



**SAN DIEGO COUNTY CUPA**  
**Department of Environmental Health**  
**Hazardous Materials Division**



**Plating Shop  
Compliance  
Manual**

**November 2008**

*"Environmental and public health  
through leadership, partnership  
and science"*





**SAN DIEGO COUNTY CUPA**  
Department of Environmental Health  
Hazardous Materials Division



## **Plating Shop Compliance Manual**

### Table of Contents

<b>Tab 01</b>	<b>Chapter 01</b>	<b>Regulatory Agencies</b>
<b>Tab 02</b>	<b>Chapter 02</b>	<b>Hazardous Waste and Hazardous Waste Determination</b>
<b>Tab 03</b>	<b>Chapter 03</b>	<b>Hazardous Waste Container Management</b>
<b>Tab 04</b>	<b>Chapter 04</b>	<b>Hazardous Waste Container Labeling</b>
<b>Tab 05</b>	<b>Chapter 05</b>	<b>Hazardous Waste Storage, Accumulation, and Satellite Accumulation</b>
<b>Tab 06</b>	<b>Chapter 06</b>	<b>EPA Identification numbers, Manifesting, Transporters, TSD Facilities, and Land Disposal Restrictions</b>
<b>Tab 07</b>	<b>Chapter 07</b>	<b>Employee Training</b>
<b>Tab 08</b>	<b>Chapter 08</b>	<b>Hazardous Materials Business Plan and Hazardous Waste Contingency Plan</b>
<b>Tab 09</b>	<b>Chapter 09</b>	<b>Tiered Permitting (On Site Treatment)</b>
<b>Tab 10</b>	<b>Chapter 10</b>	<b>Engineering Assessment Requirements for Hazardous Waste Tanks</b>
<b>Tab 11</b>	<b>Chapter 11</b>	<b>Tiered Permitting vs. Wastewater Requirements</b>
<b>Tab 12</b>	<b>Chapter 12</b>	<b>Closure and Cleanup Requirements for Tiered Permitting Units</b>
<b>Tab 13</b>	<b>Chapter 13</b>	<b>Record Keeping</b>
<b>Tab 14</b>	<b>Chapter 14</b>	<b>Pollution Prevention</b>
<b>Tab 15</b>	<b>Chapter 15</b>	<b>Most Common Violations</b>
<b>Tab 16</b>	<b>Chapter 16</b>	<b>Illegal Disposal of hazardous Waste – Common Problems</b>
<b>Tab 17</b>	<b>Chapter 17</b>	<b>Enforcement</b>
<b>Tab 18</b>	<b>Chapter 18</b>	<b>Self-Audit Checklist</b>
<b>Tab 19</b>	<b>Chapter 19</b>	<b>Resources and Assistance List</b>
<b>Tab 20</b>	<b>Appendix I</b>	<b>Record Keeping/Forms</b>
<b>Tab 21</b>	<b>Appendix II</b>	<b>Definitions</b>
<b>Tab 22</b>	<b>Links</b>	<b>Workshop Related Links</b>

Metal plating facilities are establishments primarily engaged in all types of electroplating, plating, anodizing, coloring, and finishing of metals and formed products of trade. Most metal platers are small, family owned businesses. The industry provides support to other larger industries, particularly manufacturing industries. The automotive, electronics, machine equipment, and defense industry are the four largest industry segments served by metal platers.

The metal plating process can impact the environment, including air, water, and soil, in a very intense manner. The chemical processes used in metal plating involve the use of various toxic materials, and generate significant amounts of solid and hazardous waste. Hexavalent chromium, a chemical compound intrinsic to the chrome plating process is a known carcinogen.

The metal plating industry is regulated by various federal, state, and local agencies including the United States Environmental Protection Agency, the California Air Resources Board, the California Water Resources Control Board, the California Department of Toxic Substances Control, the San Diego Regional Water Quality Control Board, the County of San Diego Air Pollution Control District, and the County of San Diego Department of Environmental Health Hazardous Materials Division (HMD).

HMD regulates over 13,000 businesses countywide and takes formal enforcement (criminal; civil; administrative) against approximately 30 businesses each year. In 2004, the HMD identified twenty-six (26) metal plating facilities in San Diego County and reviewed their compliance history. Since 2001, the HMD has submitted 9 criminal/civil cases for prosecution and settled all 10 administrative enforcement cases against metal plating facilities within San Diego County. Given the low number of metal plating shops within San Diego County, the number of formal enforcement cases taken against metal plating shops since 2001 is considered to be fairly significant. Because of the increased level of non-compliance demonstrated within the metal plating industry, the HMD increased the inspection frequency for metal plating facilities starting in fiscal year 2003-04 from once every 18 months to annually.

On December 2, 2004 HMD in coordination with the Industrial Environmental Association and Sheffield Platers provided the first annual Plating Shop Workshop. Subsequent workshop updates were held in January and December of 2005 as well as in 2006, 2007 and 2008 in an attempt by HMD to further assist small metal plating facilities within San Diego County to obtain improved compliance with their hazardous materials and hazardous waste regulatory requirements. Plating Shops were provided the opportunity to receive a one time fix-it inspection if they attended the first annual Plating Shop Workshop. Many took advantage of that opportunity and as a result HMD has seen an increase in compliance from several of the plating shops in San Diego County.

HMD developed this Compliance Manual for Plating Shops to further assist small metal plating facilities within San Diego County in meeting their hazardous materials and hazardous waste regulatory requirements. It is highly recommended that owners, operators and key employees read this manual and take advantage of the information to help them improve their regulatory compliance.

The following are some of the various regulatory agencies that regulate plating shops within San Diego County. A plating shop owner or operator will most often encounter local agencies rather than federal or state agencies. However, federal and state agencies do maintain their jurisdiction and may at any time decide to inspect a plating shop within San Diego County.

## **FEDERAL AGENCIES**

### **U.S. Environmental Protection Agency (USEPA)**

The USEPA is the federal agency responsible for developing and enforcing all environmental laws and regulations in the United States. USEPA works to develop and enforce regulations that implement environmental laws enacted by Congress. These laws and regulations range from those that protect the air, water, land as well as public health and safety. Some of the laws and regulations that USEPA administers are: the Clean Air Act (CAA); the Clean Water Act (CWA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund); the Emergency Planning & Community Right-To-Know Act (EPCRA); the Pollution Prevention Act (PPA); the Superfund Amendments and Reauthorization Act (SARA); and the Resource Conservation and Recovery Act (RCRA). USEPA is responsible for researching and setting national standards for a variety of environmental programs, and delegates to states and tribes the responsibility for issuing permits and for monitoring and enforcing compliance. Where national standards are not met, USEPA can issue sanctions and take other steps to assist the states and tribes in reaching the desired levels of environmental quality.

## **CALIFORNIA STATE AGENCIES**

### **California Environmental Protection Agency (Cal/EPA)**

The California Environmental Protection Agency (Cal/EPA) was created in 1991 by the Governor's Executive Order. The six Boards, Departments, and Office were placed within Cal/EPA's "umbrella" to create a cabinet level voice for the protection of human health and the environment and to assure the coordinated deployment of State resources. The six Boards, Departments and Office are: the Air Resources Board; the Integrated Waste Management Board; the State Water Resources Control Board; the Department of Pesticide Regulation; the Department of Toxic Substances Control; and the Office of Environmental Health Hazard Assessment.

### **California Air Resources Board**

The California Air Resources Board (ARB) oversees programs for cleaner air ranging from research and regulation to enforcement and education. The ARB sets and enforces emission standards for motor vehicles, fuels, and consumer products; sets health-based air quality standards; conducts research; monitors air quality; identifies and sets control measures for toxic air contaminants; provides compliance assistance for businesses; produces education and outreach programs and materials; oversees and assists local air quality districts such as the San Diego County Air Pollution Control District which regulates most non-vehicular sources of air pollution.

**State Water Resources Control Board**

The State Water Resource Control Board (SWRCB) oversees various water protection programs throughout the state. Of importance to many businesses is the underground storage tank program (UST). The purpose of the UST Program is to protect public health and safety and the environment from releases of petroleum and other hazardous substances from tanks. There are four program elements: leak prevention, cleanup, enforcement, and tank testing.

**Department of Toxic Substances Control**

The Department of Toxic Substances Control (DTSC) regulates hazardous waste, oversees clean-up of existing contamination, and looks for ways to reduce the hazardous waste produced in California. DTSC establishes and implements protective and clean-up programs and standards. An estimated 90,000 properties throughout the State - including former industrial properties, school sites, military bases, small businesses and landfills - are contaminated, or believed to be contaminated, with some level of toxic substances. Some of these are "brownfield," sites that often sit idle or underused, contributing to both urban blight and urban sprawl. The USEPA authorizes DTSC to carry out the hazardous waste programs in California including permitting, inspection, compliance, and corrective action programs to ensure that all state and federal hazardous waste requirements are followed. DTSC also oversees the implementation of the hazardous waste generator and onsite treatment program, one of the six environmental programs at the local level consolidated within the Unified Program.

**California Occupational Health and Safety Administration**

The California Occupational Health and Safety Administration (Cal/OSHA) is a program under the California Division of Occupational Health and Safety responsible for enforcing California laws and regulations pertaining to workplace safety and health and for providing assistance to employers and workers about workplace safety and health issues. The Cal/OSHA Enforcement Unit conducts inspections of California workplaces based on worker complaints, accident reports and high hazard industries. The Cal/OSHA Consultation Service provides assistance to employers and workers about workplace safety and health through on-site assistance, high hazard consultation and special emphasis programs, and develops educational materials on workplace safety and health topics.

**San Diego Regional Water Quality Control Board**

The San Diego Regional Water Quality Control Board (RWQCB) is one of nine regional boards within the State of California. The Regional Board adopted and updated the municipal storm water permit for San Diego County. The permit regulates discharges that are currently the greatest sources of contamination and pollution that impact water bodies in San Diego County. Point sources from businesses are regulated sources. The Regional Board takes aggressive compliance actions against operators that do not follow storm water management practices.

**LOCAL AGENCIES****San Diego County Department of Environmental Health Hazardous Materials Division**

The Hazardous Materials Division (HMD) is one of the four divisions of the Department of Environmental Health (DEH). HMD is the Certified Unified Program Agency (CUPA) for San Diego County responsible for regulating hazardous materials business plans and chemical inventory, hazardous waste and tiered permitting, underground storage tanks, and risk management plans. HMD is also responsible for regulating medical waste.

**San Diego County Air Pollution Control District**

The San Diego County Air Pollution Control District (APCD) is the regional agency responsible for attaining federal and state ambient-air-related public health standards and implementing associated requirements for federal and state law. The APCD adopts rules to control air pollution and long-term regional implementation plans to achieve mandated long-term pollution reductions. The APCD implements these rules and long term plans through permitting, business inspections, and other regulatory programs. In addition, the APCD provides substantial public information regarding air pollution matters and monitors pollution levels throughout the region.

**Industrial Waste Water Programs**

Various Industrial Waste Water Control Programs within the County apply and enforce discharge limits that protect the collection system, the treatment plant, and the ocean. These programs regulate local industry to control contaminants before they enter the sewer system. The programs issue discharge permits, perform inspections, conduct waste water monitoring, and enforce sewer discharge standards at businesses and industries throughout their service area. Some types of local industries that are regulated to prevent contaminants from entering the sewage system include: aerospace manufacturing; metal forming, casting and finishing; pharmaceutical manufacturing; hospitals and medical centers; film processors; laundries and dry cleaners; and a variety of laboratories. The Environmental Protection Agency (EPA) has identified a list of priority pollutants that are either prohibited or strictly limited in discharges to the sewage system. Some of the common toxic pollutants include: arsenic, benzenes, chloroform, cyanide, phenols, pesticides, and heavy metals such as cadmium, chromium, copper, lead, mercury, nickel, silver and zinc.

**Fire Prevention Departments and Fire Prevention Districts**

There are various fire prevention departments and districts throughout San Diego County that regulate the storage of hazardous materials through the Uniform Fire Code (UFC) and the Uniform Building Code (UBC). The UFC is published by the International Fire Code Institute and the UBC is published by the International Conference of Building Officials (ICBO).

## REFERENCES:

U.S. Environmental Protection Agency	<a href="http://www.epa.gov">http://www.epa.gov</a>
California Environmental Protection Agency	<a href="http://www.calepa.ca.gov">http://www.calepa.ca.gov</a>
California Air Resources Board	<a href="http://www.arb.ca.gov">http://www.arb.ca.gov</a>
California State Water Resources Board	<a href="http://www.swrcb.ca.gov/ust">http://www.swrcb.ca.gov/ust</a>
California Department of Toxic Substances Control	<a href="http://www.dtsc.ca.gov">http://www.dtsc.ca.gov</a>
California Occupational Health & Safety	<a href="http://www.dir.ca.gov/occupational_safety.html">http://www.dir.ca.gov/occupational_safety.html</a>
San Diego Regional Water Quality Control Board	<a href="http://www.waterboards.ca.gov/sandiego/">http://www.waterboards.ca.gov/sandiego/</a>
San Diego County Department of Environmental Health Hazardous Materials Division	<a href="http://www.sdcdeh.org">http://www.sdcdeh.org</a>
San Diego County Air Pollution Control District	<a href="http://www.sdapcd.org/index.html">http://www.sdapcd.org/index.html</a>

**HAZARDOUS WASTE**

The legal definition of a hazardous waste is: “A waste that, because of its concentration, quantity, or physical, infectious, or chemical characteristics may cause or contribute to increase mortality or illness or pose a present or potential hazard to human health or the environment” {Health & Safety Code (HSC) Section 25124}. If your process produces a hazardous waste you are classified as a generator of hazardous waste. It is very important for you to understand what makes a waste hazardous. Failure to properly classify your waste can have grave consequences for you and your business.

**Is Your Waste Hazardous? <sup>1</sup>**

The following are some basic questions you need to answer when determining if your waste is hazardous.

- ✓ Is your waste ignitable? Does it burn easily?
- ✓ Is your waste toxic? Will it produce injury, illness, or harm if inhaled, swallowed, or if it gets on the skin?
- ✓ Is your waste reactive? Will its vapors burn or explode when exposed to air or water?
- ✓ Is your waste corrosive? Will it burn skin or eyes on contact or “eat away” containers?
- ✓ Is your waste listed in the Chapter 11, Appendix X list in the Title 22 of the Code of California Regulations (CCR)?

**Is your waste a RCRA Hazardous Waste or a California Hazardous Waste? <sup>2</sup>**

There are two categories of hazardous waste in California. Hazardous waste is classified either as RCRA (federally-regulated) or non-RCRA. To properly store, treat, and dispose of your hazardous waste, it is important to determine whether your hazardous waste is RCRA or non-RCRA. If you answer yes to any of the following questions, your waste may be considered to be a RCRA hazardous waste:

- ✓ Is my waste listed in CCR, Title 22, Chapter 11, Article 4 (List of RCRA Hazardous Wastes)?
- ✓ Does my waste have any of the characteristics of a hazardous waste (ignitable, corrosive, toxic\*, reactive)?
- ✓ Does my waste come from or is mixed with a hazardous waste from the RCRA List?

\*California has a more strict definition for “toxicity” than RCRA and California’s “list” includes more wastes and chemicals. If your waste is not a RCRA hazardous waste, you need to determine if it meets the criteria for a hazardous waste in California (non-RCRA).

**HAZARDOUS WASTE CLASSIFICATION** <sup>3</sup>

It is the generator's responsibility to determine whether the waste generated at his/her facility is a hazardous waste or not. Plating shops generate a variety of hazardous and non-hazardous waste streams. Some such as spent plating baths are relatively easy to classify as hazardous waste due to the obvious metals content or the fact that they are acids or bases. Others such as rinse water and grinding dust are more difficult to classify, because they are mixtures. These mixtures of several products may also be subjected to various chemical and physical processes, which may add trace concentrations of regulated metals. As an example, the grinding rouges typically used to polish chrome bumpers contain both zinc and copper at levels that make the resulting dust hazardous even without the chrome and cadmium contribution from the bumper itself. Very low levels of metals such as chrome and zinc can make a waste stream hazardous. These levels may not be obvious based on reviews of MSDSs and specification sheets and may require chemical analysis to determine actual chemical concentrations.

Waste determinations for rinses and spent baths must be done for each individual waste stream (each bath or rinse tank), at the point of generation. Wastewaters are commonly combined at plating shops for processing through an onsite wastewater treatment system. These individual waste streams must be individually classified at the point where they exit the process tank and first become a waste, not after they are commingled with other rinse water. Analysis of the post-treated effluent, which is done to meet Industrial Wastewater Pre-Treatment Standards to allow the waste to be discharged to the sewer, is not a waste determination for hazardous waste regulations. The list of chemicals being monitored is different and even the metals that are monitored under both programs require different tests (analytical methods).

A generator may determine that the waste streams from his/her particular facility or operation are or are not a hazardous waste by either:

- I. Testing the waste according to the methods set forth in the regulations; and/or
- II. Applying knowledge of the hazardous characteristic(s) or properties of the waste in light of the materials or the processes used and the criteria set forth in the hazardous waste regulations.

**I. Testing** <sup>4</sup>

Performing analytical testing and maintaining test results is the best way to document a waste determination. The testing criteria are specified in Title 22, Division 4.5, of the California Code of Regulations (CCR).

A non-hazardous designation will apply only under the following conditions when testing is performed:

- ✓ Representative sampling (multiple samples) of the material is conducted in accordance with procedures specified in Section One of "Test Methods for Evaluating Solid Waste,

Physical/Chemical Methods" SW-846, 3rd Edition, U.S. Environmental Protection Agency, 1986.

- ✓ The samples are delivered to the lab with a "Chain of Custody" document which indicates the sample type, date/time sample was taken, sample size, source of the waste, quantity of the waste, the type of sample container, place and address of collection, and the name and signature of collector.
- ✓ A laboratory following the analytical procedures outlined in CCR Title 22, Division 4.5 conducts the analysis. The generator certifies in writing that the analytical procedures used are consistent with those specified in CCR Title 22 and that the waste is categorized as non-hazardous by the criteria specified in CCR Title 22. The laboratory must be certified to perform the specific waste analysis by the State of California Department of Health Services.

The County of San Diego Department of Environmental Health Hazardous Materials Division (HMD) recommends you obtain the services of a qualified and experienced environmental consultant who can assist you in the sampling of the waste and laboratory analysis of the samples.

## **II. Knowledge of Process (KOP) / Self Classification <sup>5</sup>**

A facility may use knowledge of process to determine if a waste is hazardous or non-hazardous, this is also called "self classification" of the waste. The information and process utilized to make the determination should be documented. The final determination should be made in writing. If a facility classified a waste as non-hazardous based on KOP, and the waste is actually hazardous the facility may be subject to enforcement action.

The following should be considered as part of the review process for making a waste determination using knowledge of process:

- ✓ The California and Federal hazardous waste laws and regulations.
- ✓ Detailed chemical information for all the chemicals and materials utilized in the process generating the waste should be available (quantities, concentrations, and types of materials and chemicals in use in the process). Information sources include, but are not limited to Material Safety Data Sheets, (keep in mind that trace quantities of metals and toxic chemicals may be present that are not listed on MSDSs), manufacturer's information, and process operations procedures and/or manuals.
- ✓ A detailed review of the generating process and the resulting waste streams at the point of generation.
- ✓ All documentation utilized to make the determination should be included in the operating record associated with the waste stream.
- ✓ Carefully evaluate the information gathered and make a written determination.

A good waste determination made by a generator at the point of generation and backed up with supporting documentation and a signed waste classification statement that the waste is non-hazardous should be acceptable. However, regulatory agencies retain the authority to sample the waste to ensure that the classification was performed correctly, if the results indicate that the waste is hazardous, the generator faces enforcement action.

### **RE-CLASSIFICATION**

If materials or processes change once a waste is classified, a re-classification must be completed. It is the generator's responsibility to correctly classify the waste including any changes to the process that may change the composition of the waste. The sampling conducted by landfill operators, hazardous waste inspectors, and by the industrial wastewater program is to confirm the waste classification, not make the determinations.

### **REFERENCES**

1. Title 22, California Code of Regulations (CCR) Section 66261.20 to Section 66261.50
2. Title 22, CCR Section 66261.100 and Section 66261.101
3. Title 22, CCR Section 66262.11
4. Title 22, CCR Section 66261.20(c) and Section 66262.1
5. Title 22, CCR Section 66262.11, Section 66262.40(c), and Section 66260.200

California Hazardous Waste Classification online course. This course will familiarize you with the hazardous waste classification requirements in California's laws and regulations. Once completed, you will have the information and resources to tell whether a waste is hazardous to ensure its proper management (e.g., storage, transport, treatment, disposal).

[http://ccelearn.csus.edu/waste/class/intro/intro\\_01.html](http://ccelearn.csus.edu/waste/class/intro/intro_01.html)

#### ***SW-846 Test Methods for evaluating Solid Waste, Physical/Chemical Methods***

GPO publication No. 955-001-00000-1

US EPA, Office of Solid Waste

Washington DC.

<http://www.epa.gov/epawaste/hazard/testmethods/sw846/index.htm>

#### ***RCRA Waste Sampling Draft Technical Guidance***

EPA530-D-02-002

US EPA, Office of Solid Waste

Washington DC.

[http://www.epa.gov/epawaste/hazard/testmethods/sw846/samp\\_guid.htm](http://www.epa.gov/epawaste/hazard/testmethods/sw846/samp_guid.htm)

**HAZARDOUS WASTE CONTAINERS**<sup>1</sup>

A hazardous waste container is a device in which hazardous waste can be stored, treated, transported, recycled, or disposed of, and that is designed to be portable whether it is empty or full. Hazardous waste containers range in size. Common hazardous waste containers are 5-gallon buckets, 30-gallon carboys, and 55-gallon drums.

**HAZARDOUS WASTE CONTAINER MANAGEMENT**<sup>2</sup>

As a generator you must properly manage your containers that store hazardous waste. The following is a summary of the requirements for managing containers:

- ✓ Be sure your containers are in good condition and not leaking.
- ✓ Immediately transfer hazardous waste from any containers that are leaking or in poor condition to containers that are in good condition.
- ✓ Use containers made of materials that are compatible with the hazardous waste that will be stored in them.
- ✓ Keep containers closed except when adding or removing hazardous waste.
- ✓ Handle containers in a manner that prevents leakage, spillage, or rupture.
- ✓ Inspect containers daily or weekly for leaks, deterioration and proper labeling. Maintain an inspection log. **NOTE:** It is recommended that you inspect your containers daily; however, in certain situations weekly inspections may be sufficient. An example weekly inspection checklist is provided under Exhibit T.
- ✓ If you are a large quantity generator, store containers with ignitable or reactive waste at least 50 feet from the property line.
- ✓ Maintain adequate isle space and keep incompatible wastes separated by distance or using a berm, dike or other types of secondary containment.
- ✓ Do not use an unwashed container that previously contained an incompatible waste.
- ✓ Properly label all containers (see Chapter 4 for proper labeling requirements).
- ✓ Refer to Appendix AA in this manual for an informative State DTSC fact sheet regarding contaminated containers management in California.

**EMPTY CONTAINER MANAGEMENT**<sup>3</sup>

The California regulations define an empty container based upon the type of material held by the container:

**I. Containers Holding Materials That Can Be Poured**

If you have containers that held a material that can be readily poured, all material must be removed by any practical means (including draining, pouring, pumping, or aspirating) before the container can be considered empty. You need to provide sufficient time for the container to drain such that if an inspector was to invert your container, only a few drops might drip out. A continuous stream of liquid would be considered a violation.

**II. Containers Holding Materials That Cannot Be Poured**

If you have containers that held materials that cannot be poured, you need to make sure that no hazardous material remains in the container. You must use

feasible methods such as scraping and chipping, but not rinsing to ensure the container is empty. This standard applies to materials that pour slowly or don't pour at all from the container, including, but not limited to, viscous materials, solids, which have "caked up" inside the container, and sludges that will not pour readily from the container.

III. **Containers Holding Acute or Extremely Hazardous Waste**

If you have containers that held acute or extremely hazardous wastes, they must be triple-rinsed using a solvent capable of removing the material in order to be considered empty. You may also use another method of cleaning that is equivalent to triple rinsing. Please keep in mind those activities such as rinsing or processes such as crushing, shredding, grinding, or puncturing may be considered treatment. Treatment requires that additional standards and regulations be complied with.

**EMPTY CONTAINER MANAGEMENT PRACTICES** <sup>4</sup>

Even after completely draining your containers, you cannot just throw your empty containers in the trash. They must be managed appropriately.

I. **Empty Containers Greater Than Five Gallons**

If you have empty containers that are greater than five gallons by volume **you must within in one year** manage them by one or more of the following methods:

- ✓ Reclaim the container's scrap value onsite;
- ✓ Send the container to a person who reclaims the container's scrap value;
- ✓ Recondition or remanufacture the container onsite; or
- ✓ Ship the container to a person who reconditions or remanufactures the container.
- ✓ Keep a record as to where the empty container has been shipped.
- ✓ Mark the container with the date it was emptied and it is highly recommended to mark the container as "empty".

II. **Empty Containers Five Gallons or Less**

If you have empty containers that are five gallons or less by volume you must manage them by using one of the methods described above or by disposing of the container at an appropriate solid waste facility. The safe thing to do is to rinse containers before disposal. An "appropriate solid waste facility" is one that can accept empty containers.

**REFERENCES:**

1. Title 22, California Code of Regulations (CCR) Section 66260.10
2. Title 22, CCR Sections 66265.170 to 66265.178; and Section 66262.34
3. Title 22, CCR Section 66261.7
4. Title 22, CCR Section 66261.7

**LABELING OF HAZARDOUS WASTE CONTAINERS**<sup>1</sup>

You are required to label each container that stores or accumulates hazardous waste. Labeling hazardous waste containers not only meets the legal requirements but also helps to identify the type and hazards of the waste. Labels also help to ensure that hazardous waste is safely handled and transported. The regulations require the following on all hazardous waste labels:

**I. Labeling of Hazardous Waste Containers During Storage and Accumulation**

The following are required to be on the labels of hazardous waste containers during storage and accumulation:

- ✓ The start date you begin to accumulate hazardous waste and/or the date the satellite accumulation quantity limit is reached (refer to Chapter 5 regarding Hazardous Waste Accumulation)
- ✓ The words “Hazardous Waste”
- ✓ The make-up of the waste
- ✓ The physical state of the waste (liquid or solid)
- ✓ The hazardous properties of the waste (corrosive, toxic, reactive, flammable)
- ✓ The name and address of the facility generating the waste

**II. Required for Transportation of Hazardous Waste**<sup>2</sup>

In addition to the above requirements, you must also make sure the following are on the label when your hazardous waste is shipped offsite for storage, treatment, or disposal:

- ✓ The statement “HAZARDOUS WASTE – State and Federal Law Prohibit Improper Disposal. If found, contact the nearest police or public safety authority, the U.S. Environmental Protection Agency or the California Department of Toxic Substances Control”
- ✓ Proper shipping name
- ✓ Hazards class and UN# or NA#
- ✓ Manifest tracking number
- ✓ EPA Identification #

Your hazardous waste hauler will most likely assist you with completing these requirements.

The following page has a sample Hazardous Waste Label.

**III. Empty Hazardous Waste Containers**<sup>3</sup>

If you have “empty containers” greater than 5 gallons in volume that held hazardous materials, you must mark the container with the date it was emptied and it is highly recommended you also mark the container “empty” (see Chapter 3 regarding Container Management).

**REFERENCES:**

1. Title 22, California Code of Regulations (CCR) Section 66262.34
2. Title 22, CCR Section 66262.32
3. Title 22, CCR Section 66262.7(f)

**SAMPLE LABEL**

<b>HAZARDOUS WASTE</b>		
<p><b>STATE &amp; FEDERAL LAW PROHIBIT IMPROPER DISPOSAL</b>          IF FOUND, CONTACT THE NEAREST POLICE OR PUBLIC SAFETY AUTHORITY,          THE U.S. ENVIRONMENTAL PROTECTION AGENCY OR          THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL.</p>		
PROPER D.O.T. SHIPPING NAME: _____		UN OR NA #: _____
GENERATOR'S INFORMATION		
NAME: _____		
ADDRESS: _____		
CITY: _____	STATE: <u>CA</u>	ZIP: _____
GENERATOR'S EPA ID NUMBER: _____	MANIFEST TRACKING NUMBER: _____	
ACCUMULATION START DATE: _____	CA WASTE NUMBER: _____	EPA WASTE NUMBER: _____
CONTENTS, COMPOSITION: _____		
PHYSICAL STATE: <input type="checkbox"/> SOLID <input type="checkbox"/> LIQUID	HAZARDOUS PROPERTIES: <input type="checkbox"/> CORROSIVE	<input type="checkbox"/> FLAMMABLE <input type="checkbox"/> TOXIC <input type="checkbox"/> REACTIVE <input type="checkbox"/> OTHER
COMPLETE FOR STORAGE	<b>HANDLE WITH CARE!</b> CONTAINS HAZARDOUS OR TOXIC WASTES	COMPLETE FOR TRANSPORT
COUNTY OF SAN DIEGO CUPA-DEPARTMENT OF ENVIRONMENTAL HEALTH-HAZARDOUS MATERIALS DIVISION		

<b>Chapter 5</b>	<b>Hazardous Waste Storage, Accumulation and Satellite Accumulation</b>
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**STORAGE AND ACCUMULATION OF HAZARDOUS WASTE <sup>1</sup>**

Storage means holding of hazardous waste for a temporary period. Generators are allowed to accumulate hazardous waste for specified periods of time without being permitted as a hazardous waste storage facility by the Department of Toxic Substances Control (DTSC). Use the following charts to help you determine how long you can store your hazardous waste:

**Step 1. What type of hazardous waste generator does my facility qualify as?**

<b>Large Quantity Generator</b>	<p>A generator who produces:</p> <ul style="list-style-type: none"> <li>▪ more than 1,000 kg (2,200 pounds or 270 gallons) per month for all hazardous waste generated onsite, <u>or</u></li> <li>▪ who produces more than 1 kg (2.2 pounds or 1 quart) per month of acutely or extremely hazardous waste.</li> </ul>
<b>Small Quantity Generator</b>	<p>A generator who produces:</p> <ul style="list-style-type: none"> <li>▪ less than 1,000 kg (2,200 pounds or 270 gallons) of hazardous waste per month (and accumulate less than 6,000 kg at any one time), <u>or</u></li> <li>▪ one who produces less than 1 kg (2.2 pounds or 1 quart) per month of acutely or extremely hazardous waste (or accumulates less than 1 kg (2.2 pounds or 1 quart) of acutely or extremely hazardous waste at any one time).</li> </ul>
<b>Conditionally Exempt Small Quantity Generator</b>	<p>A generator who produces:</p> <ul style="list-style-type: none"> <li>▪ less than 100 kg (220 pounds or 27 gallons) per month for all hazardous waste generated onsite, <u>or</u></li> <li>▪ less than 1 kg (2.2 pounds or 1 quart) of acutely or extremely hazardous waste per month.</li> </ul>

**Step 2. How long can hazardous waste be accumulated at my facility?**

<b>Generator Status:</b>	<b>Accumulation Starts:</b>	<b>Accumulation Requirements are:</b>
Large Quantity Generator	The first day the generator begins accumulating any hazardous waste.	<ul style="list-style-type: none"> <li>▪ 90 days</li> </ul>
Small Quantity Generator	The first day the generator begins accumulating any hazardous waste.	<ul style="list-style-type: none"> <li>▪ 180 days <u>or</u></li> <li>▪ 270 days if the distance to the treatment or disposal facility is more than 200 miles.</li> <li>▪ Any quantity of acutely or extremely hazardous waste must be removed in 90 days.</li> </ul>
Conditionally Exempt Small Quantity Generator	The day 100 kg (220 pounds or 27 gallons) of a hazardous waste or 1 kg (2.2 pounds or 1 quart) of acutely or extremely hazardous waste is accumulated.	<ul style="list-style-type: none"> <li>▪ 180 days or 270 days if the distance to the treatment or disposal facility is more than 200 miles.</li> <li>▪ Any quantity of acutely or extremely hazardous waste must be removed in 90 days.</li> </ul>

**SATELLITE ACCUMULATION**<sup>2</sup>

Generators may accumulate hazardous waste onsite for greater periods of time under the “satellite” accumulation rule. The following conditions must be met in order to qualify for the “satellite” accumulation rule:

- ✓ The hazardous waste must be accumulated in containers.
- ✓ The hazardous waste must be accumulated “at the initial accumulation point”, which must be “at or near the area where the waste is generated”.
- ✓ The initial accumulation point must be under the control of the operator of the process generating the waste.
- ✓ The satellite accumulation point must be operated so as to ensure that a process or group of processes meeting the requirements above is subject to a single 55-gallon (or one quart) accumulation limit. Except:
  - When all of the waste streams generated within the same physical area are not compatible and require a separate 55-gallon (or one quart).
  - When the generator determines that using only one 55-gallon (or one quart) container for the initial accumulation of specific compatible waste streams is not practical (e.g., prevents recycling or requires unreasonable accumulation procedures) or is not safe from an environmental or worker and public health and safety standpoint, the generator may apply a separate 55-gallon (or one quart) limit to those specific compatible waste streams. **NOTE:** This determination is subject to review and approval by the County of San Diego Department of Environmental Health Hazardous Materials Division (HMD).

<b>If the Generator:</b>	Accumulates hazardous waste at the initial point of accumulation in a satellite accumulation area.
<b>Accumulation Starts:</b>	The first day the generator begins accumulating any hazardous waste.
<b>Accumulation Time Limit is:</b>	Three days after 55 gallons of hazardous waste (or one-quart of acutely or extremely hazardous waste) is accumulated. Then the generator must move the hazardous waste container to a “90-day” accumulation area. The total time hazardous waste can be accumulated at the business is one year.

If you are a Large Quantity Generator you must store your ignitable or reactive wastes at least 15 meters (50 feet) from the property line. If you want to store hazardous waste for more than the allowable accumulation time limit, you must apply for and obtain a storage permit from DTSC. Additional conditions and requirements apply to those facilities.

**REFERENCES:**

1. Title 22 California Code of Regulations (CCR) Section 66262.34
2. Title 22 CCR Section 66262.34(e)

**EPA IDENTIFICATION NUMBERS**<sup>1</sup>

Hazardous waste generators must have an Identification (ID) Number before a registered hazardous waste transporter can accept their hazardous waste for shipment. The ID Number is either issued either by the U. S. Environmental Protection Agency or by the California Department of Toxic Substances Control (DTSC). Which agency issues the number depends on the types and amount of hazardous wastes generated. The ID Number must be used on all manifests and it enables generators, transporters, and regulators to track the hazardous waste from its origin to final disposal, “cradle to grave”. A generator should only have one active EPA ID number from either the State or U.S. EPA.

**Federal EPA ID Number:** If your business generates more than 100 kilograms (220 pounds) of RCRA waste per month or more than 1 kilogram (2.2 pounds or 1 quart) of RCRA acutely hazardous waste per month, then a U.S. EPA ID number must be obtained. Contact USEPA Region 9 at (415) 495-8895 for the necessary forms. You will be required to complete the forms and return them to obtain an EPA ID number.

**California EPA ID Number:** If you only generate non-RCRA hazardous wastes, or you generate less than 100 kilograms of RCRA hazardous waste per month (or less than 1 kilogram of RCRA acutely hazardous waste), you must obtain a California ID Number. A California ID Number can be obtained by completing and submitting the “California Hazardous Waste Permanent ID Number Application”, DTSC Form 1358, by mail, e-mail, or fax. You can download the form from the DTSC website at <http://www.dtsc.ca.gov/> or you can request a blank form by calling DTSC at 800-618-6942.

**MANIFESTING**<sup>2</sup>

Generators of hazardous waste must ship their hazardous waste to a licensed hazardous waste treatment, storage or disposal facility (TSDF) under a Uniform Hazardous Waste Manifest. Generators must use the federal Uniform Hazardous Waste Manifest document which became effective nationally on September 5, 2006. The manifest is the legal document used for tracking hazardous waste from “cradle to grave”.

Although your hazardous waste transporter may assist you in completing your manifest, it is **your responsibility as the generator** to track the transportation of your hazardous waste to the proper disposal destination. The manifest consists of six pages. Page one is the top copy and page six is the bottom copy.

**Page 1: “Designated Facility to Destination State copy (if required)”**

**Page 2: “Designated Facility to Generator State copy (if required)”**

**Page 3: “Designated Facility to Generator” copy**

**Page 4: “Designated Facility” copy**

**Page 5: “Transporter” copy**

**Page 6: “Generator” initial copy**

# Chapter 6

# EPA Identification Numbers, Manifesting, Transporters, TSD Facilities, and Land Disposal Restrictions

The generator is responsible for mailing to the California Department of Toxic Substances Control a photocopy of the manifest signed and dated by the transporter. The generator must then mail the photocopy to the State DTSC within 30 days of giving the waste to the transporter.

## SAMPLE MANIFEST

Please print or type. (Form designed for use on elite (12-pitch) typewriter)

Form Approved. OMB No. 2050-0039

<b>UNIFORM HAZARDOUS WASTE MANIFEST</b>		1. Generator ID Number CAD123456789	2. Page 1 of 1	3. Emergency Response Phone (800) 424-9300	4. Manifest Tracking Number 123456789 ABC		
5. Generator's Name and Mailing Address <b>The Munsters</b> 100 Universal City Plaza Universal Studios, CA 91608 Generator's Phone: (213) 555-1313			Generator's Site Address (if different than mailing address) 1313 Mockingbird Lane Mockingbird Heights, CA				
6. Transporter 1 Company Name Transylvania Transport			U.S. EPA ID Number CAT98765432				
7. Transporter 2 Company Name			U.S. EPA ID Number				
8. Designated Facility Name and Site Address Gateman, Goodbury and Graves 513 West Mortuary Blvd Mockingbird Heights, CA 90023 Facility's Phone: (800) 555-5417			U.S. EPA ID Number CAD000123789				
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No. Type	11. Total Quantity	12. Unit (M, P, W)	13. Waste Codes	
	X	1. RQ, Waste Paint Related Materials, 3, UN1269, PGII, (D001)	2 DM	25 G		D001 F002 F003 F005 214	
		2.					
		3.					
		4.					
14. Special Handling Instructions and Additional Information AP #6329 Gloves, goggles & protective clothing. ERG #: 128							
15. GENERATOR/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/hazardized, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.							
Generator's Printed/Typed Name <i>Herman Munster</i>			Signature <i>Herman Munster</i>		Month Day Year 09 05 06		
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/text: _____ Date leaving U.S.: _____							
17. Transporter Acknowledgment of Receipt of Materials							
Transporter 1 Printed/Typed Name <i>Al Lewis</i>			Signature <i>Al Lewis</i>		Month Day Year 09 05 06		
Transporter 2 Printed/Typed Name			Signature		Month Day Year		
18. Discrepancy							
18a. Discrepancy Indication (Space) <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection							
18b. Alternate Facility (or Generator) Manifest Reference Number U.S. EPA ID Number							
Facility's Phone							
18c. Signature of Alternate Facility (or Generator) Month Day Year							
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)							
1. H020		2.		3.		4.	
20. Designated Facility Owner or Operator. Certification of receipt of hazardous material covered by the manifest except as noted in item 18a							
Printed/Typed Name <i>Goodbury Gateman</i>			Signature <i>Goodbury Gateman</i>		Month Day Year 09 05 06		

EPA Form 700-22 (Rev. 3-05) Previous editions are obsolete.

DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

Example # 1 (page 2)

**TRANSPORTERS AND TSDFs**<sup>3</sup>

As a hazardous waste generator you are required to use a California-registered hazardous waste transporter (DTSC registered) and a properly permitted Treatment, Storage, and Disposal Facility (TSDF).

**IT IS YOUR RESPONSIBILITY** as the generator of the hazardous waste to obtain the names of approved transporters and TSD facilities. You can obtain a list of California-registered transporters and properly permitted TSDFs from the State DTSC website at:

<http://www.dtsc.ca.gov/HazardousWaste/Transporters/index.cfm>

**LAND DISPOSAL RESTRICTIONS**<sup>4</sup>

There are special sets of regulations that prohibit hazardous waste from being disposed to the land. These special regulations are called Land Disposal Restrictions (LDRs). These restrictions require treatment of hazardous wastes to reduce their hazard prior to land disposal. In order for certain hazardous wastes to be disposed to the land they must meet the following conditions:

- ✓ The waste already meets specific treatment standards,
- ✓ The waste is otherwise considered treated, or
- ✓ The waste is exempted from the LDR regulations<sup>5</sup>.

Under the LDRs, most hazardous wastes require certification that a specific treatment standard has been met. The treatment standards were established using a specific analytical method. You must use the same method for testing your waste streams. As a generator, you are required to do the following whenever you are shipping hazardous waste for treatment or land disposal:

- ✓ Classify your waste,
- ✓ Identify the treatment standard and the date that standard became effective,
- ✓ Provide notification statements,
- ✓ Provide certification that the waste meets the treatment standard, and
- ✓ Retain all waste analysis, notifications, and other LDR documentation **for at least 3 years**.

**REFERENCES:**

1. Title 22 California Code of Regulations (CCR) Section 66262.12
2. Title 22 CCR Section 66262.20 to Section 66262.23
3. California Health & Safety Code (H&SC) Sections 25160 and 25163
4. H&SC Section 25179.6
5. Title 22 CCR Section 66268.1 et.al.

US EPA publication (EPA530-R-01-007) Land Disposal Restrictions – *Summary of Requirements* (revised August 2001) <http://epa.gov/epawaste/hazard/tsd/ldr/ldr-sum.pdf>

**EMPLOYEE TRAINING**

As a generator of hazardous waste and a handler of hazardous materials you have an obligation to provide a certain level of training to your employees. A personal training program shall be designed to ensure that employees are able to respond effectively to emergencies.

**I. Hazardous Materials Business Plan Requirements**<sup>1</sup>

If you handle hazardous materials in quantities greater than or equal to 55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of a compressed gas at standard temperature and pressure, you are required, as part of your hazardous materials business plan, to include a training program which is reasonable and appropriate for the size of your business and the nature of the hazardous materials you handle. The training program must also consider the responsibilities of the employees to be trained. Your training program at a minimum must include:

- ✓ Methods for safe handling of hazardous materials;
- ✓ Procedures for coordination with local emergency response organizations;
- ✓ Use of emergency response equipment and supplies under the control of the handler;
- ✓ Emergency response procedures for a release or threatened release of hazardous materials, scaled appropriately for the size and nature of your business.

Your hazardous materials business plan must include provisions for ensuring that your employees receive initial and refresher training.

**II. Large Quantity Generators of Hazardous Waste**<sup>2</sup>

If you are classified as a Large Quantity Generator (LQG) of hazardous waste you are required to provide training in hazardous waste management for all workers that handle hazardous waste at your site. Your employees who handle hazardous waste must complete a program of classroom training or on-the-job training that teaches them how to perform their duties in compliance with hazardous waste management requirements. A person who is familiar with your emergency procedures or contingency plan and who is trained in hazardous waste management practices must conduct the training. Training should explain why certain tasks must be performed in a certain manner. It must also stress their roles and responsibilities in an emergency. The basic training requirements are:

- ✓ Procedures for using, inspecting, repairing and replacing facility emergency and monitoring equipment;
- ✓ Communications and alarm systems;
- ✓ Response to spills, fires, and explosions;
- ✓ Response to groundwater contamination incidents;
- ✓ How to shut down operations;
- ✓ Emergency notification procedures; and
- ✓ Operation of automatic waste feed cutoff systems (if applicable).

Training must be provided within six months after the date of employment or assignment to hazardous waste management duties. Employees who have not completed the training shall not work in unsupervised positions. An annual review of the initial training is also required.

In order to document employee training you must maintain the following records at your facility:

- ✓ The job title and a written job description for each position related to hazardous waste management;
- ✓ The job description for each position must include the required skills, education, or other qualifications and duties of employees assigned to each position;
- ✓ The name of the employee filling each job;
- ✓ A written description of the type and amount of training (introductory and continuing) that will be given to each person filling the positions listed above; and
- ✓ Records that document the requirements for training or job experience have been met.

### **III. Small Quantity Generators of Hazardous Waste**<sup>3</sup>

If you are a Small Quantity Generator (SQG) you have minimal training responsibilities. You must ensure that all of your employees are familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies. Although as a SQG there is no legal mandate for training documentation, it is highly recommended as a tool to demonstrate compliance with this requirement. It is also recommended that employees receive annual refresher training.

### **IV. Recommendation**

It is recommended that you incorporate your training plan and procedures required under the Hazardous Materials Business Plan requirements with those required of you as either a LQG or a SQG. Be prepared to demonstrate during an inspection your evidence of a training plan and how you train your employees.

### **REFERENCES:**

1. California Health & Safety Code Section 25504
2. Title 22 California Code of Regulations (CCR) Section 66262.34(a)(4) and Section 66265.16
3. Title 22 CCR Section 66262.34(d)(2) and CFR 40 Section 262.34

Businesses that handle hazardous materials and generate hazardous waste have a responsibility to ensure those materials and wastes are handled properly to prevent accidental spills and releases into the environment. In addition, businesses that handle hazardous materials and hazardous waste in certain quantities must submit chemical inventories to the County of San Diego Department of Environmental Health Hazardous Materials Division (HMD). Chemical inventories are important tools that are used by first responding fire agencies and emergency response agencies that may need to respond to chemical releases.

### **HAZARDOUS MATERIALS BUSINESS PLAN<sup>1</sup>**

Chapter 6.95 of the California Health and Safety Code establishes minimum statewide standards for Hazardous Materials Business Plans (HMBP). A business is required to prepare a HMBP and submit portions of it to the HMD if it handles or stores hazardous substances (hazardous materials and hazardous waste) at any time equal to or greater than:

- a. 55 gallons of a liquid
- b. 500 pounds of a solid substance
- c. 200 cubic feet of a compressed gas at standard temperature and pressure (STP)
- d. Toxic gas with a threshold limit value of 10 parts per million or less (San Diego County ordinance)

Be advised that pursuant to the San Diego County Code of Regulatory Ordinances, businesses that are subject to the chemical inventory disclosure and Business Plan requirements as noted above, that handle carcinogens and reproductive toxins in small amounts are required to submit to the HMD a list of each of these materials **handled during the previous year**. The list shall be based on the amount handled at any one time during the previous reporting year and be in reported in ranges based on volume or weight. You can use form HM-9243 for this disclosure.

On an annual basis, businesses that are subject to HMBP requirements must certify that their Hazardous Materials Business Plan is accurate and up to date. If changes have occurred, businesses must submit changes along with certification statement within 30 days. Updates must include changes to chemical inventory, emergency coordinator information and site map revisions. You can use form HM-953 for this HMBP Certification.

#### **I. Owner/Operator Identification**

This section of your HMBP provides HMD with the necessary business information, but more importantly it provides HMD with the emergency contacts and emergency phone numbers of those individuals that can be reached in the event of an accidental spill or release at you site. It is important that you keep this information current and immediately notify the HMD of any changes.

#### **II. Hazardous Materials Inventory and Site Map<sup>2</sup>**

In this section of the HMBP you are required to complete separate chemical inventory pages for any chemical for which the manufacturer is required by law to prepare a Material Safety Data Sheet (MSDS). A MSDS for a hazardous substance can be obtained

from the supplier of that substance. A hazardous substance also includes materials requiring placard warnings during transportation. It is important that your chemical inventory is accurate and up-to-date. This information is critical to first responders and emergency response teams that may have to assist you if you have an accidental release, spill, or fire at your facility.

You are also required to prepare a site map that indicates through standardized symbols where your hazardous materials and hazardous wastes are handled, stored, or processed. Your site map must also include standardized symbols that identify entrances and exits, fences, evacuation or staging areas, sewer drains, storm drains, culverts, fire hydrants, fire department sprinkler system connections, fire department standpipe outlets, Knox boxes (fire department key box), aboveground and underground tanks, electrical main shutoff, gas main shut off, water main shutoff, annunciator panels, stairwells, and elevators.

Site maps are important tools for first responders and emergency response teams that may need to assist if you have an accidental release, spill, or fire at your facility.

### **III. Emergency Response Plan<sup>3</sup>**

Your HMBP must include the following emergency response procedures for a release or threatened release of hazardous materials, scaled appropriately for the size and nature of your business, the nature of the damage potential of the hazardous materials handled, and the proximity of your business to residential areas and other populations:

- ✓ Immediate notification of
  - i. Local emergency response personnel;
  - ii. The HMD and the California Office of Emergency Services (OES);
  - iii. Persons within you facility who are necessary to respond to an incident;
- ✓ Identification of local emergency medical assistance appropriate for potential accident scenarios;
- ✓ Mitigation, prevention, or abatement of hazards to persons, property, or the environment;
- ✓ Immediate notification and evacuation of your facility; and
- ✓ Identification of areas of the facility and mechanical or other systems that require immediate inspection or isolation because of their vulnerability to earthquake related ground motion.

### **IV. Employee Training<sup>4</sup>**

Your HMBP must include a training program, which is reasonable and appropriate for the size of your business and the nature of the hazardous materials you handle. Your training program must take into consideration the responsibilities of the employees to be trained. Please see Chapter 7 for more details regarding training.

If any section of your HMBP is found to be out of compliance, you will be given 30 days to amend your HMBP and resubmit it to the HMD. It is important that you do this to avoid a possible enforcement action. Your HMBP must also be amended within 30 days for any of the following reasons:

- ✓ A 100% or greater increase in quantity of a hazardous material provided on the inventory.
- ✓ Any handling of a discloseable quantity of a previously undisclosed hazardous material.
- ✓ Any change in the storage, location or use of hazardous materials, which could affect an emergency response.
- ✓ Any change in business name, ownership or address.

### **CONTINGENCY PLAN**<sup>5</sup>

If you are a Large Quantity Generator (LQG) of hazardous waste you are required to develop a written contingency plan that spells out the actions that will be taken in the event of an emergency or accident involving hazardous wastes. The contingency plan is similar to the HMBP. The following information is required in a contingency plan that is not required in the HMBP:

- ✓ Procedures for evaluating incidents and the need for evacuation of surrounding areas.
- ✓ Procedures for inspections when your facility operation has been stopped
- ✓ Procedures for cleaning and repairing emergency equipment.
- ✓ Procedures for recording the incident in your facility's operating record.
- ✓ Description of arrangements made to familiarize fire and police, emergency response teams, and hospitals with your facility and its wastes.
- ✓ Description of arrangements made with state and local emergency response teams and contractors to provide emergency services.
- ✓ A list of all emergency and decontamination equipment located at your facility with a physical description of the equipment, a description of its location, and an outline of its capabilities.
- ✓ Emergency and alarm communication and procedures.

For most small plating shops, the HMD's Hazardous Materials Business Plan package (HM-952) if completed as instructed will meet the regulatory requirements for both the HMBP and the contingency plan. Some customization of your emergency plan/contingency plan may be necessary depending upon the complexity of your operation.

### **REFERENCES:**

1. California Health & Safety Code (H&SC) Section 25500 et.al.
2. H&SC Section 25505 and 25509
3. Title 19 California Code of Regulations (CCR) Section 2731
4. H&SC Section 25504 and Title 19 CCR Section 2732
5. Title 22 CCR Section 66265.51 to Section 66265.56

After a waste is generated and determined to be hazardous and is no longer useful you must decide to do one or more of the following: store, recycle, treat or dispose of the waste. The treatment of hazardous waste can be very simple to very complex. Often businesses treat hazardous waste illegally because they don't have a thorough understanding of what treatment is. One of the most important steps in the treatment process is the hazardous waste determination. See Chapter 2.

**Treatment** of a hazardous waste is any chemical, physical or biological process designed to change the character or composition of a hazardous waste or reduce its volume.<sup>1</sup>

**Common Treatment Technologies in Plating Shops include:**

- ✓ Cyanide destruction
  - Chemical oxidation
  - High pressure and temperature
- ✓ Metals removal
  - Chemical/Chromium reduction
  - Alkaline/Hydroxide precipitation
  - Sulfide precipitation
- ✓ Solids removal or liquid reduction
  - Clarification
  - Filtration
  - Evaporation
- ✓ pH Neutralization
  - Batch
  - Marble chips
  - Continuous pH treatment systems

**Tiered Permitting** is a five-tiered regulatory program that allows a business to treat hazardous waste rather than ship waste off site to another site for purposes of treatment or disposal. Treatment of hazardous wastes from plating shop operations fall into one of the following three tiers:

- ✓ **Permit by Rule (PBR)** – allows a facility treating certain waste streams with designated methods of treatment to notify HMD of its operation and be authorized to treat. This is the highest or most complex of the treatment tiers that a plating shop process may require.
- ✓ **Conditional Authorization (CA)** – applies to a category of waste streams, which, if treated using a specified treatment technology, and if they do not exceed established volumes of waste treated, are allowed to conduct the treatment upon notification to HMD. This category is a lower risk category than PBR but a higher risk category than CE.
- ✓ **Conditional Exemption (CE)** – applies to specific categories of lowest risk waste streams and treatment of limited volumes of waste that are authorized by HMD.

**Note:** Useful fact sheets describing each tier are available at DTSC's website.

Visit: [http://www.dtsc.ca.gov/HazardousWaste/Tiered\\_Permit\\_Guidance.cfm](http://www.dtsc.ca.gov/HazardousWaste/Tiered_Permit_Guidance.cfm)

**What requirements do I have to meet to treat my hazardous waste?**

- ✓ Your waste stream(s) and treatment process(es) must be listed in CCR Title 22, 67450.11

- ✓ You may only treat waste that is generated onsite and treatment must occur in tanks or containers
- ✓ You may **not** treat waste that is reactive or extremely hazardous
- ✓ You may **not** treat waste that requires a federal hazardous waste treatment permit under RCRA
- ✓ You may not treat waste in landfills, surface impoundments, injection wells, waste piles, land treatment units, or thermal destruction units.

**What is required if I treat under Permit By Rule (PBR)?<sup>2</sup>**

If you have a waste treatment process that falls into the PBR tier, you must comply with the following requirements:

- ✓ **Pre-Notification and Annual Renewals:** You are required to submit an initial Pre-Notification and annual renewals to the HMD and submit an amended notification whenever there is any change to the information contained in your most recent notification. This includes the following:
  - Business Activities Page
  - Business Owner/Operator Identification Page
  - Onsite Hazardous Waste Treatment Notification Facility Page
  - Onsite Hazardous Waste Treatment Notification Unit Page
  - Waste and Treatment Process Page for each unit
- ✓ **Generator Requirements:** You must comply with the hazardous waste generator requirements.
- ✓ **Record Keeping:** You must keep the following records onsite:
  - A waste analysis plan
  - A written inspection schedule for containers, tanks, and equipment (safety equipment)
  - Inspection records/logs of inspections conducted (dates, times, name of inspector, observations)
  - Written operating instructions for treatment units and records of dates, amounts, and types of wastes treated
  - A copy of the most recent notification submitted to HMD
  - A copy of any other required permits, e.g. air pollution or industrial waste
  - A closure plan
  - A phase I environmental assessment
  - Proof of annual waste minimization certification
- ✓ **Financial Assurance:** You are required to prepare a written estimate (closure plan) of the cost to close each treatment unit and keep a copy of the closure plan onsite. This must be done even if you are claiming to be self-certified. If your closure cost is more than \$10,000 for the facility, you must obtain a financial assurance mechanism (e.g. insurance policy,

savings account, letter of credit, etc.) for the closure of the treatment units. If your total closure cost estimate is less than \$10,000, you do not need to submit a financial assurance mechanism. However, you have to submit to HMD a signed statement using the HMD Certification of Financial Assurance form certifying that you have sufficient financial resources to meet the closure cost requirements and update the closure costs determination for inflation by March 1<sup>st</sup> of each year.

- ✓ **Containers:** If you are treating hazardous waste in containers, you are required to properly manage the containers to prevent leaks. The containers must have secondary containment that is certified by a California registered professional engineer (PE) in any transfer or storage areas, and the container storage area must be inspected weekly to ensure that the containers are not damaged or leaking.
- ✓ **Labeling:** A PBR unit must be labeled with name, EPA number, and serial number.
- ✓ **Tank Systems:** If you are treating hazardous waste in tanks, an engineer's assessment by an independent, California registered professional engineer (PE) is required on the tank system and secondary containment prior to putting the tanks into use.
- ✓ **Closure:** You are required to prepare and maintain a written closure plan. When you stop operating any hazardous waste treatment unit or process under PBR, you must remove and decontaminate all hazardous waste, waste residues, containment system components, soil, and other structures or equipment that may have been contaminated with hazardous waste from the unit. If you permanently stop using the unit, you must notify HMD in writing that you have properly closed the unit. An independent PE, registered in California, must also certify that the unit was properly closed.

### **What about Permit By Rule for Aqueous Wastes Containing Cyanides?**<sup>3</sup>

The following are highlights of the new regulations for Permit by Rule for Aqueous Waste Containing Cyanide. Please refer to the [Permit by Rule fact sheet](#) or the regulations for more details.

### **New PBR Eligible Treatment Methods for Aqueous Waste Streams Containing Cyanide**

- oxidation by addition of hypochlorite;
- oxidation by addition of peroxide or ozone, with or without the use of ultraviolet light;
- alkaline chlorination;
- electrochemical oxidation;
- ion exchange; or
- reverse osmosis.

### **New PBR Eligible Aqueous Waste Streams Containing Cyanide**

The following can be treated with any of the above named eligible treatment methods: aqueous wastes generated by:

- Rinsing workpieces and fixtures holding workpieces that were processed in cyanide-containing solutions;

- Reverse osmosis or the regeneration of demineralizer (ion exchange) columns that were used for recycling of wastewaters at facilities that maintain zero discharge of wastewaters derived from the treatment of cyanide-containing aqueous waste;
- Rinsing containers, pumps, hoses, and other equipment used to transfer cyanide solutions onsite;
- Rinsing spent anode bags or empty containers prior to onsite reuse; or
- Onsite laboratories conducting analyses and testing.

**Additional Eligible Aqueous Waste Streams/Treatment Method Activities for Aqueous Waste Streams Containing Cyanide**

- Spent process solutions containing recoverable amounts of metal may be treated by electrowinning in order to recover those metals; and
- Spent process solutions may be treated by diluting into the aqueous waste, provided the resulting solutions are further treated by any of the eligible treatment methods listed above.

**Best Management Practices**

There are many best management practices that facilities can use to reduce waste generation, and minimize or eliminate releases to work areas and the environment. The new regulations will require all facilities that chose to operate under PBR to treat cyanide waste to meet the following:

- Use holding racks or drain boards between all process and rinse tanks to contain plating drag-out, rinse solution drag-out, and return drag-out solutions to process tanks;
- Use countercurrent rinsing to reduce water use and wastewater generation when multiple sequential rinse tanks are used;
- At a minimum, every four years, review the use of cyanide-containing process baths to determine if a non-cyanide alternative with equivalent results is available; and
- Provide initial and annual training to employees, who handle cyanide process solutions, cyanide-containing rinse waters, or manage cyanide-containing aqueous waste, on how to reduce wastes in the production area.

**What is required if I treat under the Conditional Authorization (CA) Tier? <sup>4</sup>**

If you intend to operate your facility under the CA tier, you must comply with the following requirements:

- ✓ **Notification:** You must complete and submit the following forms to HMD:
  - Business Activities page;
  - Business Owner/Operator/Identification Page;
  - Onsite Hazardous Waste Treatment Notification - Facility Page; and
  - Onsite Hazardous Waste Treatment Notification – Unit Page
  - Waste and Treatment Process Page for each unit

Note that each treatment unit requires a unit specific notification form. You must submit the forms a minimum of **60 days** before beginning the first waste treatment. If you demonstrate good cause, the time period between notification and treatment can be shortened. As part of your notification, you must include documentation of any convictions, judgments, settlements, or orders resulting from environmental violations concerning the operation of your facility within the previous three years. If mailed, the forms must be sent by certified mail, with return receipt requested, to HMD. You may also submit the forms in person. Submit an amended notification page whenever there is any change to the information contained in the most recent notification submitted to HMD.

- ✓ **Generator Operating Standards:** Generators conducting CA treatment must comply with hazardous waste generator standards.
- ✓ **Operating Records:** Maintain all records required by the generator standards. In addition, all generators conducting treatment under CA must maintain the following records onsite for five years:
  - A written inspection schedule and an up-to-date log of inspections conducted of each treatment unit.
  - Written operating instructions and a record of the dates, concentrations, amounts, and types of waste treated.
  - Records to demonstrate that you are in compliance with all applicable pretreatment standards and industrial waste discharge requirements issued by the agency operating the publicly owned treatment works.
  - The most recent closure cost estimate.
  - Proof of annual waste minimization certification
- ✓ **Containers:** If you treat hazardous waste in containers, you must comply with:
  - Secondary containment requirements for all containers transfer or storage areas
  - Proper management for all containers in any transfer or storage areas
  - Proper management of the containers to prevent leaks
  - Weekly inspections of the storage areas
- ✓ **Tanks:** If you treat hazardous waste in tanks, you must comply with:
  - The standards for storage and treatment of hazardous wastes in tank systems;
  - Engineer's assessment and secondary containment certified by a professional engineer before they could be placed into service;
  - Secondary containment, unless your tank system is not yet subject to secondary containment requirements. Those tank systems without secondary containment must undergo an integrity assessment annually.
- ✓ **Financial Assurance for Closure:** You are not required to prepare and maintain a written closure plan. However, you must prepare a written estimate of the cost to close each treatment unit. Estimate the actual cost that you would incur in closing each treatment unit when using your own staff and personal equipment. Any salvage value that may be gained from the sale of wastes, facility structure or equipment, land or other facility assets may be taken into account. Submit this estimate as an attachment to the Certification of Financial Assurance for Permit by Rule and Conditionally Authorized Operations page(s) of the Unified Program Consolidated Form (revised 1999). This estimate must be adjusted

for inflation by March 1<sup>st</sup> each year. Revise the closure plan whenever a change in the plan increases the cost of closure.

- If your closure cost estimate is more than \$10,000, you must provide financial assurance for closure of treatment units by one of the financial mechanisms listed in California Code of Regulations, title 22, section 67450.13(a)(5), or an alternative mechanism, as specified in section 67450.13(c). You must submit the financial assurance mechanism and your initial notification(s) to HMD at least **60 days before** commencing the first treatment of waste.
  - If your closure cost estimate is less than \$10,000.00, there is no need to submit a financial assurance mechanism. However, you must submit to HMD a signed statement using the HMD Certification of Financial Assurance form in accordance to California Code of Regulations, Title 22, section 66270.11 to certify that the CA facility has sufficient financial resources to cover the cost of closure.
- ✓ **Closure of Treatment Units:** When you cease operating any treatment unit or process that was authorized under CA, you must:
- Remove or decontaminate all hazardous waste, waste residues, containment system components, soil, and other structures or equipment contaminated with hazardous waste from the unit.
  - Remove the unit from service in a manner that minimizes the need for further maintenance and eliminates any escape of hazardous wastes to the environment after treatment is ceased.
  - If hazardous waste contamination of the site has occurred, you must notify the HMD and the DTSC.
  - If you permanently cease operation of the unit, you must notify the HMD in writing that you have properly closed the unit. This notification should include the following information: company name and address, EPA ID number, tier of authorized unit(s), and date of closure.
- ✓ **Corrective Action:** Corrective Action includes assessing the property for any previous release of hazardous wastes using a Tiered Permitting Phase I Environmental Assessment Checklist (DTSC Form 1151), and cleaning up any contamination that poses a risk to public health and the environment. You must submit a Checklist within one year of initial authorization. Submit the checklist to DTSC and a copy to HMD by the applicable deadline. If further investigation is needed, submit a schedule for further investigating the potential problem within 90 days after you submitted the Checklist.

### **What is required if I treat under the Conditional Exempt (CE) Tier? <sup>5</sup>**

If you intend to operate your facility under the CE tier, you must comply with the following requirements:

- ✓ **Notification-** You must complete and submit the following forms to HMD:
- Business Activities Page;
  - Business Owner/Operator/Identification Page;

- Onsite Hazardous Waste Treatment Notification - Facility Page; and
- Onsite Hazardous Waste Treatment Notification - Unit Page;
- Waste and Treatment Process Page for each unit

You are required to submit an amended notification page whenever there is any change to the information contained in your most recent notification submitted to the HMD.

- ✓ **Generator Operating Standards-** Generators conducting CE treatment must comply with hazardous waste generator standards.
- ✓ **Record Keeping-** In addition to the record keeping requirements in the generator standards, you must have the following records onsite:
  - A written inspection schedule of containers, tanks, and equipment (safety equipment).
  - Inspection records/logs of inspections conducted (dates, times, name of inspector, observations).
  - Written operating instructions and a record of the dates, concentrations, amounts, and types of waste treated.
  - Records to demonstrate that you are in compliance with all applicable pretreatment standards and industrial waste discharge requirements issued by the agency operating the publicly owned treatment works.

**REFERENCES:**

1. Title 22 California Code of Regulations (CCR) Section 66260.10
2. Title 22 CCR Section 67450.1 to Section 67450.3; and Section 67450.13
3. Title 22, CCR Section 67450.11(d)
4. California Health & Safety Code Section 25200.3
5. California Health & Safety Code Sections 25201.5 & 25201.14 & 25144.6(c)

The DEH-HMD began enforcing the State requirements for hazardous waste tank(s)/tank systems in 1998. Since then, facilities have been required to provide secondary containment and/or a professional engineering assessment and certification attesting to the design and integrity of most tank systems, especially new tanks.

### **“New” and “Existing” Tanks**

These terms are used to determine which State regulations apply. Generally, tank systems installed before July 1, 1991 are considered “existing,” while those installed or modified after that date are considered “new.” The applicable code sections are CCR §66265.191 for existing tank systems, and §66265.192 for new tanks. The definition of existing and new tank systems is also found in CCR §66260.10.

### **What’s Required?**

Tank systems require secondary containment and a professional engineering (PE) assessment every 5 years. On October 8, 2006 the State regulations were updated. As of July 1, 2006 both existing and new tank systems are required to be assessed by an independent California registered professional engineer (P.E.) and meet the release (leak) detection requirements of §66265.193, including proper secondary containment. Existing tank systems (those operating before July 1991) that were installed with proper secondary containment and leak detection may, however, be exempt from the PE assessment and certification requirement. It is important to notice, however, that major modifications, changes, or additions to existing tank systems usually require that a P.E. assessment and certification be performed.

### **Selecting an Engineer**

There are many engineering firms and many types of engineers. Regulations require the engineer to be registered as a professional engineer in the State of California. An engineer must also be independent, meaning that he or she is not regularly employed by the business hiring them to assess and certify the tank system.

When selecting an engineer, it is important to ask how many hazardous waste tank system assessments they have done. Also ask whether their reports were accepted by HMD as being complete.

### **What Is Included In A “Tank System?”**

Tanks, ancillary equipment and floor sumps are the most common components of a tank system. “Tank system” means a hazardous waste transfer, storage or treatment tank and its associated ancillary equipment and containment system. [22 CCR 66260.10]

A "Tank" is a stationary device, designed to contain hazardous waste and constructed of non-earthen materials providing structural support. A filter press may meet the definition of a tank.

“Ancillary equipment” includes, but is not limited to, piping, valves pumps, and trenches used to distribute or control the flow of hazardous waste **from its point of generation** to a storage or treatment tank, between hazardous waste storage and treatment tanks to a point of disposal onsite, or to a point of shipment for disposal offsite.

A “Sump” is any pit that meets the definition of tank that collects hazardous waste for transport to hazardous waste storage or treatment. There are three types of sumps, depending on their use:

1. **Emergency containment** - Sumps that are used for emergency containment are exempt from secondary containment and PE certification if they are kept clean and dry except after rare and unpredictable events.
2. **Secondary containment** - Sumps that are used as secondary containment must meet all secondary containment standards.
3. **Primary containment** - Sumps used as primary containment routinely accumulate waste and therefore are fully regulated as tanks.

#### **Let’s consider an example:**

A corrosive waste (with a pH greater than 12.5 or less than 2) is discharged into a sump that is pumped into a pipe conveying waste to a tank. The waste is diluted during the discharge process before it even reaches a treatment tank.

*What is included in the tank system?* The sump, pipe, pump, and tank are all part of this hazardous waste tank system.

#### **Certification Statement**

**An independent, professional engineer, registered in California, must certify the tank system assessment with the following wording:**

*“I certify under penalty of perjury of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.” [22CCR §66270.11(d)]*

#### **Most Common Deficiencies Seen in P.E. Certifications**

- Failure to address all aspects of the required report: all parts of CCR 66265.192(k) for “new” tank systems, or all parts of 66265.191(g) for “existing” tank systems.
- Evaluations of components in the tank system report are omitted.
- The proper certification statement language is not included.
- Failure to evaluate the entire tank system (piping from the points of generation to the tanks is often neglected).
- The results of the tightness testing required by 66265.192 (k)(10) or the results of the leak test/inspection required by 66265.191(g)(9) are omitted.

#### **Exemptions from Secondary Containment**

Small Quantity Generators {those who always generate less than 1000 kg of hazardous waste per month (including wastewater to be treated) and less than 1 kg/month of acutely hazardous waste) are subject to different tank system requirements under 40 CFR §265.201.

**Tanks/Tank Systems utilized by Small Quantity Generators:**

- **Do not need Engineer's Assessment or Exemption or Secondary Containment**
- Uncovered tanks need 2 feet of freeboard unless equipped with a containment structure (e.g. dike or trench) greater than or equal to the volume of top 2 feet of the tank.
- Each operating day must be inspected, to include: waste level, tank's structure, and integrity, and surroundings.
- The tank must be labeled as "Hazardous Waste"
- The waste accumulation start date must be on the tank or maintained in the facility log.

**Important Note:** Facilities using tank systems as a part of an onsite hazardous waste treatment process regulated under the Permit by Rule or Conditional Authorization tiers may still be required to meet hazardous waste tank standards even if the facility is a small quantity generator.

**INTRODUCTION**

Federal and State laws and regulations **prohibit any hazardous waste from being disposed of to sewer in any amount** and they limit the allowable wastewater concentration of a number of specific substances. Facilities in San Diego County that generate hazardous waste are required to obtain a Unified Program Facility Permit from the County of San Diego Department of Environmental Health Hazardous Materials Division (HMD) and notify HMD prior to treating hazardous waste. Facilities which discharge wastewater to a city's sewage collection and treatment system, are required to first obtain an industrial wastewater permit from their local Publicly Owned Treatment Works (POTW).

**WHAT IS A HAZARDOUS WASTE?**

A *Hazardous Waste* exhibits one or more of the following properties: it can ignite, be corrosive, explode, or prove toxic to living organisms. Many wastes are listed by name in Federal law or State regulation and some must be tested to determine if the waste is hazardous. See Chapter 2 for more specific information regarding hazardous waste determination.

**WHAT IS INDUSTRIAL WASTEWATER?**

Industrial wastewater is defined as any wastewater generated from any manufacturing, processing, institutional, commercial, or agricultural operation, or any operation that produces waste other than domestic or sanitary wastewater. Industrial wastewater is often divided into three categories:

- ✓ Indirect industrial wastewater discharges;
- ✓ Categorical industrial wastewater discharges; and
- ✓ General wastewater discharge prohibitions

**I. Indirect Industrial Wastewater Discharges**

Discharges of industrial wastewater or contaminated storm water to a sanitary sewer are referred to as indirect discharges and are regulated by local industrial pretreatment limitations. A typical municipal treatment plant uses biological treatment to remove toxic substances from the wastewater. Some industrial pollutants from a facility may harm collection and treatment system workers or may damage equipment. Therefore, a discharge permit or authorization from the local POTW may be required depending on the characteristics of the discharge.

**II. Categorical Industrial Wastewater Discharges**

The USEPA developed categorical discharge limitations for specific industries. In general, you are required to obtain a wastewater discharge permit if your facility produces wastewater from listed operations defined by USEPA. Categorical discharges are subject to both, federal and local limitations. Conditions of Industrial Discharge Permits include the most stringent limitations from both of them. Electroplating and metal finishing have categorical discharge limitations as established by USEPA.

**III. General Wastewater Discharge Prohibitions**

The USEPA has established a list of prohibited wastes that must not be discharged to the sewer in any amount. Examples of prohibited wastes include:

- ✓ Flammable, reactive, explosive, or radioactive substances
- ✓ Noxious or malodorous materials
- ✓ Medical or infectious wastes
- ✓ Solid or viscous materials which could cause obstruction to the flow or operation of the treatment plants
- ✓ Toxic substances
- ✓ Non-biodegradable oils
- ✓ Pollutants which result in the emission of hazardous gases

A complete list of prohibited wastes is included in your local Industrial Waste Control Ordinance and in your facility's Industrial Use Permit.

Illegal discharge of regulated or prohibited substances to the sewer can result in treatment plant upsets, poor quality of biosolids, corroded pipes, exploding sewer lines, and emission of noxious fumes. Illegal discharges may be subject to civil as well as criminal prosecution.

**HAZARDOUS WASTE TREATMENT OR PRETREATMENT OF INDUSTRIAL DISCHARGES**

The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants to a POTW is considered "Pretreatment". If the wastewater contains **hazardous waste characteristics or is a listed hazardous waste** prior to physical, chemical, or biological treatment, then the operator of the "**treatment**" facility needs to provide notification to the local Certified Unified Program Agency. This is classified as hazardous waste treatment, not pretreatment.

**PERMITTING OF ONSITE HAZARDOUS WASTE TREATMENT**

The Department of Toxic Substances Control (DTSC) developed a five-tiered program designed to match the notification requirements to the relative risk of the treatment process. Metal plating facilities generating and treating hazardous waste onsite, but exempt from the federal permitting requirements, will fall into one of the lower three tiers. These three tiers are as follow:

1. Permit by Rule (PBR)
2. Conditional Authorization (CA)
3. Conditional Exemption (CE)

Facilities treating hazardous waste generated onsite must submit the appropriate notification forms and supplemental information to HMD 60 days prior to operating a hazardous waste treatment unit.

### **INDUSTRIAL WASTEWATER DISCHARGE PERMITTING**

A facility's local POTW regulates all industrial discharges to the sanitary sewer system. Hazardous wastes may not be discharged to the POTW. Wastewaters that meet, or are treated to meet, POTW limitations may be discharged with a permit. Individual POTW requirements differ greatly. Limits are typically set for metals, organics, pH, etc. Permits typically require inspections, record keeping, sampling, and monitoring. **A facility should contact its local POTW for specific information.** Ask for the Industrial Waste or Source Control section.

### **QUESTIONS AND ANSWERS**

1. **How do I know if the waste treated onsite is hazardous?**

Classifying the type of waste generated onsite is the responsibility of the generator; however, HMD will provide assistance whenever possible. It is important to be familiar with the hazardous waste definitions and generator requirements found in the California Code of Regulations (CCR) and the California Health and Safety Code (CAHSC).

2. **If I have an Industrial Wastewater Discharge Permit from my local POTW, why am I required to have a Hazardous Waste Onsite Treatment Permit?**

**Hazardous waste treatment regulations are separate** from the wastewater discharge regulations imposed by the local POTW. You must obtain a permit, or grant of authorization, from the appropriate regulatory agency before you treat any hazardous waste. **All hazardous waste treatment activities require a permit or grant of authorization, unless the waste treated is non-hazardous (treated to meet POTW limits only) or the hazardous waste meets recycling exclusions.**

Examples of hazardous waste treatment include: pH adjustment, metal precipitation, sludge dewatering or filter pressing, flocculation, reduction of chrome 6+, electro-winning of cyanide-bearing wastes, cyanide destruction, evaporation of liquid wastes by addition of heat or chemicals, or any other activity designed to change the hazardous characteristics or properties of the waste, or reduce its volume. You may contact HMD for assistance with obtaining the appropriate permit to treat your hazardous wastes. **Only DTSC can issue permits for the treatment of extremely hazardous waste.** Thus, the treatment of rinse waters containing cyanide, plating bath residues containing cyanide, or plating bath filters containing cyanide, all require a permit or grant of authorization from DTSC.

3. **Now that I know the waste generated and treated onsite is hazardous, how do I determine which tier applies to my treatment unit?**

Determining the proper tier requires consideration of factors such as the type of hazardous waste generated, the treatment technology used, and the monthly volume treated. The DTSC has developed flowcharts to aid businesses in determining which authorization tier is appropriate.

These flowcharts and the official forms to notify HMD with regards to hazardous waste treatment are available at the following website:

[http://www.sdcounty.ca.gov/deh/hazmat/hmd\\_forms.html#onsitetreatment](http://www.sdcounty.ca.gov/deh/hazmat/hmd_forms.html#onsitetreatment)

**If the hazardous waste streams treated are not found on the flow chart, or if the treatment methods you intend to use are not listed for your waste streams, authorization for treatment units must be obtained from the DTSC.**

**REFERENCES:**

**Wastewater Discharge Regulations** include:

1. Local Industrial Waste Discharge Regulations
2. 40CFR, Part 403 (Federal Pretreatment Regulations)
3. 40CFR, Parts 405-471 (Federal Categorical Standards)

Closing a hazardous waste facility or treatment unit can be a complex and expensive undertaking. If you have hazardous waste treatment units under Permit-by-Rule (PBR), Conditional Authorization (CA), or Conditional Exemption (CE), you must meet certain clean up performance standards. These performance standards require that owners or operators close any hazardous waste treatment unit within their facility in a manner that:

- ✓ Minimizes the need for further maintenance
- ✓ Controls, minimizes, or eliminates, to the extent necessary, escape of hazardous constituents after closure; and
- ✓ Complies with the specific closure requirements for the hazardous waste treatment unit

When you cease operating any treatment unit or process that was authorized under PBR, CA or CE, you must remove or decontaminate all hazardous waste, waste residues, containment system components, soils, and other structures or equipment contaminated with hazardous waste accumulated and treated within the unit.

### **CLOSURE PLANS**<sup>1</sup>

If your facility has a treatment unit under PBR you must have a written closure plan. Closure plans describe the activities necessary to meet the legal performance standards for closure. Closure plans need to address the following:

- ✓ How and when each treatment unit will be closed
- ✓ How much waste is stored and treated while the treatment unit is in use
- ✓ How the equipment will be decontaminated (cleaned)
- ✓ An estimate of when the treatment unit will be closed and how much time is needed to close each treatment unit

### **FINANCIAL RESPONSIBILITY**<sup>2</sup>

Financial responsibility is a term used to describe the requirement that a business must demonstrate it will be able to pay for clean-up and mitigation of their site after it is closed if the business is engaged in treating or disposing of hazardous waste under PBR or CA. A business must obtain financial assurance for closure and prepare a written cost estimate for the closure of each treatment unit. You must also adjust your closure cost estimate for inflation by March 1 of each year. Businesses with total closure cost estimates below \$10,000 are allowed to self-certify that they have sufficient resources to meet closure cost requirements.

### **CLOSURE REQUIREMENTS AND NOTIFICATION**<sup>3</sup>

If your business treats hazardous waste under the CE or CA tiers, you are required to initiate closure activities by removing all hazardous waste residues from the treatment unit(s) or areas contaminated with hazardous waste as a result of accumulation and treatment. In addition, you

also are required to provide written notification to HMD and the California Department of Toxic Substances Control (DTSC) upon completion of all closure activities.

If your business treats hazardous waste under PBR and you are a large quantity generator (LQG) you must treat, remove, or dispose of all hazardous waste within 90 days after the final volume of waste is treated. If your business treats hazardous waste under PBR and you are a small quantity generator (SQG) you must treat, remove, or dispose of all hazardous waste within 180 days after the final volume of waste is treated (SQG). As an owner/operator you must also notify the HMD and DTSC 15 days prior to completion of closure.

#### **CERTIFICATION**<sup>4</sup>

If your business treats hazardous waste under the CA or CE tiers, you are required to submit written notification (certified mail) to the CUPA and DTSC that all treatment activities have stopped. If your business treats hazardous waste under the PBR tier, you are required to submit a certification signed by the owner and/or operator and a California registered independent, professional engineer stating that closure was completed in accordance with the closure plan.

#### **POST CLOSURE**<sup>5</sup>

If your business treats hazardous waste under the CA or CE tiers you are not required to conduct any additional post closure as long as the closure of your treatment units was clean and all hazardous waste was removed. If contamination remains after closure, then the facility is also subject to all applicable generator requirements for closure.

If your business treats hazardous waste under the PBR tier you are not required to conduct any additional post closure as long as the closure of your treatment units was clean and all hazardous waste was removed. If contamination remains after closure, then your facility is also subject to corrective action. A post closure plan is required for hazardous waste tank systems.

**Note:** A fact sheet describing closure requirements for is available at DTSC's website. Visit: [http://www.dtsc.ca.gov/PublicationsForms/prog\\_pubs.cfm?prog=Managing%20Waste](http://www.dtsc.ca.gov/PublicationsForms/prog_pubs.cfm?prog=Managing%20Waste)

#### **REFERENCES:**

1. Title 22 California Code of Regulations (CCR) Section 67450(c)(11)
2. Title 22 CCR Sections 67450.13 and 66265.143
3. Title 22 CCR Section 67450.3(c)(11) and California Health & Safety Code Sections 25201.5(d)(8)(B); 25201.14(c)(1); and 25200.3(g)(2)
4. Title 22 CCR Section 67450.3(c)(11)(G)
5. Title 22 CCR Section 67450.7

**Record Keeping Requirements by Type of Activity**

Record keeping requirements depend on the types of activities performed at your business. Answer the questions below and then refer to the appropriate table(s) to help determine what records you are required to keep.

**I. Do you store hazardous substances in reportable quantities?**

If you handle or store a hazardous substance (i.e., hazardous material or hazardous waste) in amounts equal to or greater than 55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of a compressed gas, or a toxic gas with a threshold limit value of 10 parts per million or less then go to.....**Table 1**

**II. Do you generate hazardous wastes in any amount?**

If you handle hazardous waste in any amount (e.g. spent baths, rinse waters, filter cake, blast media, solvent waste, paint waste, polishing or grinding dust, powder coat with regulated levels of metals, etc.) then go to.....**Table 2**

**III. Do you accumulate, store, or treat hazardous wastes in stationary tanks or transfer, pump, or drain hazardous wastes through a tank system?**

If you have spent baths and spent rinse waters piped to tanks after they leave the process tanks; if you have sumps, floors, piping and trenches that regularly accumulate or convey hazardous waste, or if you have waste treatment tanks used for metals precipitation, neutralization, clarifying, etc. then go to .....**Table 3**

**IV. Do you treat hazardous wastes on site?**

If you treat hazardous waste under Permit-By-Rule, Conditional Authorization, or Conditional Exemption then go to .....**Table 4 and Table 5**



**Table 2 – HAZARDOUS WASTE GENERATORS**

Document Title and Requirements		Exhibit Letter
1	<b>Unified Program Facility Permit</b> Keep the current permit available on site.	A
2	<b>Hazardous Waste Manifests</b> <b>Copies of Consolidated Manifests</b> for disposal of used oil, parts cleaning solvents, hydroxide sludge from wastewater treatment, paint related wastes, etc. <b>Shipping Receipts and Bills of Lading</b> for disposal of batteries, universal waste, scrap metal, excluded recyclable materials, etc. Keep on site for at least 3 years.	J
3	<b>Exception Reports</b> for manifests that are not returned signed from the disposal facility within 45 days. Keep onsite for at least 3 years.	--
4	<b>Land Disposal Notifications</b> and/or Land Disposal Restriction documents for each hazardous waste stream sent off-site, or treated and disposed of to the POTW. Keep on site for 3 years from last on-site treatment or off-site disposal.	K
5	<b>Waste classifications, determinations, and waste analysis data</b> Keep for at least 3 years since the waste was last treated on-site or sent offsite.	--
6	Proof of <b>EPA Identification Number</b> from California or U.S. EPA. (DTSC Fact Sheet: EPA Identification Numbers and form for California Numbers)	L, M
7	<b>Hazardous Materials Business Plan</b> <a href="http://www.sdcounty.ca.gov/deh/hazmat/pdf/hmbp/hm-952-full-version-04-08.pdf">http://www.sdcounty.ca.gov/deh/hazmat/pdf/hmbp/hm-952-full-version-04-08.pdf</a>  If $\geq 55$ gallons or 500 pounds of hazardous waste or $\geq 1$ kg of acutely or extremely hazardous waste are accumulated, keep the following records on site and submit changes to CUPA within 30 days: <ul style="list-style-type: none"> <li>▪ Hazardous Waste Inventory</li> <li>▪ Emergency Response Plan/Contingency Plan</li> <li>▪ List of Emergency Contact Individuals with 24 hour phone numbers</li> <li>▪ List of Emergency Equipment</li> <li>▪ Employee Training Description</li> <li>▪ Site Map</li> </ul>	B

**Table 2 – HAZARDOUS WASTE GENERATORS** (continued)

	Document Title and Requirements	Exhibit Letter
8	<p><b>Employee Training Records</b> Initial employee training and annual refresher training must include: methods for safe handling of hazardous wastes, procedures for treatment of waste if applicable, use of emergency equipment, employee job titles and descriptions. LQGs only - must keep records on site for 3 years</p>	N
9	<p><b>Contingency Plan</b> Must include: actions that will be taken in response to fire, explosion, sudden or non-sudden release of hazardous waste/constituents to air, soil, or surface water; list of names, addresses, &amp; phone numbers of facility emergency coordinators; list of all emergency equipment; evacuation plan; and current phone number for the Office of Emergency Services. LQGs – this may be part of the Hazardous Materials Business Plan SQGs - posting by telephones meets this requirement.</p>	O
10	<p><b>Hazardous Waste (Biennial) Report</b> 2007 DTSC supplemental instructions are found at the bottom of the following: <a href="http://www.dtsc.ca.gov/HazardousWaste/AnnualReports/index.cfm">http://www.dtsc.ca.gov/HazardousWaste/AnnualReports/index.cfm</a></p> <p>The 2007 form and instructions expire November 30, 2009. Check the DTSC website for the most up-to-date forms.</p> <p><b>U.S. EPA forms and instructions:</b> Required if more than 270 gallons or 2200 pounds of RCRA hazardous waste or 2.2 pounds of RCRA acutely hazardous waste were generated in any one month. Due each even numbered year by March 1, covering the previous odd numbered year. Keep for at least 3 years from the due date of the report. <a href="http://www.epa.gov/epawaste/inforesources/data/biennialreport/index.htm">http://www.epa.gov/epawaste/inforesources/data/biennialreport/index.htm</a> <a href="http://www.epa.gov/epawaste/inforesources/data/br07/07report.pdf">http://www.epa.gov/epawaste/inforesources/data/br07/07report.pdf</a></p>	P
11	<p><b>Release Reporting Documentation</b> <a href="http://www.oes.ca.gov/Operational/OESHome.nsf/Content/2642671598689A0188256C2C00763702?OpenDocument">http://www.oes.ca.gov/Operational/OESHome.nsf/Content/2642671598689A0188256C2C00763702?OpenDocument</a> It is prudent to keep proof of reports made to agencies. <a href="http://www.sdcounty.ca.gov/deh/hazmat/pdf/hmd_incident_release_assessment-05-08.pdf">http://www.sdcounty.ca.gov/deh/hazmat/pdf/hmd_incident_release_assessment-05-08.pdf</a></p>	E

**Table 2 – HAZARDOUS WASTE GENERATORS** (continued)

	Document Title and Requirements	Exhibit Letter
12	<p><b>Excluded Recyclable Materials</b> Keep recycling documentation including:</p> <ul style="list-style-type: none"> <li>▪ flow rates of recyclable wastes</li> <li>▪ detailed flow diagram of the recycling process in question</li> <li>▪ tank and equipment capacities</li> <li>▪ total wastewater reuse quantities</li> <li>▪ relevant discharge information of treated waste sent to public sewer system</li> <li>▪ "treated water" usage descriptions (what process, how often, etc.)</li> </ul> <p>When more than 27 gallons or 220 pounds of these materials are recycled on site, submit CUPA Recyclables Materials Reports by July 1 of even numbered years. Report required information for the 2 previous calendar years. <a href="http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9713-upcf-07-02.pdf">http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9713-upcf-07-02.pdf</a></p>	Q
13	<p><b>Source Reduction Evaluation Review and Plan, Hazardous Waste Management Performance Report, and Summary Progress Report</b> } SB 14 <a href="http://www.dtsc.ca.gov/PollutionPrevention/SB14/upload/sb14-guidance-manual.pdf">http://www.dtsc.ca.gov/PollutionPrevention/SB14/upload/sb14-guidance-manual.pdf</a></p> <p>DTSC Guidance and Electronic Summary Progress Report: <a href="http://www.dtsc.ca.gov/PollutionPrevention/SB14/upload/SPR_Excel_Form2006_2.xls">http://www.dtsc.ca.gov/PollutionPrevention/SB14/upload/SPR_Excel_Form2006_2.xls</a></p> <p>Applies only to generators of <math>\geq 26,400</math> lbs of hazardous waste or <math>\geq 26.4</math> lbs of extremely hazardous waste in a qualifying calendar year (2002, 2006, 2010). Due every four years by September 1st (2003, 2007, 2011...).</p> <p>You can make this report online, if you prefer, by visiting: <a href="http://www.dtsc.ca.gov/database/SB14/index.cfm">http://www.dtsc.ca.gov/database/SB14/index.cfm</a></p> <p>All 3 documents are to be kept on site (CCR 67100.3).</p>	R
14	<p><b>Universal Waste Aerosol Cans Processing Notification</b> Submit one-time notification form to the CUPA.</p>	S
15	<p><b>Large Quantity Universal Waste Handlers</b> Only if <math>\geq 11,000</math> lbs of universal wastes are handled per year. Must maintain tracking receipts/shipping papers.</p> <p><b>Small Quantity Universal Waste Handlers</b> If <math>&lt; 11,000</math> lbs of universal wastes are handled per year. Must be able to demonstrate the length of time the UW has been accumulated on site, pursuant to Title 22 CCR Section 66273.39.</p>	--

**Table 2 – HAZARDOUS WASTE GENERATORS** (continued)

	<b>Document Title and Requirements</b>	<b>Exhibit Letter</b>
<b>16</b>	<p><b>Weekly Hazardous Waste Container Inspections</b> Hazardous waste accumulation containers must be inspected at least weekly. Documentation or logs of inspections are not required, but are a good way to insure that the basic accumulation and labeling requirements (Title 22 CCR Section 66262.34) are being met.</p>	<b>T</b>

**Table 3 - HAZARDOUS WASTE TANK SYSTEMS**

	<b>Document Title and Requirements</b> Records to keep available onsite	<b>Exhibit Letter</b>
<b>1</b>	<p><b>Daily Tank System Inspection Records</b> Required for LQGs only. See sample format.</p>	<b>T</b>
<b>2</b>	<p><b>Professional Engineer’s Hazardous Waste Tank System Assessment</b></p> <ul style="list-style-type: none"> <li>▪ Required for LQGs, PBR, and CA only.</li> <li>▪ Required annually if tank system does not have proper secondary containment.</li> <li>▪ Required every five years with proper secondary containment for new non-RCRA tank systems.</li> <li>▪ Must include integrity reports or new system assessments, &amp; certification statement.</li> </ul>	--
<b>3</b>	<p><b>Tank System Closure Records</b> CUPA reporting form of closure and decontamination <a href="http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9704-upcf-07-02.pdf">http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9704-upcf-07-02.pdf</a></p>	<b>U, V</b>
<b>4</b>	<p><b>Report of releases</b> from tank systems that enter the environment Release Reporting is specified in Title 22 CCR Section 66265.196(e) It is prudent to keep proof of reports made to agencies.</p>	--
<b>5</b>	<p><b>Records of VOCs</b> from waste tanks VOC record keeping is specified in Title 22 CCR Section 66265.1090</p>	--

**Table 4 – HAZARDOUS WASTE TREATMENT RECORDS**

<b>Conditional Exemption</b>		<b>Conditional Authorization</b>		<b>Permit by Rule</b>	
<b>1</b>	Notification of Onsite Hazardous Waste treatment to SD CUPA 60 days before treatment. Must include any amendments and plot map of treatment units.	<b>1</b>	Notification of Onsite Hazardous Waste Treatment to SD CUPA 60 days before treatment. Must include any amendments and plot map of treatment units.	<b>1</b>	Annual notification of Onsite Hazardous Waste treatment to SD CUPA 60 days before treatment. Must include any amendments and plot map of treatment units.
<b>2</b>	Proof of sewer discharge authorization or waste pretreatment permits from local sewer agency	<b>2</b>	Proof of sewer discharge authorization or waste pretreatment permits from local sewer agency	<b>2</b>	Proof of sewer discharge authorization or waste pretreatment permits from local sewer agency.
<b>3</b>	Written operating instructions for treatment unit and records of dates, amounts, and types of waste treated.	<b>3</b>	Written operating instructions for treatment unit and records of dates, amounts, and types of waste treated.	<b>3</b>	Written operating instructions for treatment unit and records of dates, amounts, and types of waste treated.
<b>4</b>	Written Inspection Schedule and logs of inspections conducted.	<b>4</b>	Written Inspection Schedule and logs of Inspections conducted.	<b>4</b>	Written Inspection Schedule and logs of inspections conducted.
<b>5</b>	Written notification to CUPA upon completion of all activities required to permanently cease operation of treatment process or unit.	<b>5</b>	Written notification to CUPA upon completion of all activities required to permanently cease operation of treatment process or unit.	<b>5</b>	Written notification to CUPA upon completion of all activities required to permanently cease operation of treatment process or unit.
		<b>6</b>	Proof of annual waste minimization certification to CUPA.	<b>6</b>	Proof of annual waste minimization certification to CUPA.
		<b>7</b>	Copy of completed Phase One Environmental Assessment (and amendments if required).	<b>7</b>	Copy of completed Phase One Environmental Assessment (and amendments if required).
		<b>8</b>	Closure Cost Estimates with annual adjustments by March 1 <sup>st</sup> and Financial Assurance Certification notification to CUPA using unified form	<b>8</b>	Closure Cost Estimates with annual adjustments by March 1 <sup>st</sup> and Financial Assurance Certification notification to CUPA using unified form
		<b>9</b>	Keep proof of testing for ancillary equipment for tank or container every two years	<b>9</b>	Written Closure Plan for the treatment unit, and amendments when necessary. Proof of notification to CUPA of initiation of closure activities for the treatment unit.
				<b>10</b>	Proof of certification of closure by independent, Professional Engineer for PBR unit closure pursuant to the facility's closure plan document.
				<b>11</b>	Waste Analysis Plan

**Table 5 – TIERED PERMITTING FORMS**

Document Title and Requirements		Exhibit Letter
1	<p><b>Phase 1 Environmental Assessment</b> (PBR and CA facilities only)</p> <p><a href="http://www.dtsc.ca.gov/HazardousWaste/upload/HWM-TP_Phase-I-Env-Assessment-Chcklist_Instructions.pdf">http://www.dtsc.ca.gov/HazardousWaste/upload/HWM-TP_Phase-I-Env-Assessment-Chcklist_Instructions.pdf</a></p> <p><a href="http://www.dtsc.ca.gov/HazardousWaste/upload/HWM-TP_Phase-I-Env-Assessment-Chcklist.pdf">http://www.dtsc.ca.gov/HazardousWaste/upload/HWM-TP_Phase-I-Env-Assessment-Chcklist.pdf</a></p> <p>Complete Checklist and mail to DTSC. Keep copies onsite</p>	<p>W</p> <p>X</p>
2	<p><b>Tiered Permitting Flowchart</b> (for tier determination reference only)</p> <p><a href="http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-dtsc-onsite-tiered-permitting-flowchart.pdf">http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-dtsc-onsite-tiered-permitting-flowchart.pdf</a></p>	Y
3	<p><b>Tiered Permitting Forms for Notification of Onsite Hazardous Waste Treatment</b></p> <p>Facility page: <a href="http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9705-upcf-07-02-wi.doc">http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9705-upcf-07-02-wi.doc</a></p> <p>Unit Page: <a href="http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9706-upcf-07-02-wi.doc">http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9706-upcf-07-02-wi.doc</a></p> <p>Certificate of Financial Assurance: <a href="http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9707-upcf-07-02-wi.doc">http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9707-upcf-07-02-wi.doc</a></p> <p>Treatment Process Pages (use only one of the following per unit):</p> <p>PBR <a href="http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9712-upcf-wi.doc">http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9712-upcf-wi.doc</a></p> <p>CA <a href="http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9708-upcf-07-02-wi.doc">http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9708-upcf-07-02-wi.doc</a></p> <p>CEL <a href="http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9709-upcf-07-02-wi.doc">http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9709-upcf-07-02-wi.doc</a></p> <p>CESQT <a href="http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9710-upcf-07-02-wi.doc">http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9710-upcf-07-02-wi.doc</a></p> <p>CESW <a href="http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9711-upcf-07-02-wi.doc">http://www.sdcounty.ca.gov/deh/hazmat/pdf/hm-9711-upcf-07-02-wi.doc</a></p> <p>Submit to the CUPA annually via certified mail for facilities with PBR treatment. Submit once and when there are any changes for CE and CA treatment. Keep copies on site for reference.</p>	Z

**Introduction**<sup>1</sup>

Source reduction or pollution prevention and the reduction of wastes is the preferred method of managing hazardous wastes. In order to reduce wastes at the source, a business must look at the processes that create the waste and implement actions that will either cause a net reduction in the amount of hazardous waste generated or result in the generation of a waste that is less hazardous.

**What is Waste Minimization?**

Waste minimization is the reduction of hazardous waste generated before treatment, storage, or disposal of the waste. This includes both source reduction and recycling actions. Recycling can be the use, reuse or reclamation of a hazardous waste. Reclamation of a waste can be done onsite or offsite. If a significant percentage of waste is reclaimed onsite by some form of treatment process and then reused onsite, no treatment permit is required. Waste minimization does **not** include:

- ✓ Concentrating or evaporating the waste to reduce its volume
- ✓ Diluting the waste to reduce its hazardous properties
- ✓ Shifting hazardous wastes from one environmental medium to another
- ✓ Treatment

**What are the incentives for businesses to reduce their waste?**

- ✓ Reduction in the liability associated with the handling, storage, and disposal of hazardous wastes (cradle to grave liability).
- ✓ Reduction in hazardous waste disposal costs and hazardous material costs.
- ✓ Reduction in employee exposures to hazardous materials and wastes.
- ✓ Reduction in regulatory requirements.

**What are some simple steps to take for pollution prevention?**

The keys to pollution prevention in metal finishing are to minimize chemical dragout; minimize the amount of water used for rinsing; and recover, reuse, and recycle plating chemicals. Follow this easy checklist for steps to take:

**POLLUTION PREVENTION CHECKLIST**

<b>Material Handling and Storage</b>		
<b>Y/N</b>	<b>P2 Opportunities</b>	<b>Comments</b>
	Control Inventory	Do not allow materials to exceed shelf life. Use materials on a first-in, first-out basis.
	Buy appropriate amounts	Buy materials in small quantities if only small amounts are required.
	Cover outdoor storage	Divert clean stormwater away from storage areas.
	Install spill containment	Spills can be contained and managed, so it reduces wastewater treatment upsets.

**Dragout**

Y/N	P2 Opportunities	Comments
	Lengthen dragout time	Allows more chemicals to drip back to process tank, so reduces the amount of chemical introduced in rinse water.
	Establish dragout timing	Post dragout times at tanks to remind employees
	Install drain boards or drip guards	Boards and guards minimized spillage between tanks and are sloped away from rinse tanks so dragout fluids drain back to plating tanks.
	Install drip bars	Drip bars allow parts to be drained without handling by personnel.
	Mechanize dragout	Eliminates possibility of employees using too short a dragout time. Maintains product QA/QC standards if timing is set properly.
	Reduce pockets on parts	Place parts on dragout rack to minimize chances of chemical pooling in corners or in other pockets.

**Rinsing**

Y/N	P2 Opportunities	Comments
	Use static rinses	Static rinses usually follow the plating bath and capture the most concentrated dragout for returning to the plating bath or for metal recovery.
	Use countercurrent rinses	These rinses dramatically reduce the amount of water required for rinsing and therefore reduce the amount of wastewater to be treated or sent for metal recovery.
	Use conductivity sensor	This sensor gives an indication of the cleanliness of the rinse water. It can be designed to trigger clean rinse water flow when the tank water gets too dirty. Sensors also allow better QA/QC.
	Use spray fog rinsing	Reduces rinse water amount required and can also be used over plating baths.
	Use foot pump or photo sensor to activate rinse	These items allow the use of a sensor to activate rinse water only when processing parts. A photo sensor may be used on automatic plating lines.
	Agitate rinse bath	Agitation promotes better rinsing. Agitate water or part.
	Install flow restrictors	To restrict flow.
	Install flow control meters	To control flow.

**Material Recycle, Reuse, and Recovery**

Y/N	P2 Opportunities	Comments
	Reuse deionized rinse water	Depending on product, this rinse water can be reused in a plating bath as evaporated water makeup.
	Ion exchange on rinse water	Ion exchange can be used to concentrate metals in rinse waters and metal can be recovered from the ion exchange acid regenerant stream.
	Reuse spent acid/alkaline	Spent acid can be used to neutralize an alkaline waste stream. Spent alkali can be used to neutralize an acid waste stream.

# Chapter 14

# Pollution Prevention

Y/N	P2 Opportunities	Comments
	Reverse osmosis	Concentrates dragout for reuse in plating bath; the water stream can then be reused.
	Electrowinning	Recover metals from spent plating baths or ion exchange acid regenerant streams.
	Reuse mild acid	Use mild acid rinse water as effluent to rinse following alkaline cleaning bath. Improves efficiency of rinse, so less rinse water is required.

## Process Modification

Y/N	P2 Opportunities	Comments
	Eliminate cyanide baths	Change to a non-cyanide plating bath. Alternative chemicals are available with the exception of copper strike.
	Use deionized (DI) water	Use DI water in plating baths, static rinses, and if practical in running rinses. DI water reduces impurities in the plating bath to extend its life and minimizes the precipitation of minerals in water as sludge.
	Segregate waste streams	Increases recovery and treatment technology efficiencies. Acidic/alkaline. Chrome/non-chrome. Concentrate/dilute. Chelated/non-chelated. Cyanide/non-cyanide.
	Use different process	Replace toxic cadmium plating with relatively nontoxic aluminum ion vapor deposition to achieve metal hardening properties.
	Use water-based cleaners	Use aqueous (water-based) cleaning in place of perchloroethylene vapor degreasing operations. Water-based cleaning systems are technically feasible and cost effective.
	Eliminate intermittent jobs	Stop performing small plating operations that generate intermittent waste streams that personnel are not familiar with treating.
	Convert to dry floor	Reduces chances of spills reaching floor drains or causing upset in wastewater pretreatment plant.

## Process Operation and Maintenance

Y/N	P2 Opportunities	Comments
	Increase bath temperature	Evaporate bath water so relatively clean waste rinse water can be reused as bath makeup water. Reduces solution viscosity so more chemical drains back to process tank during dragout. <i>Do Not Use Cyanide or Hexavalent Chromium Baths.</i>
	Optimize bath concentrations	Only replace plating chemical when necessary. This practice lengthens bath life.
	Install bath filter	Filter can remove particulates and trace contaminant organics in the process bath, lengthens bath life. Use a filter that can be unrolled, cleaned and reused.
	Raw material purity	Use high quality raw materials in bath so bath will not become contaminated too quickly.
	Reduce bath dumps	Optimize bath operation so bath dumps are infrequent.
	Spill cleanup procedures	Establish procedures for clean up of a spill. Mitigates chance of spill being discharged to wastewater treatment plant.
	Perform preventative maintenance	Routinely check for leaks in valves and fittings. Repair immediately.

**REFERENCES:**

1. California Health & Safety Code Section 25244.19 to 25244.21

**U.S. EPA Metal Finishing Pollution Prevention and Waste Minimization Assistance Materials****Fact Sheets** *(1-9) available in both English and Spanish:*

1. Reverse Osmosis Applications for Metal Finishing Operations
2. Innovative Cooling Systems for Hard Chrome Plating
3. Modifying Tank Layouts to Improve Process Efficiency
4. Reducing Rinse Water Use With Conductivity Control Systems
5. Reducing Dragout with Spray Rinses
6. Finding an Alternative to Solvent Degreasing
7. Metal Recovery and Wastewater Reduction Using Electrowinning
8. Extending Electroless Nickel Bath Life Using Electrodialysis
9. Extending Metal Finishing Bath Life

**Mini-fact Sheets** *available in English only:*

1. Dragout Reduction Through Spray Rinsing Over Heated Baths
2. Dragout Reduction Through Use of Hoist-Mounted Spray Systems
3. Dragout, Water Use, and Wastewater Generation Reduction Through Spray Rinsing Over Heated Baths
4. Improving Paint Transfer Efficiency with HVLP Spray Guns
5. Metal Recovery Using Ion Exchange and Electrowinning
6. Reusing Chrome Scrubber Water in Plating Baths
7. Sodium Metabisulfate Use Reduction in Treatment Operations
8. Water Use and Wastewater Generation Reduction Using Conductivity Control Systems
9. Water Use and Reduction Using Air-Atomizing Spray Guns
10. Water Use Reduction Using Flow Restrictors and Timers

**Video** *in English and Spanish:* "Pollution Prevention for Metal Platers". Available at no cost from the HMD Pollution Prevention Specialist (619) 338-2324 (one per shop please).

This chapter describes the most common and most significant violations noted by inspectors from the County of San Diego Department of Environmental Health Hazardous Materials Division (HMD) and the State of California Department of Toxic Substances Control (DTSC). Significant Violations are noted with an \* and are violations most likely to pose a threat to your workers and or the environment. These are provided first as a list, and then described in more detail with information on how to avoid these violations and correct them.

**Most Common Violations**

- 1-Hazardous waste containers without labels
- 2-Hazardous waste onsite >90/180/270 days \*
- 3-Hazardous waste containers not closed
- 4-Hazardous waste determination not properly made \*
- 5-Hazardous materials without proper labels
- 6-Unauthorized disposal of hazardous waste\*
- 7-Did not clean up spill to floor \*
- 8-No biennial report to DTSC
- 9-Failure to segregate incompatible wastes
- 10-Hazardous waste tanks without a professional engineer (PE) assessment \*
- 11-No Phase I Environmental Assessment (Tiered Permitting Facility)
- 12-Secondary containment not kept empty
- 13-Unified Program Facility Permit not obtained
- 14-Failure to notify for treatment of hazardous waste \*
- 15-Failure to provide adequate secondary containment
- 16-Failure to prepare a written waste analysis plan for Permit by Rule (PBR) facilities
- 17-Hazardous Materials Business Plan – inadequate site map
- 18-Training program inadequate \*
- 19-Training records not available

**Hazardous waste containers w/o labels:** <sup>1</sup> Tanks or containers that are used to hold hazardous waste must be labeled with certain information, including:

- The name and address of your facility;
- The date the first drop of waste was placed in the tank or container (the accumulation start date);
- The identity or source of the waste (for example, spent plating solution);
- What makes the waste hazardous (for example, does it contain cyanide, dissolved metals, or acid?);
- The hazardous characteristic of the waste (is the waste toxic, corrosive, ignitable, or reactive?); and
- The physical state of the waste (is it liquid or solid?).

Note: Completing daily or weekly inspections can help prevent this violation. Refer to Chapter 4.

**Hazardous waste onsite >90/180/270 days:** <sup>2</sup> Having accumulation dates clearly marked on all containers of hazardous waste, completing weekly inspections, and keeping a log of the amount of hazardous waste generated on a monthly basis will help in meeting storage time limits. Regular scheduled shipments of hazardous waste can also ensure that accumulation times are not exceeded. See Chapter 4 for additional information on storage times.

**Hazardous materials without proper labels:** <sup>3</sup> All containers must be labeled. Materials that are not labeled can be designated as hazardous waste by an inspector, if labels are not corrected. Fire and safety codes also require specific marking and labeling of hazardous materials.

**Hazardous waste container not closed:** <sup>4</sup> Keep all containers closed when not adding or removing waste. Training employees to keep containers closed and conducting routine inspections of your waste collection containers will help prevent this violation.

**Hazardous waste determination not properly made:** <sup>5</sup> It is the generator's responsibility to determine if the waste generated is hazardous or not. See Chapter 2 for more information on making a waste determination.

**Hazardous Materials Business Plan – inadequate site map:** <sup>6</sup> Annually review your site map to make sure that it reflects actual site conditions. Adding or removing plating tanks, addition of chemicals and site construction are all reasons to update your site map. **Note:** A site map for a plating shop can have multiple pages such as an overview page showing the facility and surrounding area with additional pages showing the locations of plating lines and chemical and hazardous waste storage areas.

**Did not clean up spill to floor:** <sup>7</sup> When a material is spilled onto the ground or onto the floor of your facility, it becomes a waste if, due to the spill, it can no longer be used for its original purpose. For example, if a plating bath solution spills on the floor of your facility and you cannot return it to your plating bath, the spilled plating solution becomes a waste. If the plating solution is hazardous, then the spilled plating solution would be a hazardous waste. You must clean up all spilled hazardous waste immediately when the spill occurs. Even if the spilled material is not waste because it can be reused, you still must clean up the spilled material immediately when the spill occurs so that it does not harm your employees or the environment. Failure to clean up spilled hazardous waste or materials is considered a serious violation because it poses a threat to the health and safety of your employees and to the environment. Any spilled hazardous waste should be placed in an appropriately labeled container or hazardous waste tank, and either treated onsite (if the facility is authorized to treat the waste), or transferred offsite to a facility that is permitted to treat, store, or dispose of the waste. **Note:** Floors should not be routinely used to collect drag out, rinses, etc. Your plating line should be designed and operated using diverters, rinse tanks, etc. so that the floors remain clean and dry.

**Training program inadequate:** <sup>8</sup> Lack of training is often the root cause of violations. You must train all of your employees that manage hazardous waste. Training requirements should include a program of classroom instruction or on-the-job training that teaches each employee involved with hazardous waste management to perform their duties in a way that ensures the facility's compliance with applicable regulatory requirements. See Chapter 7 for more details on training requirements. **Note:** Completing the simple training form included in the HMD

business plan handout and documenting that the training is given annually may, in most cases, prevent training related violations.

**Training records not available:** <sup>9</sup> A large quantity generator (greater than 1000 kg/month of hazardous waste) must maintain training records. A one page form is available in Appendix X which may be used to meet this requirement. See Chapter 13 for record keeping and Chapter 7 for training requirements.

**No biennial report to DTSC:** <sup>10</sup> A large quantity generator (greater than 1000 kg/month of RCRA hazardous waste) must complete a biennial report. Document your monthly hazardous waste generation to see if you are a RCRA large quantity generator and if you are, complete the required report, using the information you have collected. Maintain a copy of the report onsite.

**Hazardous Waste tanks without a PE assessment:** <sup>11</sup> If you use tanks to hold or treat hazardous waste, you must have a current written, certified assessment for all hazardous waste tanks and associated ancillary equipment (e.g., piping, pumps, etc.) on file at the facility where your tanks are located. The assessment must be current (most are good for five years), and must be certified by an independent registered California professional engineer. If you do not have an assessment or your assessment does not cover all required components, it will need to be corrected. See chapter 10 for additional information on Hazardous Waste Tank standards. **Note:** When looking for an engineer, check references, and ask for examples of work. It is also recommended that the engineer understands that the certification will need to be reviewed and accepted by your HMD inspector. The assessment should not be considered complete until approved.

**No Phase I Environmental Assessment (Tiered Permitting Facility):** <sup>12</sup> As a part of the tiered permitting process for hazardous waste treatment, your facility must have completed a Phase I Environmental Assessment and sent it (or a summary checklist of the findings) to DTSC. This is a review of records and site history to identify any past spills, releases, or environmental issues. An outside environmental consulting or real estate company normally must be hired to complete this assessment. A knowledgeable facility owner or operator may complete the assessment.

**Secondary containment not kept empty:** <sup>13</sup> Most hazardous waste tanks must have secondary containment. You must not allow any spilled liquids, whether or not they are hazardous, or any spilled hazardous waste, to remain in the secondary containment of your hazardous waste tank system. While you must clean up spilled hazardous waste and hazardous materials from the floor of your facility immediately when the spill occurs, you must clean up all spilled liquids in your secondary containment, whether or not the spilled liquid is a hazardous waste, within 24 hours of when the spill occurs, or in a timely manner. **Note:** Secondary containment should not be routinely used to collect drag out, rinses, etc. Your plating line should be designed and operated using diverters, rinse tanks, etc. so that the secondary containment remains clean and dry.

**Unified Program Facility Permit not obtained:** <sup>14</sup> If you have hazardous materials or hazardous waste onsite in reportable quantities, you must obtain and maintain your Unified Facility Permit with HMD. You must obtain a new permit if your business relocates or changes ownership. Invoices are sent each year and when paid, a new permit is issued. If an invoice is

not received, contact your inspector or the Hazardous Materials Duty Specialist at (619) 338-2231. Note: Posting the permit in a visible place makes it easy to find and verify that it is current.

**Failure to notify for treatment of hazardous waste:** <sup>15</sup> You must obtain a permit or grant of authorization from the HMD before you treat any hazardous waste. This authorization may be in the form of a tiered permit (see Chapter 11). All hazardous waste treatment activities require a permit or grant of authorization, unless the specific treatment activity is exempt or excluded from the requirements for a permit or authorization. Examples of hazardous waste treatment include cleaning plating bath filters to remove plating bath residues, electrowinning of cyanide-bearing wastes, evaporation of liquid wastes by addition of heat or chemicals, or any other activity designed to change the hazardous characteristics or properties of the waste. You may contact HMD for assistance with obtaining the appropriate permit to treat your hazardous wastes. ***Only DTSC can issue permits for the treatment of extremely hazardous waste.*** Thus, the treatment of rinse waters containing cyanide, plating bath residues containing cyanide, or plating bath filters containing cyanide, all require a permit or grant of authorization from DTSC. The rinsing of filters that contain plating bath residues from cyanide plating processes, and the treatment of the cyanide in the water that was used to rinse those filters, is hazardous waste treatment that requires a permit or grant of authorization from DTSC. **Note:** Pre-treatment of wastewater that is discharged to the sewer may also be considered treatment of hazardous waste. See chapter 12 for the relationship between hazardous waste treatment and industrial waste water pre-treatment.

**Unauthorized disposal of hazardous waste:** <sup>16</sup> The release of hazardous waste to the ground, sewer, or to the local landfill is one of the most significant violations and is most often caused by a failure to make a proper waste determination (see Chapter 2). Waste that has not been evaluated or analyzed is often assumed by facilities to be non-hazardous and is mismanaged. Examples include buffing and grinding dusts, spent powder coating materials, filters and rinse waters. In order to avoid this violation make good, detailed waste determinations and then train employees on proper management of each individual waste stream.

**Failure to provide adequate secondary containment:** <sup>17</sup> You may have to provide secondary containment for your hazardous waste tank system depending on the age of your facility, the date your tank system was installed, and the types of waste managed in the tanks. See chapter 10 for more details on hazardous waste tanks systems. Nearly all hazardous waste tank systems used to treat waste under the PBR or CA onsite treatment tiers must have secondary containment. If your tank system requires secondary containment, then the written certified tank system assessment described above must include a description of your secondary containment system, and must contain written statements, certified by an independent, *qualified* professional engineer registered in California, indicating that your secondary containment is in compliance with applicable regulatory requirements. You may not have to provide secondary containment for the above ground piping connected to the tanks if you inspect your tank system daily, including the piping, for signs of corrosion or leaks. **NOTE:** If you are required to upgrade your tank system to provide secondary containment, you will also be required to provide an engineering certification for the secondary containment.

**Failure to segregate incompatible wastes:** <sup>18</sup> You must segregate your incompatible or reactive wastes, such as cyanide waste and acidic waste. If waste containing cyanide accidentally mixes

with acidic waste, it might generate poisonous hydrogen cyanide gas that could harm you or your employees. **ALL** containers holding incompatible or reactive wastes, whether or not those containers are being used to treat the waste, must be separated by means of a dike, berm, wall, or other devices that are capable of keeping the wastes from mixing if a spill occurred. You must segregate **ALL** tanks or containers holding cyanide-bearing waste from all tanks or containers holding incompatible wastes. You must also make sure that **ALL** tanks or containers holding cyanide-bearing wastes are segregated from any containers holding acidic material, whether or not the acidic material is a waste.

**Failure to prepare a written waste analysis plan for Permit by Rule (PBR) facilities:** <sup>19</sup>

If you treat your hazardous wastes under a PBR, you must prepare a waste analysis plan, and keep this plan at the same facility where you are treating your hazardous wastes. The waste analysis plan must specify:

- a. The specific wastes and the specific constituents in the waste that must be tested to determine the hazardous characteristics of your waste. For example, rinse water from electroplating operations may need to be analyzed for the metal concentration of the waste;
- b. The specific methods that will be used to analyze your hazardous waste;
- c. The sampling and sample management methods that will be used to obtain a sample of your waste for analysis; and
- d. How frequently the analysis needs to be repeated to ensure that the analysis is accurate and up-to-date.

Your hazardous waste that is to be treated under PBR must be analyzed according to your waste analysis plan. You must maintain this “waste analysis record” at the same facility where you are treating your waste. **Note:** Facilities operating under Conditional Authorization or Conditional Exemption do not require a written waste analysis plan and records, but still must maintain sufficient documentation to show that they know the hazardous characteristics of their waste, and that the treatment method is suitable for reducing the hazardous characteristics of their waste (See Chapter 2, Waste Determination).

**REFERENCES:**

1. Title 22 California Code of Regulations (CCR) Section 66262.34
2. Title 22 CCR Section 66262.34
3. California Health & Safety Code Section 25124(b)(3)
4. Title 22 CCR Section 66265.173
5. Title 22 CCR Section 66262.11
6. California Health & Safety Code Section 25509
7. Title 22 CCR Sections 66262.34(a)(1)(A); 66262.34(d)(2); 66262.34(d)(4), 66262.34(a)(2) and 66262.34(a)(3)
8. Title 22 CCR Section 66265.16
9. Title 22 CCR Section 66265.16
10. Title 22 CCR Section 66265.41

11. Title 22 CCR Sections 66265.191 or 66265.192
12. California Health & Safety Code Section 25200.14
13. Title 22 CCR Sections 66265.196(b) and (c); 66265.194(b) and (c)
14. San Diego County Code of Regulatory Ordinances Section 68.905
15. California Health & Safety Code Section 25201(a)
16. California Health & Safety Code Section 25189.5(a)
17. Title 22 CCR Section 66265.193
18. Title 22 CCR Section 66265.177
19. Title 22 CCR Section 67450.3(c)(9)(A)

The following methods of illegal disposal of hazardous waste have been observed by the County of San Diego DEH-HMD inspection staff:

1. Failure to properly perform waste determinations resulting in illegal disposal to the sewer (testing not done for metals other than those required by sewer district).
2. Failure to properly perform waste determinations resulting in illegal disposal to the trash of powder coatings containing regulated metals (zinc, chromium, antimony, etc.).
3. Disposal of contaminated containers to the trash (containers not California empty)
4. Disposal to the trash of floor sweepings with regulated levels of metals.
5. Venting metal grinding dust exhaust with regulated levels of metals to the outdoors.
6. Disposal to the trash of used metal grinding/buffing wheels with regulated levels of metals.
7. Disposal to the trash of contaminated duck boards/wood from catwalks with regulated levels of metals.
8. Disposal to the trash of paint booth filters with regulated levels of metals.

The Hazardous Materials Division (HMD) inspects plating shops annually. The HMD will also inspect your facility if one of your employees, a neighbor, another agency, or a concerned citizen alleges a complaint against your business. The HMD inspectors are authorized by law to enter your facility during business hours to inspect for hazardous materials and hazardous waste requirements.

### **WHAT TYPES OF REPORTS ARE ISSUED DURING AN INSPECTION?**

#### **Compliance Inspection Report (CIR)**

The Compliance Inspection Report (CIR) is the first step in reporting an environmental compliance violation observed during an inspection. The CIR details the observation of the violation, the law, regulation, and/or ordinance cited, and the requirements for return to compliance which must include a “not later than” date. Your business is required to document your return to compliance with your HMD area inspector. The inspector will leave a Corrective Action Form to Document Return to Compliance, which needs to be returned to HMD within the specified time.

#### **Official Notice**

The Official Notice is one step above the CIR and details the observation of the violation, the law, regulation, and/or ordinance cited, and the requirements for return to compliance which must include a “not later than” date. The Official Notices are used to obtain compliance:

- ✓ When repeated minor violations occur; or
- ✓ When first time violations need immediate correction.

#### **Notice of Violation (NOV)**

The Notice of Violation (NOV) is one step above the Official Notice. The NOV details the observation of the violation, the law, regulation, and/or ordinance cited, and the requirements for return to compliance which must include a “not later than” date. If you receive a NOV during an inspection, then the HMD most likely will initiate one of the formal enforcement options. **NOTE:** An Official Notice may not always have to precede a NOV.

All of the above are considered to be informal enforcement tools used by HMD to gain compliance. They are considered to be informal because, as issued, they do not result in a penalty. However, all of them can also be used as evidence for formal enforcement if there are significant violations or a history of chronic violations.

**WHAT IS HMD'S ENFORCEMENT PHILOSOPHY?**

The Hazardous Materials Division (HMD) uses education as the primary means of gaining compliance. However, when education alone is not sufficient to gain compliance, the HMD will utilize one or more methods of either informal or formal enforcement. In general, it is the philosophy of the HMD to gain compliance through the following methods:

- Educating the regulated community
- Promoting compliance of the laws and regulations within the regulated community
- Returning violators to compliance in a timely manner
- Initiating and concluding enforcement activities in a timely manner
- Penalizing violators, as appropriate, and depriving violators of any significant benefit gained from violations
- Preventing any business from having an unfair business advantage through noncompliance
- Treating similar facility owners and operators equally and consistently with regard to the same types of violations
- Deterring violators of laws and regulations

**WHAT TYPES OF FORMAL ENFORCEMENT DOES HMD PURSUE IF A BUSINESS COMMITS SIGNIFICANT VIOLATIONS OR IS A CHRONIC VIOLATOR?**

**Formal Enforcement** is an action that requires an obligation to comply and imposes sanctions for the prior failure to comply. Sanctions include fines and penalties as well as other tangible obligations, beyond returning to compliance, that are imposed upon the regulated business. Formal Enforcement Options that the HMD may pursue are as follows:

- ✓ **Administrative Enforcement Order (AEO)** is a formal means of enforcement utilized when a violator does not respond to a Notice To Comply or a Notice of Violation. The AEO basically consists of: (a) notification of corrective action to abate the effects of hazardous waste; (b) an assessment of penalties; and (c) an assessment of agency costs of enforcement. In general, administrative enforcement actions will be pursued for:
  - a. Class I violations;
  - b. Chronic or recalcitrant violators who actively refuse to comply with the regulatory requirements.
- ✓ **Civil Cases** are generally referred to the District Attorney's office or City Attorney's office, but may also be referred to the State Attorney General or the U.S. Attorney's office. Factors indicating that a civil action should be pursued include:
  - a. Need for injunctive relief to obtain compliance;
  - b. One or more Class I violations or other significant violations requiring formal enforcement;

- c. Multi-jurisdictional issues
  - d. Cases with statewide significance; and
  - e. Existing HMD administrative enforcement orders or settlements were violated.
- ✓ **Criminal Cases** are generally referred to the District Attorney's office or City Attorney's office, but may also be referred to the State Attorney General or the U.S. Attorney's office. Factors indicating that a criminal action should be pursued include:
- ✓
- a. Violations are major;
  - b. Acts are intentional;
  - c. Civil or administrative remedies are inadequate;
  - d. Evidence is sufficient to support the criminal burden of proof.

### **WHAT ARE THE VARIOUS CLASSES OF VIOLATIONS?**

There are three types of violations, Class I (Significant Violations), Class II, and Minor.

✓ **Class I Violation:**

1. A deviation from the requirements of HSC Chapter 6.5 that represents a significant threat to human health or safety or the environment because of one or more of the following:
  - a. The volume of the waste
  - b. The relative hazard of the waste
  - c. The proximity of the population at risk
2. A deviation from the requirements significant enough that it could result in a failure to accomplish any of the following:
  - a. Ensure that hazardous waste is destined for, and delivered to, an authorized hazardous waste facility.
  - b. Prevent releases of hazardous waste or constituents to the environment during the active or post closure period of facility operation.
  - c. Ensure early detection of releases of hazardous waste.
  - d. Ensure adequate financial resources in the case of releases of hazardous waste or constituents.
  - e. Ensure adequate financial resources to pay for facility closure.
  - f. Perform emergency cleanup operations of, or other corrective actions for, releases.

✓ **Class II Violation:**

A Class II violation is usually a violation that is not significant enough to be classified as a Class I violation but more serious than a minor violation. Class II violations are often chronic violations committed by recalcitrant violators. Evidence indicating that the violator has engaged in a pattern of neglect or disregard with respect to applicable regulatory requirements is used to determine if a violation is chronic or a violator is recalcitrant.

✓ **Minor Violation:**

A Minor violation does not otherwise include any of the following:

1. A violation that results in injury to persons or property.
2. A knowing, willful or intentional violation.
3. A chronic violation, or one committed by a recalcitrant violator.
4. A violation that enables the violator to benefit economically from the non-compliance.
5. A violation that hinders the ability of HMD to determine compliance.
6. A violation that results in an emergency response from a public safety agency.

<b>SECTION 1</b>	<b>RECORDKEEPING</b>	
<b>1-Have you obtained a Unified Program Facility Permit?</b>	<input type="checkbox"/> YES  <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
The Hazardous Materials Division (HMD) is the local agency that issues this permit. You need a permit because you have hazardous materials onsite and because you generate and treat hazardous waste. Permits must be renewed every year.		
<b>2-Have you obtained an EPA ID Number for waste disposal?</b>	<input type="checkbox"/> YES  <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
The EPA ID (identification) number is required for tracking the hazardous wastes that you generate at your shop. To obtain an application call 1-800-618-6942, or visit the Department of Toxic Substances Control (DTSC) website <a href="http://www.dtsc.ca.gov">www.dtsc.ca.gov</a> . <b>There is no charge to obtain EPA ID numbers.</b>		
<b>3-Are you using a registered hazardous waste hauler to take your hazardous waste to an approved TSDF?</b>	<input type="checkbox"/> YES  <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
Hazardous waste must be transported by hazardous waste haulers registered with the DTSC. They must have a valid registration and transport the waste to a properly permitted treatment, storage and disposal facility (TSDF).		
<b>4-Do you fill out all required manifest information before sending waste offsite for disposal?</b>	<input type="checkbox"/> YES  <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
Manifests are required for shipping hazardous waste offsite. They track hazardous waste from the place of generation until its final disposal site. Be sure to complete all required information before offering your waste for disposal offsite. Although some haulers may complete the manifest for you, it is your responsibility to ensure that it is completed with the correct information.		
<b>5-Do you send a copy of the transporter-signed manifest to DTSC within 30 days of waste disposal?</b>	<input type="checkbox"/> YES  <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
The manifest has six parts that are distributed as follows: <b>Page 1: “Designated Facility to Destination State copy (if required)”</b> <b>Page 2: “Designated Facility to Generator State copy (if required)”</b> <b>Page 3: “Designated Facility to Generator” copy</b> <b>Page 4: “Designated Facility” copy</b> <b>Page 5: “Transporter” copy</b> <b>Page 6: “Generator” initial copy</b> You must keep copies of your TSDF signed copies of the manifest (page #3) for three years from the date the waste was sent off for disposal.		

<b>SECTION 1 (continued)</b>		<b>RECORDKEEPING</b>
<b>6-Do you keep manifests onsite for three years?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____
<b>7-Do you maintain TSDF signed manifests on site for review?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____
<b>8-Do you have Land Disposal Restriction (LDR) documentation available?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____
LDRs regulate and restrict hazardous wastes that are disposed of to the land. They require treatment of hazardous wastes to reduce their hazards before disposal. LDRs regulations prohibit disposal of hazardous waste to the land unless it already meets specific standards; it is otherwise considered treated; or it is exempted from LDR regulations.		
<b>9-Did you notify HMD of your onsite treatment of hazardous waste?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____
Onsite treatment allows some types of wastes to be treated onsite with certain treatment methods without having to obtain a full treatment permit from DTSC. If you are planning on treating hazardous waste onsite you must notify the HMD of your proposed treatment activities.		
<b>10-Is your Onsite Treatment notification complete and accurate?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____
The Onsite Treatment notification will provide information about your shop and will allow you to describe the type and quantity of wastes you are treating onsite as well as the treatment methods that you are using to treat your waste. The notification must be updated if you change the treatment conditions at your shop.		
<b>11-Do you have SB14 compliance documentation available onsite?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____
If you annually generate more than 12,000 kilograms of hazardous waste or 12 kilograms of extremely hazardous waste, you are required to comply with the requirements of the Hazardous Waste Source Reduction and Management Review Act of 1989, also known as SB 14.		
<b>12-Have you submitted a recyclable materials report to HMD?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____
Complete this report if you recycle onsite more than 100 kilograms per month of recyclable materials under a claim that the material qualifies for an exclusion or exemption according to specific conditions found in section 25143.2 of the Health and Safety Code.		

## SECTION 2

## STORAGE AND HANDLING

Are all hazardous waste containers closed and properly labeled?

YES  
 NO

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Containment:** Hazardous waste containers must be kept closed during transfer and storage, except when adding or removing wastes. **Labeling:** Containers must be labeled with the words HAZARDOUS WASTE, name and address of the generator, physical state and composition of the waste, hazardous properties, and accumulation start date.

Are all hazardous waste containers in good condition?

YES  
 NO

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Hazardous waste containers must be inspected weekly.** Containers must be maintained so they are in good condition, managed to avoid ruptures, compatible with their contents, properly labeled and closed and inspected weekly. Check the container condition and verify that it has an accumulation start date. Repackage damaged containers to prevent spills.

Is your shop maintained and operated to minimize the possibility of fire, explosion, or release?

YES  
 NO

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Make safety and good housekeeping part of your daily activities.** Ensure that hazardous waste containers are: protected from sources of ignition; compatible with the wastes stored in them; and kept closed and in good repair. When possible, provide secondary containment for drums to catch any potential spills.

Is the hazardous waste storage area inspected weekly?

YES  
 NO

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Hazardous waste storage area must be inspected weekly.** Look for deteriorating containers, faded labels, proper separation of incompatible wastes and property lines, access to the area, availability of emergency and spill control equipment.

Are ignitable wastes stored at least 50 ft from the property line?

YES  
 NO

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Ignitable wastes must be stored at least 50 feet from property lines.** This requirement applies to large quantity generators. Ignitable waste must be grounded when material is being added or removed. Contact your local fire department for their requirements regarding flammable waste.

**SECTION 2 (continued) STORAGE AND HANDLING**

Are incompatible wastes stored in separate containers that are compatible with the waste?

 YES NO

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Store waste in containers compatible with the waste. Store away from other incompatible wastes.** Any container used to store hazardous wastes must be compatible with the material being stored to prevent container from becoming damaged by its contents. Make sure that incompatible wastes are not mixed in the same container. This may cause a reaction that can seriously hurt an employee.

If spilled, are hazardous wastes immediately cleaned off the floor surface?

 YES NO

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Clean up spills as soon as they occur. Be sure to use personal protective equipment such as gloves, goggles, face splash shields, as necessary for spill clean-up activities. Properly dispose of all hazardous waste generated from spill clean up.

Are all wastes accumulated within their permissible accumulation times: 90, 180 or 270 days?

 YES NO

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**90 day rule:** If you generate more than 1,000 kg of hazardous waste in a calendar month, you must dispose of your hazardous waste within 90 days.

**180 day rule:** If you generate less than 1,000 kg of hazardous waste in a calendar month and never exceed a total quantity of 6,000 kg at your shop you may accumulate and store hazardous waste for up to 180 days.

**270 day rule:** The same quantity limits as above applies; however, if you send your waste for disposal to an authorized disposal facility farther than 200 miles from your shop, a small quantity generator you may store the waste for up to 270 days. The 270 days does not apply to large quantity generators.

Are all hazardous materials properly contained? Are hazardous materials repackaged when their containers are damaged?

 YES NO

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**All hazardous materials must be properly packaged and labeled while in use and storage.** Check containers periodically to ensure they are in good condition. Promptly repackage hazardous materials in rusted, cracked or other containers that are not in good repair. Remember to label new containers with contents.

<b>SECTION 3</b>	<b>DISPOSAL AND TRANSPORTATION</b>	
<b>1-Are all hazardous wastes properly disposed of and not disposed of to the sewer, storm drains or trash?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
Hazardous wastes must be disposed of only at State permitted treatment, storage, or disposal facilities. Hazardous wastes may not be disposed of in the regular trash, onto the surface of the ground or into the storm drains. Hazardous wastes can't go into the sewer system either unless you have an industrial waste discharge pretreatment permit from your local sewer agency for the specific waste you intend to discard to sewer.		
<b>2-Are hazardous materials only offered for transportation to registered hazardous waste haulers?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
Hazardous waste may only be transported by state registered hazardous waste haulers to a state permitted treatment storage or disposal facility. These haulers are registered by the California Department of Toxic Substances Control.		
<b>3-Are hazardous wastes transported with properly completed manifests?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
Hazardous waste transported for disposal must be accompanied by a Uniform Hazardous Waste Manifest. As the generator of the waste, you are responsible and liable for the wastes you generate. By accurately completing a manifest and by making sure you receive notice when the wastes have been delivered to the licensed hazardous waste facility permitted to receive that waste, you are meeting your generator responsibility. A consolidated manifest document is sometimes acceptable instead of a manifest for use with specific waste streams.		
<b>4-Have waste determinations been made for all the waste streams generated at the shop?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
As the generator of the waste, you are responsible for determining whether the waste produced in your shop is hazardous. This determination may be done by testing or by knowledge of the process that generates the wastes and the materials used. All analysis must be done by State certified laboratories using specified procedures.		

<b>SECTION 4</b>		<b>HAZARDOUS WASTE TANK SYSTEMS</b>
<b>1-Have P.E. assessments been completed for all regulated hazardous waste tanks?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
Hazardous waste tank systems are required to have secondary containment and/or a professional engineering certification for the tank systems...		
<b>2-Is P.E. assessment report complete and available for review?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
Hazardous waste tank systems are required to have secondary containment and a professional engineering (P.E.) assessment every five years. Tanks installed before 1991 with proper secondary containment and leak detection may be exempt from the P.E. certification requirement.		
<b>3-Do hazardous waste tank systems have secondary containment as required? Is secondary containment kept empty?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
<b>Releases to the secondary containment must be cleaned up within 24 hours.</b> If secondary containment is constantly holding hazardous wastes, you won't be able to use it as emergency containment if your tank fails. Ensure that releases to the secondary containment are cleaned up as soon as possible.		
<b>4-Are tanks inspected daily? Are inspection reports available for review?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
<b>Hazardous Waste tanks must be inspected daily.</b> Records of inspection must be kept available for at least three years. Check tanks for proper labeling, structural defects, leaks, or any other damage that may result in a release to the environment.		
<b>5-Do hazardous waste tanks have adequate spill/overfill protection?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
There are several options for meeting this requirement, such as: <ul style="list-style-type: none"> <li>• A high-level alarm that can be seen or heard by the shop personnel, set at no greater than 95 percent of the tank capacity</li> <li>• A system that automatically shuts off substance flow into the tank, set at no greater than 95 percent of capacity</li> </ul>		
<b>6-Do hazardous waste tanks have proper corrosion protection?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
Corrosion protection prevents deterioration of metal tanks. There are several different ways to provide corrosion protection for tanks. The tank can be: <ul style="list-style-type: none"> <li>▪ elevated with the underside in contact only with tank supports;</li> <li>▪ placed on a concrete pad designed to prevent water accumulation under the tank</li> <li>▪ cathodically protected and internally lined according specified standards</li> <li>▪ double walled</li> </ul>		

**SECTION 5 TRAINING, CONTINGENCY PLAN & ER PROCEDURES**

**1-Is training program adequate and are records of training available?**

 YES NO

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

The training program for your employees shall be designed to ensure that they are able to respond effectively to emergencies. This can be accomplished by familiarizing employees with emergency procedures, emergency equipment, and emergency systems. Keep training records onsite for review. For large quantity generators, be sure to document the type of training, the job title, and the job description for each position related to hazardous waste management as well as the name of the employee filling each job.

**2- Is spill control equipment available for use by employees?**

 YES NO

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

Spill control equipment must be made available to employees so they can respond to a hazardous materials/waste spill.

**3- Is facility designed to minimize releases of hazardous wastes & materials?**

 YES NO

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

**Design your facility and process areas to prevent releases. Make safety and good housekeeping part of your daily activities.** Ensure that hazardous waste containers are: protected from ignition sources; compatible with the wastes stored in them; and kept closed and in good repair. When possible, provide secondary containment for drums to catch any potential spills and prevent releases into the environment. Promptly clean up spilled materials from secondary containment area.

SECTION 6		HAZARDOUS MATERIALS BUSINESS PLAN
<b>Has a Hazardous Materials Business Plan (HMBP) been established and implemented at the shop?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
<p>You are required to prepare a Hazardous Materials Business Plan if you use, handle, or store a hazardous material or an extremely hazardous materials in quantities equal or greater than the following:</p> <ul style="list-style-type: none"> <li>▪ 55 pounds of a solid; 55 gallons of a liquid;</li> <li>▪ 200 cubic feet of a compressed gas;</li> <li>▪ a hazardous toxic compressed gas in any amount;</li> <li>▪ or hazardous waste (to meet the requirements for emergency contingency plans if you are a large quantity generator).</li> </ul> <p>The HMBP will contain basic information on the location, type, quantity and health risk of hazardous materials stored, used, or disposed of in your shop. It will provide emergency responders useful information if they have to visit your site in the case of fire or any other emergency. Keep a complete copy of the HMBP onsite; it is required under State law.</p>		
<b>Has the HMBP been amended to reflect changes?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
<p><b>HMBPs must be updated to reflect changes in the storage/management of hazardous materials at your shop.</b>          The business must recertify the HMBP annually by submitting a Certification Statement. Revisions to the inventory, site map, or emergency contacts must be submitted with the annual Certification Statement. HMBPs must be amended within 30 days when there are changes in the type, amount, storage, or use of hazardous materials that could affect an emergency response, or when there are changes in business name, ownership, or address.</p>		
<b>Has the HMBP been submitted to HMD?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
<p><b>For new plans, a complete HMBP must be submitted to the HMD. For updates, only submit changes to the HMBP along with the annual Certification Statement.</b>          A complete HMBP includes the items to be submitted to the HMD and an Emergency Response Plan and Employee Training Plan. The HMD requires a business that handles hazardous materials to submit the hazardous materials inventory, a list of emergency contacts, and a site plan, <b>in lieu of a complete Hazardous Materials Business Plan (HMBP)</b>, only after the initial submittal of a complete HMBP. The business must certify that a complete HMBP has been prepared and is maintained at the site where the hazardous materials are stored. The business must also annually certify that the HMBP is current and maintained on site. When reviewing HMBP, if any part of the plan is found to be deficient, it must be updated within 30 days.</p>		
<b>Are emergency contacts current?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
<p><b>Keep the names of emergency contacts current.</b> The emergency contact is a business representative that can be contacted in case of emergency involving hazardous materials at the business site. The contact shall have FULL facility access, be familiar with the site, and have the authority to make decisions for the business regarding incident mitigation.</p>		

<b>Is the inventory of hazardous materials current?</b>	<input type="checkbox"/> YES	<b>COMMENTS:</b> _____ _____ _____
	<input type="checkbox"/> NO	

If the inventory of hazardous materials changes, it must be updated within 30 days. Update inventory for any of the following:

- A 100% increase in quantity of a hazardous materials provided on the inventory.
- Handling of a discloseable quantity of a material that did not meet the quantity reporting threshold (reporting thresholds are 55 gallons, 500 pounds, or 200 cubic feet of a compressed gas at standard temperature and pressure).
- Any change in the storage, location, or use of hazardous materials that could affect an emergency response.

<b>SECTION 6</b>	<b>HAZARDOUS MATERIALS BUSINESS PLAN</b>
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<b>Is the inventory of hazardous materials current?</b>	<input type="checkbox"/> YES	<b>COMMENTS:</b> _____ _____ _____
	<input type="checkbox"/> NO	

If the inventory of hazardous materials changes, it must be updated within 30 days. Update inventory for any of the following:

- A 100% increase in quantity of a hazardous materials provided on the inventory
- Handling of a discloseable quantity of a material that did not meet the quantity reporting threshold (reporting thresholds are 55 gallons, 500 pounds, or 200 cubic feet of a compressed gas)
- Any change in the storage, location or use of hazardous materials that could affect an emergency response.

<b>Are highly toxic gases (TLV<sub>10</sub> ppm) disclosed in the inventory?</b>	<input type="checkbox"/> YES	<b>COMMENTS:</b> _____ _____ _____
	<input type="checkbox"/> NO	

List all toxic gases such as chlorine, ammonia, etc. in any amount.

<b>Was the annual carcinogen &amp; reproductive toxin list submitted to HMD?</b>	<input type="checkbox"/> YES	<b>COMMENTS:</b> _____ _____ _____
	<input type="checkbox"/> NO	

This list must be updated annually.

<b>Is the site map current and does it show all required information?</b>	<input type="checkbox"/> YES	<b>COMMENTS:</b> _____ _____ _____
	<input type="checkbox"/> NO	

Use only the standardized site map symbols and the standardized hazard category symbols found in the Hazardous Materials Business Plan handout. Maps are not required to be drawn to scale. Include all applicable site map symbols on site map. Use the standardized hazard category symbols to identify the location of hazardous materials stored in inventory quantities and hazardous waste stored within your facility. Use material safety data sheets to determine the appropriate hazard class for your hazardous materials and hazardous wastes you handle at your shop.

<p><b>Are releases or threatened releases reported, as required?</b></p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>	<p><b>COMMENTS:</b> _____ _____ _____</p>
<p>All significant releases or threatened releases of a hazardous material require emergency notification to government agencies. In California, any employee, authorized representative, agent or designees of handlers shall, upon discovery, immediately report any release or threatened release of hazardous materials. Notification must be given to the local Emergency Response Agency <b>9-1-1</b> or the local Fire Department, as well as to the Hazardous Materials Division (HMD <b>619-338-2222</b>) if different from the local Fire Department; and the Governor's Office of Emergency Services Warning Center <b>1-800-852-7550</b></p>		
<p><b>Is employee training conducted and are records kept available for review?</b></p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>	<p><b>COMMENTS:</b> _____ _____ _____</p>
<p>Your employee-training program must take in account the type of work and the level of responsibility of your employees. The training program should be appropriate to the size of your business and the type of hazardous materials handled at your shop. Training should include these topics:</p> <ul style="list-style-type: none"> <li>▪ Methods for safe handling of hazardous materials</li> <li>▪ Familiarity with the Emergency Response Plan and procedures</li> <li>▪ Coordination with emergency response organizations</li> <li>▪ Use of emergency response equipment</li> </ul>		

SECTION 7-A		TIERED PERMITTING-ALL TIERS
<b>1-Is hazardous waste treated onsite authorized under Tiered Permitting?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____
<ul style="list-style-type: none"> <li>▪ You can only treat eligible waste streams by certain approved technologies.</li> <li>▪ You may only treat waste generated onsite and must treat in tanks or containers</li> <li>▪ You <b>may not</b> treat waste that is reactive or extremely hazardous</li> <li>▪ You <b>may not</b> treat waste in landfills, surface impoundments, injection wells, waste piles, land treatment units, or other thermal units.</li> </ul>		
<b>2-Are all wastes treated at the facility generated onsite?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____
<p>You may only treat eligible waste streams by certain approved technologies, and all wastes treated must be generated onsite. Refer to the Tiered Permitting flowcharts to find out if the waste you generate onsite can be treated under one of the tiers.</p>		
<b>3-Has the onsite hazardous waste treatment notification been completed accurately? Is it on file with the CUPA and a copy kept onsite?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
<p>You must complete an onsite hazardous waste notification and submit it to the local CUPA at least 60 days before you start treating hazardous wastes at your facility. Make sure that your notification is properly completed and that you maintain a copy available for your records.</p>		
<b>4-Is the number of tanks, containers, and treatment processes correct for each treatment unit?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____
<p>When completing your notification, ensure that you include all of the tanks, containers, and treatment processes that are part of each of your hazardous waste treatment units. After you complete your notification, a walk-thru of your shop may help you verify that all treatment system components have been included.</p>		
<b>5-Is the estimated/actual monthly treatment appropriate for indicated tiers?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____
<p>Check the Tiered Permitting flowcharts to verify that the amount of hazardous waste you will be treating onsite is within the limits for the tier under which you are notifying.</p>		
<b>6-Does facility meet all industrial waste discharge requirements (POTW), as applicable, and maintains records of compliance for the required time (CE-3 years; CA-5 years; PBR-until closure)?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
<p>Treating waste onsite under tiered permitting requires that your shop meets all industrial waste discharge requirements from your local sewer authority. Maintain records of compliance with these requirements for at least three years for the Conditionally Exempt tier and for at least three years for the Conditional Authorization and Permit by Rule tiers.</p>		

**SECTION 7-A****TIERED PERMITTING-ALL TIERS**

**7- Are treatment units no longer used properly closed? Has equipment, waste residues, containment systems, soils, and/or structures been removed or decontaminated?**

 YES NO

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

When you stop operating a treatment unit, you must remove or decontaminate all hazardous waste, waste residues, containment systems components, soil, and other structures or equipment contaminated with hazardous waste from the unit.

**8- Has HMD been notified after meeting the requirements for closure of treatment unit? For a PBR unit, was notification made 15 days BEFORE completion of closure?**

 YES NO

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If you permanently stop operating a unit, you must notify the local CUPA in writing that you have properly closed the unit. Your notification must include the name of your company and address, EPA ID number, tier of the authorized unit/units, and date of closure. If you were treating under the PBR tier, the owner of the facility and an independent Professional Engineer registered in California must certify that your unit has been closed according to your closure plan and the applicable regulations.

**9- Are complete written operating instructions for treatment units available? They include: how to operate unit, how to perform waste treatment, and how to manage residuals.**

 YES NO

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Maintain written operating instructions at your shop for every treatment unit. Maintain current instructions and indicate how to operate the units, how to conduct the treatment of hazardous wastes and what to do with the residuals that will be generated from your treatment process.

**10- Are records of the dates, volumes, and types of wastes treated onsite available and kept 3 years for CE; 5 years for CA; or until closure for PBR unit?**

 YES NO

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

You must keep a treatment log containing the dates, volumes and types of wastes that are treated at your shop. Keep these records for a minimum of three years for Conditionally Exempt units; 5 years for Conditional Authorization; and until closure for units operated under the Permit by Rule tier.

**11- Is onsite treatment only done in tanks or containers?**

 YES NO

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

When doing onsite treatment of hazardous waste, you can only conduct treatment in tanks and containers. Your hazardous waste treatment unit can be a tank, a container, or a combination of tanks or tank systems or containers located together that are used in sequence to treat one or more compatible hazardous wastes. The tanks or containers are either plumbed together or otherwise linked so as to form one treatment system.

**SECTION 7-B**

**TIERED PERMITTING-CEL TIER ONLY**

**1-CEL only: Are oil waste separator units used properly to treat contaminated groundwater, gasoline, or >2% diesel-contaminated water?**

- YES  
 NO

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Be sure to comply with the limitations for treatment in the oil-waste separator under the CEL-Tier. Do not treat contaminated groundwater, gasoline or >2% diesel contaminated water.

**SECTION 7-C**

**TIERED PERMITTING-CA & PBR ONLY**

**1a-Proper secondary containment is available and it is:  
1b-compatible with stored waste,  
1c- free of cracks & leaks,  
1d- protecting containers from contact with accumulated liquid,  
1e-capable of containing a 24-hour/25 year storm precipitation plus 10% volume of all containers, or 100% largest container volume, whichever is greater?**

- 1a**  
 YES  NO  
**1b**  
 YES  NO  
**1c**  
 YES  NO  
**1d**  
 YES  NO  
**1e**  
 YES  NO

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you treat hazardous waste in tanks, you must comply with the standards for storage and treatment of hazardous waste in tanks. All new tanks (installed or modified after July 1<sup>st</sup>, 1991 had to have an integrity assessment and secondary containment certified by a professional engineer before they were installed or modified. Most existing tanks must also have secondary containment.

**2-Has your facility obtained a written statement / assessment signed by an independent, California registered professional engineer certifying that tank system and secondary containment for tanks or containers meet all the design requirements of Title 22 CCR?**

- YES  
 NO

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

An independent, professional engineer, registered in California must certify the tank system assessment with the following wording: *I certify under penalty of perjury of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.*

**3-Is security provided via 24 hour controlled entry & warning signs for this facility where unauthorized or unknowing entry could cause injury or violation?**

- YES  
 NO

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

You must prevent an unknowing entry and minimize unauthorized entry of persons or livestock onto the active portion of your shop. To ensure security you must provide 24 hour surveillance which continuously monitors and controls entry onto the active portion of your facility or provide an artificial barrier that completely surrounds the active portion of the facility and a means to control the entry at all times, through gates or other entrances to the active portion of the facility.

<b>SECTION 7-C</b>		<b>TIERED PERMITTING-CA &amp; PBR ONLY</b>
<b>4-Has the Phase I site assessment checklist been completed &amp; filed (with DTSC) within one year of being authorized to operate unit?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
The DTSC checklist will assist you in identifying potentially contaminated areas of your shop, which require further investigation or remediation. It will assist you to: (1) Evaluate the property where your facility is located for areas of possible or documented contamination such as spill locations, leaking equipment, and regulated or non-regulated hazardous or non-hazardous waste management units and (2) determine if the documented or potential contamination requires further investigation to determine its existence, nature, or extent.		
<b>5a-Was the annual waste minimization certification properly completed / submitted to HMD?</b> <b>5b-Does it outlines waste minimization program -as economically feasible- and states that treatment is in accordance with waste minimization program?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO  <input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____ _____
You must prepare an annual hazardous waste minimization certification, which states that a program has been established to reduce the quantity or toxicity of hazardous waste to a degree that is economically feasible, and that waste treatment, storage, and disposal is performed in accordance with that program.		
<b>6-Financial assurance has been obtained.</b> <b>-Is it updated annually with an adequate sum of closure cost estimates using appropriate mechanism (i.e. trust fund, surety bond, insurance, self-certification) showing each unit's estimated closure costs?</b> <b>-Has the UPC form "Certification of Financial Assurance" been submitted to HMD?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO  <input type="checkbox"/> YES <input type="checkbox"/> NO  <input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____ _____ _____ _____
You must prepare a written estimate of the cost to close each treatment unit even if you are claiming to be self-certified. The estimate must represent the actual cost of closing a treatment unit. The closure estimate may take into account using your own staff or personal equipment, any salvage value from the sale of facility structure or equipment, and the sale of the land and other facility assets. Submit this estimate as an attachment to the Certification of Financial Assurance form. This written estimate must be updated by March 1 <sup>st</sup> every year.		

<b>SECTION 7-D</b>		<b>TIERED PERMITTING-PBR TIER ONLY</b>
<b>Has the PBR notification been renewed/filed annually (due by January 1st) or sooner [if significant change(s) occurred]?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
You must submit an initial notification at least 60 days before the first waste treatment and an annual notification every year by January 1 <sup>st</sup> of each year following the first treatment. Your submittal must include: 1-Business Activities Page; 2-Business Owner/Operator Identification Page; 3- Onsite Hazardous Waste Treatment Notification-Facility Page; and 4-Onsite Waste Treatment Notification-Unit Page. Submit an amended notification page whenever there is any change to the information contained in your most recent notification. Always keep a copy of the completed forms you submit.		
<b>SECTION 7-D</b>		<b>TIERED PERMITTING-PBR TIER ONLY</b>
<b>Are exterior of treatment units permanently marked with facility ID numbers, an individual serial numbers, and name of the owner/operator?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
Units used to conduct treatment onsite must be permanently marked with facility ID number, an individual serial number and the name of the owner/operator of the unit. Check units to ensure that units are properly marked.		
<b>Is there an adequate written waste analysis plan that specifies parameters of analysis, testing methods, frequency of analysis and sampling methods used to obtain representative samples?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____
If you treat hazardous waste under PBR, you must prepare a waste analysis plan and have all the hazardous wastes that will be treated under PBR analyzed according to this plan. At a minimum, the plan must contain the following information: Parameters to be analyzed and rationale for selection of those parameters; test methods to be used in the analyses; sampling methods to be used to obtain representative samples; frequency of analysis. You must maintain your waste analysis plan and records of testing analysis at the shop were your waste is being treated.		
<b>Does your facility does have an adequate written closure plan that specifies:</b> <input type="checkbox"/> How & when each unit will be closed? <input type="checkbox"/> Equipment decontamination steps & procedures? <input type="checkbox"/> Expected year of closure? <input type="checkbox"/> Estimated time required to close each unit?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO	<b>COMMENTS:</b> _____ _____ _____ _____ _____ _____ _____
Your facility must have a written <b>closure</b> plan which includes: a description of how and when each unit will be closed; an estimate of maximum inventory of waste in storage and in treatment at any time during the operation of the unit; procedures for decontamination of equipment; expected year of <b>closure</b> ; and the estimated time required to close each unit. If you already have a plan, review it and make sure that it contains all required information. Update plan when conditions change and maintain a current copy available.		

SECTION 7-D		TIERED PERMITTING-PBR TIER ONLY
Was all hazardous waste removed within 90 days of last treatment in accordance with the unit's closure plan?	<input type="checkbox"/> YES <input type="checkbox"/> NO	COMMENTS: _____ _____ _____
When closing your hazardous waste treatment unit, all hazardous waste must be removed within 90 days after last waste treatment.		
Were all closure activities completed within 180 days after final treatment?	<input type="checkbox"/> YES <input type="checkbox"/> NO	COMMENTS: _____ _____ _____
Complete all closure activities must be completed within 180 days of treating the final volume of hazardous waste.		
Was notification made to the HMD 15 days prior to completion of closure?	<input type="checkbox"/> YES <input type="checkbox"/> NO	COMMENTS: _____ _____ _____
Notify HMD at least 15 days prior to completion of <b>closure</b> . After completion of <b>closure</b> , the owner of the facility and an independent Professional Engineer registered in California must certify that the PBR treatment unit has been closed according to your closure plan and the regulations. Until you close properly close the unit and the HMD has approved your closure, you will be charged a fee for your onsite treatment unit.		
Was the certification signed by the owner/operator <u>and</u> a California registered, independent professional engineer and submitted to the HMD notifying that closure has been completed per the closure plan?	<input type="checkbox"/> YES <input type="checkbox"/> NO	COMMENTS: _____ _____ _____
After completion of <b>closure</b> , a certification signed by the owner or operator and by an independent California registered professional engineer must be submitted to DTSC.		

The following are resources that are available to provide regulatory assistance to businesses:

## **FEDERAL:**

### **U.S. EPA –Region 9**

75 Hawthorne Street

San Francisco, CA 94105

Environmental Information Center:

Toll Free: (866)-EPA-WEST; (415) 947-8000

<http://www.epa.gov>

<http://www.epa.gov/osdbu/smbusiness.htm>

<http://www.epa.gov/compliance/assistance/centers/index.html>

### **FEDERAL OSHA U.S. Department of Labor, Occupational Safety & Health Administration-Region 9**

71 Stevenson St., Room 420

San Francisco, California 94105

Office of Small Business Assistance:

<http://www.osha.gov/dcsp/osba/index.html>

(415) 975-4310 (Main Public - 8:00 AM - 4:30 PM Pacific)

(800) 475-4019 (For Technical Assistance)

(800) 475-4022 (For Publication Requests)

(415) 975-4319 FAX

## **STATE:**

### **CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY (Cal/EPA)**

1001 I Street, P.O. Box 2815

Sacramento, CA 95812-2815

(916) 551-1313 (General Public Number)

<http://www.calepa.ca.gov>

### **CALIFORNIA AIR RESOURCES BOARD (ARB)**

1001 I Street, P.O. Box 2815

Sacramento, CA 95812-2815

(800) 242-4450

<http://www.arb.ca.gov>

[helpline@arb.ca.gov](mailto:helpline@arb.ca.gov)

### **CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL (DTSC)**

1001 I Street, P.O. Box 2815

Sacramento, CA 95812-2815

(800) 728-6942 (Public and Business Liaison)

<http://www.dtsc.ca.gov>

<http://www.dtsc.ca.gov/ContactDTSC/Regulatory-Assistance-Officers.cfm>

<http://www.dtsc.ca.gov/PublicationsForms/index.cfm>

### **STATE WATER RESOURCES CONTROL BOARD (SWRCB)**

1001 I Street, P.O. Box 2815

Sacramento, CA 95812-2815

<http://www.swrcb.ca.gov/>

[http://www.swrcb.ca.gov/water\\_issues/programs/#storagetanks](http://www.swrcb.ca.gov/water_issues/programs/#storagetanks)

**STATE (continued):****SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD (SDRWQB)**

9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340

(858) 467-2952 (General Number)  
(858) 571-6972 (FAX)

<http://www.swrcb.ca.gov/sandiego/>

**CALIFORNIA EMERGENCY MANAGEMENT AGENCY (Cal EMA) (FORMERLY THE GOVERNOR'S OFFICE OF EMERGENCY SERVICES (OES))**

California Emergency Management Agency  
3650 Schriever Avenue  
Mather, CA 95655

[www.calema.ca.gov/](http://www.calema.ca.gov/)

Hazardous Materials Spill Notification (800) 852-7550

**STATE OF CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH (CAL/OSHA)**

Cal/OSHA Consultation Services  
7827 Convoy Court, Suite 406  
San Diego, CA 92111

(800) 963-9424

[http://www.dir.ca.gov/occupational\\_safety.html](http://www.dir.ca.gov/occupational_safety.html)

**LOCAL:****COUNTY OF SAN DIEGO AIR POLLUTION CONTROL DISTRICT (APCD)**

9150 Chesapeake Drive  
San Diego, CA 92123

858-650-4700 (General Information)

858-650-4700 (Business Permits: Permit Processing)

<http://www.sdapcd.org/>

858-650-4550 (Business Inspections: Compliance)

<http://www.sdapcd.org/comply/SBA/sba.html>

858-650-4549 (Small Business Assistance)

**COUNTY OF SAN DIEGO DEPARTMENT OF ENVIRONMENTAL HEALTH  
HAZARDOUS MATERIALS DIVISION (HMD)**

1255 Imperial Avenue,  
Third floor,  
P.O. Box 129261  
San Diego, CA 92112-9261

(619) 338-2231 (Hazardous Materials Duty Desk)  
hmdutyeh@sdcounty.ca.gov

(619) 338-2251 (General Permitting Information)

(619) 338-2324 (Pollution Prevention Program)

<http://www.sdcdeh.org>

(619) 338-2231 (To be routed to your Area Specialist)

**CITY OF SAN DIEGO METROPOLITAN INDUSTRIAL WASTE WATER PROGRAM**

9192 Topaz Way  
San Diego, CA 92123-1119

(858) 654-4100 (General Number)

(858) 292-6484 (Public Information Line)

<http://www.sandiego.gov/mwwd/>

E-mail: [mwwd@sandiego.gov](mailto:mwwd@sandiego.gov)

# Chapter 19

# Resources and Assistance List

CITY	BUILDING AND CONSTRUCTION PERMITS	BUSINESS LICENSE/ BUSINESS TAX CERTIFICATE	FIRE DEPARTMENT PERMITS	LAND USE AND ZONING
CARLSBAD <a href="http://www.carlsbadca.gov">www.carlsbadca.gov</a>	Building Department 1635 Faraday Ave. Carlsbad, CA 92008 760-602-4600	Finance Department 1635 Faraday Ave. Carlsbad, CA 92008 760-602-2495	Fire Department 1635 Faraday Ave. Carlsbad, CA 92008 760-602-4660	Planning Department 1635 Faraday Ave. Carlsbad, CA 92008 760-602-4600
CHULA VISTA <a href="http://www.ci.chula-vista.ca.us">www.ci.chula-vista.ca.us</a>	Building an Housing 276 Fourth Avenue Chula Vista, CA 91910 619-691-5272	Finance Department 276 Fourth Avenue Chula Vista, CA 91910 619-691-5250	Fire Department 447 "F" Street Chula Vista, CA 91910 619-691-5055	Planning Department 276 Fourth Avenue Chula Vista, CA 91910 619-691-5101
CORONADO <a href="http://www.coronado.ca.us">www.coronado.ca.us</a>	Community Development Building 1825 Strand Way Coronado, CA 92118 619-522-7326	City Clerk 1825 Strand Way Coronado, CA 92118 619-522-7320	Fire Department 1001 Sixth St. Coronado, CA 92118 619-522-7374	Community Development Planning 1825 Strand Way Coronado, CA 92118 619-522-7326
DEL MAR <a href="http://www.delmar.ca.us">www.delmar.ca.us</a>	<b>Contracted with: County of San Diego</b> Department of Planning and Land Use 5201 Ruffin Rd., Suite B San Diego, CA 92123 858-565-5920	Finance Department 1050 Camino Del Mar Del Mar, CA 92014 858-755-9354	Fire Department 2200 Jimmy Durante Blvd Del Mar, CA 92014 858-755-1522	Planning Department 1050 Camino Del Mar Del Mar, CA 92014 858-755-9337
EL CAJON <a href="http://www.ci.el-cajon.ca.us/">http://www.ci.el-cajon.ca.us/</a>	Building Department 200 East Main Street, 3rd Floor El Cajon, CA 92020 619-441-1727	Finance Department 200 East Main Street, 5th Floor El Cajon, CA 92020 619-441-1669	Fire Department	Planning Department 200 East Main Street, 3rd Floor El Cajon, CA 92020 619-441-1741
ENCINITAS <a href="http://www.ci.encinitas.ca.us">www.ci.encinitas.ca.us</a>	Building Department 505 South Vulcan Encinitas, CA 92024 760-633-2730	Business Registration 505 South Vulcan Encinitas, CA 92024 760-633-2606	Fire Department 505 South Vulcan Encinitas, CA 92024 760-633-2800	Planning Department 505 South Vulcan Encinitas, CA 92024 760-633-2680
ESCONDIDO <a href="http://www.ci.escondido.ca.us">www.ci.escondido.ca.us</a>	Building Division 201 North Broadway Escondido, CA 92025-2798 760-839-4647	Business Registration 201 North Broadway Escondido, CA 92025- 2798 760-839-4659	Fire Department 201 North Broadway Escondido, CA 92025- 2798 760-839-5400	Planning Department 201 North Broadway Escondido, CA 92025-2798 760-839-4671
IMPERIAL BEACH <a href="http://www.cityofib.com">www.cityofib.com</a>	Community Development Building 825 Imperial Beach Blvd. Imperial Beach, CA 91932 619-628-1356	Community Development Building 825 Imperial Beach Blvd. Imperial Beach, CA 91932 619-628-1356	Public Safety Department 865 Imperial Beach Blvd. Imperial Beach, CA 91932 619-423-8223	Community Development Planning 825 Imperial Beach Blvd. Imperial Beach, CA 91932 619-628-1356
LA MESA <a href="http://www.cityoflamesa.com">www.cityoflamesa.com</a>	Community Development 8130 Allison Ave. La Mesa, CA 91941 619-667-1176	Finance Department 8130 Allison Ave. La Mesa, CA 91941 619-667-1114	Fire Department 8054 Allison Ave. La Mesa, CA 91941 619-667-1355	Community Development, Planning 8130 Allison Ave. La Mesa, CA 91941 619-667-1177
LEMON GROVE <a href="http://www.ci.lemon-grove.ca.us">www.ci.lemon-grove.ca.us</a>	Community Development Building 3232 Main St. Lemon Grove, CA 91945 619-464-6934	Finance Department 3232 Main St. Lemon Grove, CA 91945 619-464-6934	Fire Department 7853 Central Ave. Lemon Grove, CA 91945 619-670-0500	Community Development Planning 3232 Main St. Lemon Grove, CA 91945 619-464-6934
NATIONAL CITY <a href="http://www.ci.national-city.ca.us">www.ci.national-city.ca.us</a>	Building Department 1243 National City Blvd. National City, CA 91950 619-336-4210	Finance Department 1243 National City Blvd. National City, CA 91950 619-336-4330	Fire Department 1243 National City Blvd. National City, CA 91950 619-336-4550	Planning Department 1243 National City Blvd. National City, CA 91950 619-336-4310
OCEANSIDE <a href="http://www.ci.oceanside.ca.us">www.ci.oceanside.ca.us</a>	Building Department 300 North Coast Highway Oceanside, CA 92054 760-435-3950	Administrative Services 300 North Ditmar Street Oceanside, CA 92054 760-435-3878	Planning Department 300 North Coast Highway Oceanside, CA 92054 760-435-4100	Planning Department 300 North Coast Highway Oceanside CA 92054 760-435-3520

# Chapter 19

# Resources and Assistance List

CITY	BUILDING AND CONSTRUCTION PERMITS	BUSINESS LICENSE/ BUSINESS TAX CERTIFICATE	FIRE DEPARTMENT PERMITS	LAND USE AND ZONING
POWAY <a href="http://www.ci.poway.ca.us">www.ci.poway.ca.us</a>	Customer Service 13325 Civic Center Drive Poway, CA 92064 858-668-4644	Planning Department 13325 Civic Center Drive, Bldg. A Poway, CA 92064 858-668-4404	Fire Department 13050 Community Road Poway, CA 92064 858-668-4465	Planning Department 13325 Civic Center Drive, Building A, Poway, CA 92064 858-668-4656
SAN DIEGO <a href="http://www.sandiego.gov/index.shtml">http://www.sandiego.gov/index.shtml</a>	Planning and Development Review 1222 First Avenue, 3rd Floor San Diego, CA 92101 619-446-5000	1200 Third Ave, 1st Floor Lobby San Diego, CA 92101 (619) 615-1500 Fax: (619) 533-3272	Fire Department City of San Diego  619-533-4300 619-446-5440	Development Services Early Assistance 1222 First Ave., 3rd Floor San Diego, CA 92101 619-446-5000
SAN MARCOS <a href="http://www.ci.san-marcos.ca.us">www.ci.san-marcos.ca.us</a>	Building Department 1 Civic Center Dr. San Marcos, CA 92069 760-744-1050 ext. 3203	Clerk - Recorder Registrar 1 Civic Center Dr. San Marcos, CA 92069 760-744-1050 ext. 3101 & 3102	Fire Department 1 Civic Center Dr. San Marcos, CA 92069 760-744-1050 ext.3404	Planning Department 1 Civic Center Dr. San Marcos, CA 92069 760-744-1050 ext. 3204
CITY OF SANTEE M-Thurs: 8-5 Fri: 8-1 <a href="http://www.ci.santee.ca.us">www.ci.santee.ca.us</a>	Development Services Building 10601 Magnolia Ave. Santee, CA 92071 619-258-4100 ext. 154	Finance Department 10601 Magnolia Ave. Santee, CA 92071 619-258-4100 ext.144	Fire Department 10601 Magnolia Ave. Santee, CA 92071 619-258-4100 ext.207	Development Services Planning 10601 Magnolia Ave. Santee, CA 92071 619-258-4100 ext.152
SOLANA BEACH <a href="http://www.ci.solana-beach.ca.us/">http://www.ci.solana-beach.ca.us/</a>	Planning and Building Department 635 South Highway 101 Solana Beach, CA 92075 858-720-2441	Finance Department Business Certificate 635 South Highway 101 Solana Beach, CA 92075 858-720-2441	Fire Department 500 Loma Santa Fe Drive Solana Beach, CA 92075 858-720-2410	Community Development Department 635 South Highway 101 Solana Beach, CA 92075 858-720-2441
UNINCORPORATED AREA OF THE COUNTY OF SAN DIEGO <a href="http://www.sdcounty.ca.gov/dplu/">http://www.sdcounty.ca.gov/dplu/</a>	<a href="#">County of San Diego</a> Planning and Land Use Department 5201 Ruffin Road, Suite B San Diego, CA 92123 858-694-2960	The County's Business Certificate Tax (BUSINESS LICENSE) is being repealed and no new applications or renewals are required at this time.	<a href="#">County of San Diego</a> Fire Services 1600 Pacific Highway, Rm. 209 San Diego, CA 92101 619-565-3490	<a href="#">County of San Diego</a> Planning and Land Use Department 5201 Ruffin Road, Suite B San Diego, CA 92123 858-694-2960
VISTA <a href="http://www.ci.vista.ca.us/">http://www.ci.vista.ca.us/</a>	Building Department 600 Eucalyptus Ave. Vista, CA 92083 760-639-6105	Finance Department 600 Eucalyptus Ave. Vista, CA 92085 760-639-6174	Fire Department 175 North Melrose Vista, CA 92083 760-726-2144	Land use/Zoning 600 Eucalyptus Ave. Vista, CA 92085 760-639-6108

<b>Exhibit Letter</b>	<b><u>Record / Form Name</u></b>
<b>A</b>	Unified Program Facility Permit sample
<b>B</b>	Hazardous Materials Business Plan
<b>C</b>	Business Activities form
<b>D</b>	Hazardous Materials Business Plan Certification Statement
<b>E</b>	Release Reporting Guidance
<b>F</b>	“Disclosure of Hazardous Materials Information Bulletin” with Annual Carcinogen & Reproductive Toxins Reporting List
<b>G</b>	List of Carcinogen & Reproductive Toxins
<b>H</b>	Hazardous Waste Generator Requirements – DTSC Fact Sheet
<b>I</b>	Accumulating Hazardous Waste at Generator Sites – DTSC Fact Sheet
<b>J</b>	Hazardous Waste Manifest sample
<b>K</b>	Land Disposal Notifications
<b>L</b>	EPA Identification Numbers – DTSC Fact Sheet
<b>M</b>	Information and Instructions for Obtaining a California ID Number
<b>N</b>	Employee Training Records
<b>O</b>	Contingency Plan for Small Quantity Generators
<b>P</b>	Hazardous Waste (Biennial) 2007 Reporting forms
<b>Q</b>	Excluded Recyclable Materials

<b>Appendix I</b>	<b>Record Keeping / Forms Table of Contents</b>
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<b>Exhibit Letter</b>	<b><u>Record / Form Name</u></b>
<b>R</b>	Guidance Manual, Compliance Checklist, and Summary Progress Report for the Hazardous Waste Source Reduction & Management Review Act of 1989
<b>S</b>	Management of Waste Aerosol Cans and Universal Waste Aerosol Cans Processing Notification
<b>T</b>	Daily Hazardous Waste Tank System Inspection Log sample
<b>U</b>	Tank System Closure Certification form
<b>V</b>	DTSC Closure Requirements for Generators and Tiered Permitting Facilities
<b>W</b>	Phase I Environmental Assessment Checklist - Instructions
<b>X</b>	Phase I Environmental Assessment Checklist
<b>Y</b>	Onsite Tiered Permitting – Flowchart
<b>Z</b>	Onsite Hazardous Waste Treatment Notification forms package
<b>AA</b>	Managing Empty Containers

**Note: Definitions can be found in Title 22 CCR Section 66260.10 and Article 2 of Chapter 6.5 of the Health and Safety Code. The statutory and regulatory definitions are always applicable and take precedence.**

1. **Hazardous Waste Generation:** an act or process that produces hazardous waste subject to regulation (and which is not excluded or exempted) and identified by characteristic (corrosivity, ignitability, reactivity, or toxicity) or by "listing" in the appendices of 22 CCR Section 66261.126, including the State listing (Appendix X) or Federal listing (Appendices VII and VIII; these appendices are also found in 40 CFR Sections 261.31-261.33). As defined by 22 CCR Section 66261.3, hazardous waste includes extremely hazardous waste, acutely hazardous waste, RCRA hazardous waste, non-RCRA hazardous waste and special waste.
2. **Hazardous Waste Treatment:** any method, technique, or process which changes or is designed to change the physical, chemical, or biological character or composition of any hazardous waste or any material contained therein, or removes or reduces its harmful properties or characteristics for any purpose including, but not limited to, energy recovery, material recovery or reduction in volume. "Treatment" does not include the removal of residues from manufacturing equipment for the purposes of cleaning that equipment.
3. **Storage:** the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of or stored elsewhere.
4. **Disposal:** (a) the discharge, deposit, injection, dumping, spilling, leaking or placing of any waste or hazardous waste into or on any land or water so that such waste or hazardous waste or any constituent thereof, may enter the environment or be emitted into the air or discharged into any waters, including ground waters; (b) the abandonment of any waste.
5. **Reclaim:** The processing of a spent material to regenerate the material or recover a usable product. Examples are recovery of lead from spent batteries and regeneration of spent solvents.
6. **Recycle:** The beneficial use, reuse, or reclamation of a hazardous waste, recyclable material, or hazardous byproduct from a process.
7. **Onsite treatment:** treatment limited to hazardous wastes generated at the same site.
8. **Offsite treatment:** treatment of hazardous wastes, which were generated by businesses offsite, and which usually require transportation to the facility. These Treatment Storage Disposal Facilities (TSDFs) treat waste received from other generators and are permitted and regulated under the Full or Standardized treatment tier by Cal EPA/DTSC.
9. **Generator:** any person, by site, whose act or process produces hazardous waste or whose act first causes a hazardous waste to become subject to regulation.
10. **Facility:** The person or business, either onsite or offsite, who treats, stores, or disposes of hazardous waste under authorization from the Certified Unified Program Agency (CUPA) or the State DTSC.
11. **Unit:** a combination of tanks or tank systems, and/or containers located together that are used in sequence to treat one or more compatible hazardous waste streams. The tanks and/or containers are plumbed together or otherwise linked to form one waste treatment system.

12. **Fixed Treatment Unit (FTU):** any equipment, which performs treatment as defined by statute, and which is permanently stationed, or which is periodically assembled for use at a single facility, for the purpose of performing waste treatment, regardless of the period or frequency of treatment.

13. **Transportable Treatment Unit (TTU):** any mobile equipment which performs a treatment and which is transported onto a facility to perform waste treatment and which is not permanently stationed at a single facility.

14. **Elementary neutralization unit:** a device which is used for neutralizing wastes that are hazardous wastes only because they exhibit the corrosivity characteristic.

15. **Totally enclosed treatment facility:** a facility for the treatment of hazardous waste which is directly connected to an industrial production process and which is constructed and operated in a manner which prevents the release of any hazardous waste or any constituent thereof into the environment during treatment. An example is a pipe in which waste acid is neutralized.

16. **Wastewater treatment unit:** a tank or tank system that is part of a wastewater treatment facility which is subject to regulation under either Section 402 (33 U.S.C. Section 1317) or 307(b) (33 U.S.C. Section 1342) of the Federal Clean Water Act; and receives and treats or stores an influent wastewater which is a hazardous waste, or that generates and accumulates a wastewater treatment sludge which is a hazardous waste, or treats or stores a wastewater treatment sludge which is a hazardous waste.

17. **Tank:** a stationary device, designed to contain an accumulation of hazardous waste, which is constructed of non-earthen materials (e.g., concrete, steel, plastic) for structural support. This definition includes clarifiers, sumps, or collection pits.

18. **Tank System:** a hazardous waste transfer, storage, or treatment tank and its associated ancillary equipment and containment system.

19. **Ancillary equipment:** any device including, but not limited to, piping, fittings, flanges, valves and pumps, that is used to distribute, meter or control the flow of hazardous waste from its point of generation to a storage or treatment tank(s), between hazardous waste storage and treatment tanks to a point of disposal onsite, or to a point of shipment for disposal offsite.

20. **Sump:** any pit or reservoir that meets the definition of tank and those troughs/trenches connected to it that serves to collect hazardous waste for transport to hazardous waste storage, treatment or disposal facilities.

21. **Secondary Containment:** A berm or holding system designed to catch any overflow, spill, or release caused by injury to or failure of the primary tank, ancillary equipment, or container. (See 22 CCR 66264.175 (containers;) and 22 CCR 66265.193 (tanks).)

22. **Freeboard:** the vertical distance between the top of a tank and the surface of the waste contained there-in.

23. **Container:** any portable device in which a material can be stored, handled, treated, transported, recycled or disposed of.

24. **Intermediate Manufacturing Process Stream:** a material, or combination of materials, that meets all of the following conditions:

- (a) It is produced as part of the manufacturing process.
- (b) It is used onsite on a batch or continuous basis, in either the same or in a different manufacturing process to produce a commercial product.
- (c) It is not a recyclable material.
- (d) The person who produced the material or combination of materials is able to demonstrate all of the following:
  - (1) The material, or combination of materials, is used, alone or in combination with other materials, in a manufacturing process that is designed for its use.
  - (2) The material, or combination of materials, is not accumulated or stored in amounts greater than can be used in the manufacturing process.
  - (3) The material, or combination of materials, is not handled, stored, or processed in a manner that is inconsistent with its intended use or the operating requirements of the manufacturing process.

25. **By-product:** a material that is not one of the primary products of a production process and is not solely or separately produced by the production process. Examples are process residues such as slags or distillation column bottoms. The term does not include a co-product that is produced for the general public's use and is ordinarily used in the form it is produced by the process.

26. **Recyclable Material:** a hazardous waste that is capable of being recycled. This includes residues, spent materials (e.g. spent etchants and stripping solutions from plating operations), materials contaminated to such an extent that they can no longer be used for the purpose for which they were originally purchased or manufactured, a byproduct listed in 22 CCR Section 66261.31 or Section 66261.32, or any retrograde material that has not been used, distributed or reclaimed through treatment by the original manufacturer or owner by the later of the following dates: (1) one year after the date when the material became a retrograde material or (2) if the material has been returned to the original manufacturer, one year after the material is returned to the original manufacturer.

27. **Retrograde material:** any hazardous material which is not to be used, sold or distributed for use in an originally intended or prescribed manner or for an originally intended or prescribed purpose and which meets anyone or more of the following criteria:

- (a) (1) has undergone chemical, biochemical, physical or other changes due to the passage of time or the environmental conditions under which it was stored; (2) has exceeded a specified or recommended shelf life; (3) is banned by law, regulation, ordinance or decree; (4) cannot be used for reasons of economics, health or safety or environmental hazard.
- (b) "Retrograde material" does not include material listed in 22 CCR Section 66261.33 if either of the following conditions is met: (1) the material is used in a manner constituting disposal and the material is not normally used in a manner constituting disposal; (2) the material is burned for energy recovery and the material is not normally burned for energy recovery.

28. **Recycling Exclusion:** A recyclable material may be excluded from classification as a hazardous waste and consequently not subject to all hazardous waste management standards, including treatment (tiered) permitting. Under California law, an excluded recyclable material must be managed by regulatory standards, such as those found in Health and Safety Code (H&SC) Sections 25143.2, 25143.9, and 25143.10; or be subject to regulation as hazardous waste.

29. **Recycling Exemption:** Onsite recycling of hazardous waste generated onsite can be exempted from hazardous waste treatment permitting requirements if the generator complies with H&SC Section 25143.2. Note: While the recycling activity may be exempted from tiered permitting and hazardous waste

treatment standards, the generated hazardous waste is still subject to generator management standards. (Note: H&SC sections 25143.9 and 25143.10 may also be required to assert a recycling exemption.)

30. **Variance:** a deviation from a provision of Title 22 and Chapter 6.5 of the Health and Safety Code authorized by the State DTSC pursuant to section 66260.210 or Health and Safety Code section 25143.

31. **Recyclable Materials Reporting Form:** The biennial form required to be submitted to the CUPA by businesses claiming a recycling exemption or exclusion under H&SC 25143.2; see also H&SC 25143.10.

32. **"Sham" Recycling:** a form of surrogate disposal where a business attempts to dispose of a hazardous waste in its production process or by another manner not authorized by law. The waste may be accumulated speculatively, heavily contaminated, or a useless material in production. The waste may not be an effective substitute for the material it replaced (see page 638 (January 4, 1985) of the Federal Register for additional details).

33. **Pollution Prevention (P2):** a combination of hazardous substance reduction, source reduction, and waste minimization that focuses on multi-media (air, water, and land) prevention of pollution to the environment and minimization of worker exposure. Activities which qualify as pollution prevention include source reduction and onsite recycling, and do not include "end-of-pipe" waste management methods such as treatment, off-site recycling, and disposal.

34. **Source Reduction Plan (SB 14);** Generators who produce more than 12,000 kg/yr of hazardous waste or 12 kg/year of extremely hazardous waste are required to prepare and maintain a plan detailing waste minimization activities (see H&SC Section 25144.12). Also, CA and PBR facilities must certify annually to the CUPA that they have a waste minimization plan and are implementing it.

35. **Tiered Permitting:** Facilities conducting any treatment, storage, and disposal activities in California are authorized under a five-tiered permitting system. This system includes Full permits for onsite and offsite activities which require RCRA permitting, Standardized permits for off-site facilities conducting treatments exempt from RCRA (e.g. precious metals (such as gold and silver) recovery), and the three onsite treatment tiers (PBR, CA, and CE) for generators conducting treatment exempt from RCRA. The Full and Standardized tiers are regulated by Cal EPA/DTSC and the three onsite treatment tiers are regulated by CUPAs.

"Permit-by-rule" means a provision of the regulations stating that a facility or activity is deemed to have a permit if it meets all the regulatory requirements.

"Conditional authorization" means a provision of the statutes which provides that a person or activity is deemed to be operating pursuant to a grant of authorization if the person or activity meets all the statutory requirements. "Conditional exemption" means a provision of the of the statutes (H&SC Sections 25144.6, 25201.5, 25201.5.1, 25201.8, and 25201.13) which provides that a person or activity is exempted from, or is otherwise not subject to, the requirement to obtain a hazardous waste facilities permit or other grant of authorization if the person or activity meets all the statutory requirements.

36. **RCRA Permit Exemptions:** Treatments exempt from RCRA permitting. Only onsite treatment exempt from RCRA permitting is eligible for the lower three tiers of tiered permitting. The RCRA permit exemptions are found in 40 CFR 261.4, 261.5, 261.7, 264.1, and 270.1.

37. **Eligible Waste Streams:** Waste streams eligible for treatment authorization under one of the three lower tiers of tiered permitting. The list of waste streams for the PBR tier are found in 22 CCR Section 67450.11, for the CA tier in H&SC Section 25200.3, and for the CE tiers in H&SC Section 25201.5(c).

38. **Ineligible Waste Streams:** Waste streams that are not eligible for treatment authorization under one of the three lower tiers of tiered permitting. These waste streams include extremely hazardous and

reactive wastes, wastes generated offsite, and wastes not listed on the PBR, CA, or CE eligible waste stream lists. Cyanide-bearing wastes are common waste streams, which are not eligible, because a cyanide destruction treatment has not yet been authorized by DTSC.

39. **Volume Limits:** there are volume limits for some waste streams under the CE and CA tiers which determine whether a generator is eligible to treat wastes under the CA and CE tiers, as opposed to the PBR tier. As an example, the CE tier limits the volume of many waste streams, such as hexavalent chromium-bearing wastes, to no more than 55 gallons per month.

40. **Multiple Hazards:** generators with larger amounts (>55 gallons/month) of waste streams with multiple hazards or waste characteristics (i.e... a corrosive and toxic waste; such as spent acids containing toxic metals) are generally regulated under the PBR treatment tier. The waste streams eligible for treatment under the CA tier generally have only a single hazard.

41. **Concentration Limits:** there are limiting concentrations for hazardous constituents under the CA and CE treatment tiers which determine the treatment tier (PBR, CA, or CE) that generator's waste stream is eligible to be authorized under. As an example, there is a limit of 1400 PPM of total toxic metals under the CA tier for an aqueous metal bearing waste stream.

42. **Influent:** waste waters entering a treatment process.

43. **Effluent:** waste waters exiting a treatment process and discharged into the sewer for further downstream treatment by a Publicly Owned Treatment Works (POTW).

44. **Waste Determination:** A generator is required to determine if their waste is hazardous or non-hazardous. This determination can be made using reasonable generator knowledge of the characteristics of the waste generated by a process. This determination should be made using supporting documentation such as manufacturer's specifications of a material and/or material safety data sheets. If generator knowledge is insufficient or not complete to make a proper waste determination, then a waste analysis for likely hazards and hazardous constituents should be performed.

45. **Waste Analysis:** Permitted treatment facilities, including onsite treatment facilities under Permit-By-Rule, are required to representatively sample their hazardous waste and submit it to a certified laboratory for analysis of hazards and hazardous constituents. The analysis must be updated as needed and repeated upon hazardous waste generating process or operation change. The waste analysis also requires a plan showing how, when, where and what the waste will be sampled and analyzed for.

46. **Representative sample(s):** a sample(s) of a universe or whole (e.g., point of waste generation, waste pile, groundwater, a tank unit, etc.) which can be expected to exhibit the average properties of the universe or whole.

47. **Presumptive Waste List:** Wastes containing hazardous constituents listed in Appendix X found in 22 CCR 66261.126 are presumed to be hazardous unless it is determined that the waste is not a hazardous waste pursuant to the procedures set forth in Title 22 CCR 66262.11.

48. **Toxicity Tests:** Toxicity tests include federal and State tests. The federal test is the Toxicity Characteristics Leaching Procedure (TCLP). The State tests include the Soluble Threshold Limit Concentration (STLC), the Total Threshold Limit Concentration (TTLC), acute toxicity (oral LD50, dermal LD50, inhalation LD50, and aquatic LC50, and carcinogenicity (for 16 OSHA-listed carcinogens). For the

TCLP, STLC, and TTLC, the sampled waste must equal or exceed the value for a listed toxic constituent to be considered hazardous waste. Both the TCLP and STLC tests measure only solubilized, extractable concentrations of a toxic substance while the TTLC test measures the total concentration of a toxic substance including solubilized, extractable and non-extractable concentrations of a toxic substance.

49. **Notification:** Generators with tiered permitting units are required to complete and submit an originally signed Onsite Hazardous Waste Treatment Notification to the CUPA for initial notifications. PBR facilities are required to annually re-submit the Notification forms. CA and CE facilities are not required to re-submit the forms annually. However, all generators that treat their hazardous waste onsite are required to submit amended Onsite Hazardous Waste Treatment Notification forms for any changes in their notifications including withdrawal of notification (e.g. recycling exemptions or process changes) and closure of a waste treatment unit.

50. **Authorization:** Generators with tiered permitting units (PBR, CA, or CE) are granted authorization by the CUPA upon receipt and review of the Onsite Hazardous Waste Treatment Notification forms. PBR facilities, which are authorized, receive letters of authorization from the CUPA. Facilities with incomplete forms will be informed that their notifications are invalid. A generator's authorization is considered invalid upon inspection if they under-notified or incorrectly notified under the wrong treatment tier.

51. **Publicly Owned Treatment Works (POTW):** means any device or system used in the treatment (including recycling and reclamation) of municipal sewage or industrial wastes of a liquid nature which is owned by a "State" or "municipality" (as defined by 33 U.S.C. section 1362). This definition includes sewers, pipes or other conveyances only if they convey wastewater to a POTW providing treatment.

52. **NPDES Permit:** A National Pollutant Discharge Elimination System permit is required for businesses regulated under Federal storm water management standards or that discharge waste into a water source. The conditions of these permits include routine monitoring and Best Management Practices (BMPs).

53. **Closure:** the act of closing a hazardous waste management facility or hazardous waste management unit (such as a waste treatment unit) pursuant to the requirements of Title 22 CCR.

54. **Closure period:** the period during which a unit at a hazardous waste management facility is being closed according to an approved closure plan.

55. **Closure plan:** the written plan for closure of PBR treatment units as required by CCR 67450.3 (c) (11) (B).

56. **Financial Assurance:** a financial mechanism to assure the availability of funds for closure of a facility or a hazardous waste treatment unit.

57. **Environmental Assessment:** the process of investigating the potential for site contamination. This process includes document review (i.e. review of historical records regarding a site), interviews, site inspection, and possibly sampling. A Phase I Assessment or Preliminary Environmental Assessment (PEA) is the initial assessment and is required for PBR and CA facilities.