

Procedure and Criteria for Hazardous Waste Treatment, Storage or Disposal Permits



State of Oregon
Department of
Environmental
Quality

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Background

This fact sheet describes the procedures and criteria the Oregon Department of Environmental Quality (DEQ) uses to review applications and decide whether to approve or deny permits for hazardous waste Treatment, Storage, or Disposal (TSD) sites. This overview is designed to answer general questions and provide basic information. Detailed requirements of the Hazardous Waste Permitting process can be found in the appropriate State and Federal regulations.

Applicability

Federal Resource Conservation and Recovery Act (RCRA), Treatment Storage, and Disposal Facility (TSDF) Permits are complex and stringent. They are usually issued to facilities specializing in commercial hazardous waste management services. In Oregon, a facility must apply for a Hazardous Waste Permit if:

- A facility plans to store, treat, or dispose of hazardous wastes on-site.
- A facility storing, treating, or disposing waste cannot "clean close."
- A Small Quantity Generator (SQG) accumulates more than 13,200 pounds of hazardous waste on-site, or stores waste for more than 180 days.
- A Large Quantity Generator (LQG) stores waste on-site for more than 90 days.

Permits are issued under the authority of the Federal RCRA, CFR 40, Parts 124, 260-266, 268, and 270 and OAR 340-100 through OAR 340-108, and OAR 340-120.

Hazardous Waste Permit Fees

Application Processing and Annual Hazardous Waste Permit Fees vary depending upon the type of facility and volume of material handled. Your local DEQ office can provide you with detailed information about the fees that will be required for your facility.

The following describes an overview of the RCRA TSDF permit application process.

(Note that this process may vary, depending on the type of facility proposed.)

1. The applicant contacts the appropriate DEQ Regional Office for answers to questions, and to begin the application process.
2. The applicant completes the application, which is divided into Parts A and B. Part A requests general site data; Part B requires:
 - Detailed information about the proposed facility. Information requirements can be found in CFR 40 Part 270 as adopted by OAR 340-105.
 - A Land Use Compatibility Statement signed by the local land use authority.
 - Final engineering plans and specifications covering construction and operation of the site and related facilities.
 - Evidence of compliance with
 - State siting requirements. Siting criteria can be found in ORS 466.055 and ORS 466.060 as codified by OAR 340-120.
3. The applicant conducts a pre-application public meeting to explain the purpose of the facility and to hear citizen's concerns.
4. The applicant submits Parts A and B of the application, along with the required fees, at least 180 days before physical construction is expected to commence.
5. DEQ reviews the application for completeness and conducts a technical review and assesses charges. After reviewing the application, DEQ may request additional information. Once the application is acceptable, the Agency drafts a permit.
6. DEQ posts a 45-day public notice inviting the public to comment on the proposed permit. If the public shows significant interest, a hearing is held.
7. For disposal facilities, DEQ notifies other affected State agencies, including the Health Division, the Public Utility Commission, the State Fish and Wildlife Commission, and the Water Resources Department. If the Health Division opposes the permit, DEQ will deny the permit request.
8. For treatment and disposal facilities, the EQC decides whether to issue, deny, or modify the permit. For storage facilities, DEQ will make the decision to issue, deny, or modify the permit.

Processing Time

Due to the extreme technical nature of these facilities, average processing time is more than 180 days.

Criteria for Evaluating a Permit Application

DEQ uses the criteria in Oregon laws and administrative rules in determining whether to issue or deny a permit application for a disposal site. Criteria include location restrictions, engineering design and operating requirements, and closure and post-closure care requirements.

DEQ will review the application and accompanying documents described above to determine whether the criteria have been satisfied. Your local DEQ office can provide you with a copy of the statutes and rules that apply to your proposed facility.

Typical Permit Requirements

A RCRA permit is a document that establishes the waste management activities that a facility must conduct to assure the site is truly protective of human health and the environment. The permit outlines facility design and operation, lays out safety standards, and describes activities that the facility must comply with, such as monitoring and reporting.

Permits typically require facilities to develop emergency plans, obtain insurance and financial backing, and train employees to handle hazards.

Typical requirements imposed by a Permit include:

- Application for a DEQ Identification Number.
- An annual report covering the activities from the preceding calendar year, the most recent closure cost estimates, and monitoring data.
- Regular inspection of the facility. Sources must keep records of the inspections and immediately remedy any problems they find.
- Maintenance of operating records.
- Use of the Uniform Hazardous Waste Manifest System.
- Contingency plans and emergency procedures.
- Compliance training for facility personnel.
- Provision of adequate security.
- Closure and post-closure plans and financial assurance. Disposal sites must provide 30 years of post-closure monitoring and maintenance.
- Groundwater and other monitoring.

Additional Hazardous Waste information can be found at www.deq.state.or.us/wmc/hw/hw.htm

Alternative Formats

Alternative formats of this document can be made available. Contact DEQ Public Affairs for more information (503) 229-5696.