to the facility and completed during the site visit.

Determine Whether RFA Sampling Visit is Required

The permit writer should carefully note whether a follow-up RFA sampling visit will be needed to determine if a hazardous substances or waste release has occurred. Similarly, the field notes should fully document any conditions that may require Corrective Action Interim Measures to address significant and immediate potential threats to human health or the environment.

Appendix 7.0-1 is a copy of an August 8, 1992 Pre-Permit Inspection Checklist prepared by DTSC Southern California Regional Offices. Portions of this checklist may be useful in planning and conducting a preapplication review site visit.

Preparation of Site Visit Report

After the permit writer returns to the office, a full and complete formal site visit report should be

prepared. Film should be sent for developing immediately upon returning to the office and developed photos should be "pasted up" as an appendix to the inspection report within three working days from being returned from the processing lab. The report should emphasize the permit writer's findings related to the six topics listed above and be written in a manner that supports and justifies companion points to be made in the RFA and CEQA Initial Study.

Note for Region 1 Only: Region 1 permit writers may use either Department of Water Resources (DWR) photo lab (under contract with Region 1) or KODAK® film mailers to have their film processed. Appendix 7.0-2 is a copy of the DWR form that is used (with a DWR film envelope) to send film to the DWR lab.

Permit writers in other regions should annotate the margins of this page with the names of their own film and developing coordinators.

KEY QUESTIONS

Does the application accurately and fully describe the facility and units to be permitted?

Do the permit writer and the facility agree on the text descriptions of the facility boundary and unit boundaries?

Are there Solid Waste Management Units SWMUs or is there evidence of releases to be included in the RFA report?

Are there sensitive areas or receptors around the facility to be included in the CEQA Initial Study?

Has the fee database information been reviewed by the regional office fees coordinator and the information entered into the fees database?

Has the RCRIS database information been reviewed by the regional office RCRIS coordinator and the information entered into the RCRIS database?

Were any serious violations observed during the site visit that should be referred to the Statewide Compliance Division (SCD) for a follow-up enforcement inspection, and if so, has a formal referral been made?

Is an RFA sampling visit required to determine whether hazardous material releases have occurred?

Are Corrective Action Interim Measures needed?

Were there potential community issues observed? (i.e., Schools, homes, incompatible businesses, etc.)

REQUIRED OUTPUTS

Written inspection agenda.

Field notes from site visit.

Completed Fee unit profile forms and RCRIS forms.

Formal referral to SCD for a follow-up enforcement inspection, if appropriate.

Scheduled follow-up RFA sampling visit, if needed.

Order to the facility to implement Corrective Action Interim Measures, if needed.

Copies of above items properly filed in facility's administrative file.

APPLICABLE REGULATIONS AND STATUTES

State Laws and Regulations: The following are some of the statutory and regulatory authorities regarding inspections, trade secrets and enforcement actions:

Cal. H&S Code

Sections

25185 Authorizes representatives of DTSC to inspect hazardous waste facilities.
 25173 Requires DTSC to protect trade secret information collected from a facility.
 25187(a)(1) Requires a Departmental order issued pursuant to 25187 to include corrective action, even beyond the facility boundary where necessary to protect human health and the environment.

Section

25200.10 Requires all permits issued by to require corrective action for all releases of hazardous waste or constituents from a solid waste management unit or a hazardous waste management unit, regardless of the time at which waste was released at the facility.

Section

25200.10 Also requires that corrective action extend beyond the facility boundary where necessary to protect human health or the environment.

Title 22, of Regs.

Sections

66260.2 Requires to treat any information provided to as public information unless a claim of confidentiality has been made and justified.
 66270.12 Confidentiality of Information.
 66271.2(f) Authority for site visit.
 66272.1 Authorizes representatives of DTSC to inspect hazardous waste facilities.

Federal Laws and Regulations:

Title 40, Code of Fed.,. Regs.

Section

2.203(b) Sets forth the procedures a person must follow in order to make a claim of confidentiality under Cal. Code of Regs., Tit. 22, section 66260.2 (noted above).

Other Laws and Regulations: Can be found in Chapter 6.5 of Division 20 of California Health and Safety Code and Division 4.5 of Title 22 of California code of Regulations.

POLICIES

DTSC Policies:

DTSC August 8, 1992, Pre-Permit Inspection Checklist.

DTSC OPP #93-____, (DRAFT February 1, 1993), POLICY AND PROCEDURES FOR INSPECTIONS. This policy and procedures document sets forth the policy and procedures of DTSC for conducting

enforcement inspections and preparing inspection reports. This is an excellent "how to" reference for conducting site inspections and preparing inspection reports. Since the preapplication site visit is not an enforcement inspection, the portions of the policy related to violation documentation can be ignored. If there are serious violations found during the preapplication site visit, a subsequent SCD enforcement inspection should be scheduled.

DTSC Public Participation Policy and Procedures Manual.

EPA Policies:

U.S. EPA RCRA Public Involvement Manual, September 1993.

Other Policies:

INSTRUCTIONS TO APPLICANTS

Handouts to be Given to Applicants:

Examples to be Given to Applicants:

CEQA CONSIDERATIONS

If the applicant has completed the CEQA Environmental Information Form, the permit writer may choose to verify the facts of this document at the time of the site visit. In addition, the permit writer may take notes to provide background information necessary for preparing the CEQA Initial Study.

PUBLIC PARTICIPATION CONSIDERATIONS

LEGAL CONSIDERATIONS

INTERAGENCY AGREEMENTS & MOUS

COORDINATION WITH OTHERS

Other DTSC Units:

Environmental/Legislative/Industry Groups:

Other Agencies:

Special Requests:

STEP-BY-STEP PROCEDURES

Flow Charts:

Checklists:

TECHNICAL REFERENCES

EXAMPLES OF COMPLETED WORK PRODUCTS

TIMELINE AND PLANNING

Permit Processing Chart:

Workload Standards:

Statutory & Other Deadlines:

WP File Name: 1/CH0700_P.MAN

List of Examples:

List of Appendices:

- 7.0-1 Pre-Permit Inspection Checklist.
- 7.0-2 Copy of DWR Photography Order form (See Maura Reagan for forms and film envelopes.).
- 7.0-3 EO-93-004-PP, May 1, 1993, Preparing Inspection Reports.

List of References: