

Standardized Permit for RCRA Hazardous Waste Management Facilities

Final Rule
70 FR 53420
September 8, 2005

What is this Federal Register About?

U.S. EPA finalized revisions to the hazardous waste permitting program to allow for issuance of a hazardous waste standardized permit for hazardous waste treatment, storage and disposal facilities (TSDF) that are otherwise subject to hazardous waste permitting. A standardized permit is a special kind of permit that will be available for certain facilities that manage hazardous waste in tanks, containers, and containment buildings.

To be eligible, a facility must: (1) Generate hazardous waste and then store or non-thermally treat the hazardous waste on-site in containers, tanks, or containment buildings, or (2) Receive hazardous waste generated from off-site by a generator under the same ownership as the receiving facility, and then store or non-thermally treat the hazardous waste in containers, tanks, or containment buildings.

The final rule sets forth the minimum national standards for facilities managing wastes under a standardized permit. These standards, found in 40 CFR 267, are similar to the general facility standards currently found in 40 CFR part 264 subpart B. The standards describe how to obtain an EPA identification number, requirements for waste analysis, security requirements, inspection schedules, employee training, managing ignitable, reactive or incompatible wastes, location standards, preparedness and prevention requirements, design and operation standards, required equipment testing and maintenance of equipment, contingency plans and emergency procedures, manifest system, record keeping, reporting and notifying, corrective action, closure, use and management of containers and tanks.

To apply for a standardized permit, the steps involved include a pre-application meeting with the public followed by the submission of a Notice of Intent and supporting materials to the overseeing agency. The Notice of Intent and supporting materials, in most cases, should provide sufficient information for the Director to make a draft permit decision.

The Notice of Intent is composed of a number of documents and include the RCRA Part A information, the closure plan, the closure cost estimate, documentation of the financial instrument to cover closure, information supporting that the TSDF meets the location standards, a summary of the pre-application meeting, required certifications and audit report. In addition, facilities that wish to accept waste from off-site, the Notice of Intent must include the waste analysis plan, and documentation that the originating generator and the facility seeking the standardized permit are under the same owner.

What does this mean to the regulated community?

The hazardous waste standardized permit rule is designed to streamline the regulatory burden to the regulated community and Federal facilities covered by the rule, by reducing the amount of information collected, submitted and reviewed for hazardous waste permit actions (i.e., new permit applications, permit modifications, and permit renewals).

The standardized permit will streamline the permitting process by allowing facilities to obtain and modify permits more easily, while still achieving the same level of environmental protection as individual permits.

Additionally, facilities with regular hazardous waste permits can apply for a standardized permit for their storage and non-thermal treatment operations occurring in eligible units. Such facilities could then have an individual permit for some of their operations, and a standardized permit for their eligible units. For example, a hazardous waste incineration facility that conducts tank storage for wastes generated on site may apply for a standardized permit for the tank storage. However, the Director has the final decision on whether a facility will be allowed to operate with dual permits, based on facility-specific factors.

When are the changes effective in Ohio?

U.S. EPA neither considers this new permit more stringent or less stringent than the current hazardous waste rules. Therefore, an authorized state is not required to adopt these rules and the rules are not effective in an authorized state until the state adopts the rules.

Federal Register Link

<http://www.epa.gov/fedrgstr/EPA-WASTE/2005/September/Day-08/f16300.htm>

Federal Guidance Document

<http://www.epa.gov/epaoswer/hazwaste/permit/perm-final/perm-fact.htm>

<http://www.epa.gov/epaoswer/hazwaste/permit/std-perm.htm>