

APA-2
11/96

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
LAND DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME: DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

<u>RULE NO. & TITLE:</u>	335-14-8-.01	<u>General Information</u> (Amend)
	335-14-8-.02	<u>Permit Application-Treatment, Storage and Disposal Facilities</u> (Amend)
	335-14-8-.03	<u>Permit Conditions-Treatment, Storage and Disposal Facilities</u> (Amend)
	335-14-8-.04	<u>Changes to Permits-Treatment, Storage and Disposal Facilities</u> (Amend)
	335-14-8-.06	<u>Special Forms of Permits-Treatment, Storage and Disposal Facilities</u> (Amend)
	335-14-8-.08	<u>Procedures for Decisionmaking-Treatment, Storage and Disposal Facility Permits</u> (Amend)
	335-14-8-.09	<u>Permit Application-Transporters</u> (Amend)
	335-14-8-.10	<u>Permit Conditions-Transporters</u> (Amend)
	335-14-8-.15	<u>Integration with Maximum Achievable Control Technology (MACT) Standards</u> (Amend)


INTENDED ACTION: Revise Division 14 of the ADEM Administrative Code.

SUBSTANCE OR PROPOSED ACTION: Revise portions of Division 14 Regulations to incorporate changes to ensure consistency with State and Federal Statutes; to adopt certain State specific requirements; and to provide clarification of State requirements for the management of hazardous waste.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Comments may be submitted in writing or orally at a public hearing to be held Monday, December 5, 2011 at 10:00 a.m. in the Main Hearing Room at the ADEM Central Office located at 1400 Coliseum Boulevard, Montgomery, Alabama 36110.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Monday, December 5, 2011 at 5:00 p.m.

CONTACT PERSON AT AGENCY: James L. Bryant, Chief of the Environmental Services Branch, ADEM Land Division (334/271-7771)



Lance R. LeFleur
Director

335-14-8-.02 Permit Application - Treatment, Storage and Disposal Facilities.

(1) General application requirements.

(a) Permit application. Any person who is required to have a permit (including new applicants and permittees with expiring permits) shall complete, sign, and submit an application to the Department as described in 335-14-8-.02(1) and 335-14-8-.07(1) through (4). Persons currently authorized with interim status shall apply for permits when required by the Department. Procedures for applications, issuance and administration of emergency permits are found exclusively in 335-14-8-.06(1). Procedures for application, issuance and administration of research, development, and demonstration permits are found exclusively in 335-14-8-.06(4).

(b) Who applies? When a facility or activity is owned by one person but is operated by another person, it is the operator's duty to obtain a permit, except that the owner must also sign the permit application.

(c) Completeness. The Department shall not issue a permit before receiving a complete application for a permit except for emergency permits. An application for a permit is complete when the Department receives an application form and any supplemental information which are completed to its satisfaction. An application for a permit is complete notwithstanding the failure of the owner or operator to submit the exposure information described in 335-14-8-.02(1)(j). The Department may deny a permit for the active life of a hazardous waste management facility or unit before receiving a complete application for a permit.

(d) Information requirements. All permit applicants shall provide the information set forth in 335-14-8-.02(4) and the applicable provisions in 335-14-8-.02(5) through (19).

(e) Existing HWM facilities and interim status qualifications.

1. Owners and operators of existing hazardous waste management facilities or of hazardous waste management facilities in existence on the effective date of statutory or regulatory amendments under the AHWMMMA that render the facility subject to the requirement to have an AHWMMMA Permit must submit Part A of their permit application not later than:

(i) Six months after the date of publication of regulations which first require them to comply with the standards set forth in Chapters 335-14-5 or 335-14-6; or

(ii) Thirty days after the date they first become subject to the standards set forth in Chapters 335-14-5 or 335-14-6, whichever first occurs.

(iii) For generators generating greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month and treats, stores, or disposes of these wastes on-site, by March 24, 1987.

2. At any time the owner and operator of an existing HWM facility may be required to submit Part B of their permit application. Any owner or operator will be allowed 180 days from the date of request to submit Part B of the permit application. Any owner or operator of an existing HWM facility may submit Part B of the permit application at any time.

3. Failure to submit a complete Part B permit application within 180 days after a request from the Department is grounds for termination of the facility's Interim Status.

(f) New HWM facilities.

1. Except as provided in 335-14-8-.02(1)(f)3., no person shall begin physical construction of a new HWM facility without having submitted Part A and Part B of the permit application and having received a finally effective AHWMMMA permit.

2. An application for a permit for a new HWM facility may be filed any time after the promulgation of those standards in Chapter 335-14-5 applicable to such facility.

3. Notwithstanding 335-14-8-.02(1)(f)1., a person may construct a facility for the incineration of polychlorinated biphenyls pursuant to an approval issued by the EPA Regional Administrator Department under Section (6)(e) of the Toxic Substances Control Act and any person owning or operating such a facility may, at any time after construction or operation of such facility has begun, file an application for a AHWMMMA permit to incinerate hazardous waste authorizing such facility to incinerate waste identified or listed under Subtitle C of RCRA.

(g) Updating permit applications.

1. If any owner or operator of a HWM facility has filed Part A of a permit application and has not yet filed Part B, the owner or operator shall file an amended Part A application:

(i) No later than the effective date of changes to Chapter 335-14-2 listing or identifying additional wastes as hazardous if the facility is treating, storing, or disposing of the wastes newly listed or identified; or

(ii) As necessary to comply with 335-14-8-.07(3) for changes during interim status.

2. The owner or operator of a facility who fails to comply with the updating requirements of 335-14-8-.02(1)(g)1. does not receive an Interim Status Permit as to the wastes not covered by duly filed Part A applications.

(h) Reapplications. Any HWM facility with an effective permit shall submit a new application at least 180 days before the expiration date of the effective permit, unless permission for a later date has been granted by the Department; but in no case shall the Department grant permission for the

application to be submitted later than the expiration date of the existing permit.

(i) Recordkeeping. Applicants shall keep records of all data used to complete applications and any supplemental information submitted under 335-14-8-.02(1)(d) and 335-14-8-.02(4) through (12) for a period of at least 3 years from the date the application is signed.

(j) Exposure Information.

1. After August 8, 1985, any Part B permit application submitted by an owner or operator of a facility that stores, treats, or disposes of hazardous waste in a surface impoundment or a landfill must be accompanied by information, reasonably ascertainable by the owner or operator, on the potential for the public to be exposed to hazardous wastes or hazardous constituents through releases related to the unit. At a minimum, such information must address:

(i) Reasonably foreseeable potential releases from both normal operations and accidents at the unit, including releases associated with transportation to or from the unit;

(ii) The potential pathways of human exposure to hazardous wastes or constituents resulting from the releases described under 335-14-8-.02(1)(j)1.(i); and

(iii) The potential magnitude and nature of the human exposure resulting from such releases.

2. By August 8, 1985, owners and operators of a landfill or a surface impoundment who have already submitted a Part B application must submit the exposure information required in 335-14-8-.02(1)(j)1.

(k) The Department may require a permittee or an applicant to submit information in order to establish permit conditions under 335-14-8-.03(3)(b)2. and 335-14-8-.05(1)(d).

(2) Signatories to permit applications and reports.

(a) All permit applications shall be signed as follows:

1. For a corporation, the application shall be signed by a responsible corporate officer. For the purpose of 335-14-8-.02(2), a responsible corporate officer means:

(i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy making or decision making functions for the corporation; or

(ii) The manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. For a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively; or

3. For a municipality, State of Alabama, Federal, or other public agency, the application shall be signed by either a principal executive officer or ranking elected official. For purposes of 335-14-8-.02(2), a principal executive officer of a Federal Agency includes:

(i) The chief executive officer of the agency, or

(ii) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g. Regional Administrator of EPA).

(b) All reports required by permits and other information requested by the Department shall be signed by a person described in 335-14-8-.02(2)(a), or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described in 335-14-8-.02(2)(a);

2. The authorization specifies either an individual or a position having responsibility for overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and

3. The written authorization is submitted to the Department.

(c) If an authorization under 335-14-8-.02(2)(b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of 335-14-8-.02(2)(b) must be submitted to the Department prior to or together with any reports, information, or application to be signed by an authorized representative.

(d) 1. Any person signing a document under 335-14-8-.02(2)(a) or (b) must make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision according to 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, or those persons directly responsible for gathering the information, 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 fine and imprisonment for knowing violations."

2. [Reserved]

(3) Confidentiality of information.

(a) An applicant may claim information submitted as confidential if the information is protectable under Code of Alabama 1975, § 22-30-18, as amended. The term "trade secret" as used in § 22-30-18 is defined in Code of Alabama 1975, § 22-30-3(12).

(b) Claims of confidentiality for the name and address of any permit applicant or permittee will be denied.

(4) Contents of Part A of the permit application. Part A of the permit application shall include the following information:

(a) The activities conducted by the applicant which require it to obtain a hazardous waste facility permit.

(b) Name, mailing address, and location, including latitude and longitude of the facility for which the application is submitted.

(c) Up to four SIC codes which best reflect the principal products or services provided by the facility.

(d) The operator's name, address, telephone number, ownership status, and status as Federal, State of Alabama, private, public, or other entity.

(e) The name, address, and phone number of the owner of the facility.

(f) Whether the facility is located on Indian lands.

(g) An indication of whether the facility is new or existing and whether it is a first or revised application.

(h) For existing facilities:

1. A scale drawing of the facility showing the location of all past, present, and future treatment, storage, and disposal areas;

2. Photographs of the facility clearly delineating all existing structures; existing treatment, storage, and disposal areas; and sites of future treatment, storage, and disposal areas.

(i) A description of the processes to be used for treating, storing, and disposing of hazardous waste, and the design capacity of these items.

(j) A specification of the hazardous wastes listed or designated under Chapter 335-14-2 to be treated, stored, or disposed of at the facility, an estimate of the quantity of such wastes to be treated, stored, or disposed annually, and a general description of the processes to be used for such wastes.

(k) A listing of all permits or construction approvals received or applied for under any programs administered by the Department or any of the following programs:

1. Hazardous Waste Management program under RCRA.
2. UIC program under the SDWA.
3. NPDES program under the CWA.
4. Prevention of Significant Deterioration (PSD) program under the Clean Air Act.
5. Nonattainment program under the Clean Air Act.
6. National Emission Standards for Hazardous Pollutants (NESHAPS) preconstruction approval under the Clean Air Act.
7. Ocean dumping permits under the Marine Protection Research and Sanctuaries Act.
8. Dredge or fill permits under Section 404 of the CWA.
9. Other relevant environmental permits.

(l) A topographic map (or other map if a topographic map is unavailable) extending one mile beyond the property boundaries of the source, depicting the facility and each of its intake and discharge structures; each of its hazardous waste treatment, storage, or disposal facilities; each well where fluids from the facility are injected underground; and those wells, springs, other surface water bodies, and drinking water wells listed in public records or otherwise known to the applicant within $\frac{1}{4}$ mile of the facility property boundary.

(m) A brief description of the nature of the business.

(n) For hazardous debris, a description of the debris category(ies) and containment category(ies) to be treated, stored, or disposed of at the facility.

(5) Contents of Part B: General requirements.

(a) Part B of the permit application consists of the general information requirements of 335-14-8-.02(5), and the specific information requirements in 335-14-8-.02(5) through (19) applicable to the facility. The Part B information requirements presented in 335-14-8-.02(5) through (19)

reflect the standards promulgated in 335-14-5. These information requirements are necessary in order for the Department to determine compliance with the 335-14-5 standards. If owners and operators of HWM facilities can demonstrate that the information prescribed in Part B can not be provided to the extent required, the Department may make allowance for submission of such information on a case-by-case basis. Information required in Part B shall be submitted to the Department and signed in accordance with requirements in 335-14-8-.02(2). As discussed in 335-14-1-.01(1)(e), certain technical data, such as design drawings and specifications, engineering studies, geological interpretations, geological cross-sections, geological profiles, and survey plats involve the practice of engineering, land surveying, and/or geology and must be certified by a qualified Professional Engineer, a professional land surveyor, and/or a licensed professional geologist, as applicable. For post-closure permits, only the information specified in 335-14-8-.02 (19) is required in Part B of the permit application.

(b) General information requirements. The following information is required for all HWM facilities, except as 335-14-5-.01(1) provides otherwise:

1. A general description of the facility.
2. Chemical and physical analyses of the hazardous waste and hazardous debris to be handled at the facility. At a minimum, these analyses shall contain all the information which must be known to treat, store, or dispose of the wastes properly in accordance with Chapter 335-14-5.
3. A copy of the waste analysis plan required by 335-14-5-.02(4)(b) and, if applicable, 335-14-5-.02(4)(c).
4. A description of the security procedures and equipment required by 335-14-5-.02(5), or a justification demonstrating the reasons for requesting a waiver of this requirement.
5. A copy of the general inspection schedule required by 335-14-5-.02(6)(b). Include where applicable, as part of the inspection schedule, specific requirements in 335-14-5-.09(5), 335-14-5-.10(4)(i), 335-14-5-.10(6), 335-14-5-.11(7), 335-14-5-.12(5), 335-14-5-.13(4), 335-14-5-.14(4), 335-14-5-.15(8), 335-14-5-.19(1) and -.19(2), 335-14-5-.23(4), 335-14-5-.24(3), 335-14-5-.27(4), 335-14-5-.28(3), 335-14-5-.28(4), 335-14-5-.28(9), 335-14-5-.29(5), 335-14-5-.29(6), 335-14-5-.29(7), 335-14-5-.29(9), 335-14-5-.30(2), and 335-14-7-.08(3) [40 CFR 266.102(e)(8)].
6. A justification of any request for a waiver(s) of the preparedness and prevention requirements of rule 335-14-5-.03.
7. A copy of the contingency plan required by rule 335-14-5-.04.

[Note: Include, where applicable, as part of the contingency plan, specific requirements in 335-14-5-.11(8), ~~and~~ 335-14-5-.12(6), and 335-14-5-.10(11).]

8. A description of procedures, structures, or equipment used at the facility to:

(i) Prevent hazards in unloading operations (for example, ramps, special forklifts);

(ii) Prevent run-off from hazardous waste handling areas to other areas of the facility or environment, or to prevent flooding (for example, berms, dikes, trenches);

(iii) Prevent contamination of water supplies;

(iv) Mitigate effects of equipment failure and power outages;

(v) Prevent undue exposure of personnel to hazardous waste (for example, protective clothing); and

(vi) Prevent releases to atmosphere.

9. A description of precautions to prevent accidental ignition or reaction of ignitable, reactive or incompatible wastes as required to demonstrate compliance with 335-14-5-.02(8), including documentation demonstrating compliance with 335-14-5-.02(8)(c).

10. Traffic pattern, estimated volume (number, types of vehicles) and control (for example, show turns across traffic lanes, and stacking lanes (if appropriate); describe access road surfacing and load bearing capacity; show traffic control signals).

11. Facility location information:

(i) The owner or operator of a new facility must identify the political jurisdiction (e.g., county, township, or election district) in which the facility is proposed to be located.

(ii) [Reserved]

(iii) Owners and operators of all facilities shall provide an identification of whether the facility is located within a 100-year floodplain. This identification must indicate the source of data for such determination and include a copy of the relevant Federal Insurance Administration (FIA) flood map, if used, or the calculations and maps used where an FIA map is not available. Information shall also be provided identifying the 100-year flood level and any other special flooding factors (e.g., wave action) which must be considered in designing, constructing, operating, or maintaining the facility to withstand washout from a 100-year flood.

(iv) Owners and operators of facilities located in the 100-year floodplain must provide the following information:

(l) Engineering analysis to indicate the various hydrodynamic and hydrostatic forces expected to result at the site as consequence of a 100-year flood.

(II) Structural or other engineering studies showing the design of operational units (e.g., tanks, incinerators) and flood protection devices (e.g., floodwalls, dikes) at the facility and how these will prevent washout.

(III) If applicable, and in lieu of 335-14-8-.02(5)(b)11.(iv)(I) and (b)11.(iv)(II), a detailed description of procedures to be followed to remove hazardous waste to safety before the facility is flooded, including:

I. Timing of such movement relative to flood levels, including estimated time to move the waste, to show that such movement can be completed before floodwaters reach the facility.

II. A description of the location(s) to which the waste will be moved and demonstration that those facilities will be eligible to receive hazardous waste in accordance with the regulations under Chapters 335-14-5 through 335-14-8.

III. The planned procedures, equipment, and personnel to be used and the means to ensure that such resources will be available in time for use.

IV. The potential for accidental discharges of the waste during movement.

(v) Existing facilities NOT in compliance with 335-14-5-.02(9)(b) shall provide a plan showing how the facility will be brought into compliance and a schedule for compliance.

12. An outline of both the introductory and continuing training programs by owners or operators to prepare persons to operate or maintain the HWM facility in a safe manner as required to demonstrate compliance with 335-14-5-.02(7). A brief description of how training will be designed to meet actual job tasks in accordance with requirements in 335-14-5-.02(7)(a)3.

13. A copy of the closure plan and, where applicable, the post-closure plan required by 335-14-5-.07(3), 335-14-5-.07(9), and 335-14-5-.10(8). Include, where applicable, as part of the plans, specific requirements in 335-14-5-.09(9), 335-14-5-.10(8), 335-14-5-.11(9), 335-14-5-.12(9), 335-14-5-.13(11), 335-14-5-.14(11), 335-14-5-.15(12), 335-14-5-.19(1) and (2), 335-14-5-.23(6), 335-14-5-.24(2), 335-14-5-.24(4), 335-14-5-.30(3), and 335-14-7-.08(3) [40 CFR 266.102(e)(11)].

14. For hazardous waste disposal units that have been closed, documentation that notices required under 335-14-5-.07(10) have been filed.

15. The most recent closure cost estimate for the facility prepared in accordance with 335-14-5-.08(3) and a copy of the documentation required to demonstrate financial assurance under 335-14-5-.08(4). For a new facility, a copy of the required documentation may be submitted 60 days prior to the initial receipt of hazardous wastes, if that is later than the submission of the Part B.

16. Where applicable, the most recent post-closure cost estimate for the facility prepared in accordance with 335-14-5-.08(5) plus a copy of the documentation required to demonstrate financial assurance under 335-14-5-.08(6). For a new facility, a copy of the required documentation may be submitted 60 days prior to the initial receipt of hazardous wastes, if that is later than the submission of the Part B.

17. Where applicable, a copy of the insurance policy or other documentation which comprises compliance with the requirements of 335-14-5-.08(8). For a new facility, documentation showing the amount of insurance meeting the specification of 335-14-5-.08(8)(a) and, if applicable, 335-14-5-.08(8)(b), that the owner or operator plans to have in effect before initial receipt of hazardous waste for treatment, storage, or disposal. A request for a variance in the amount of required coverage, for a new or existing facility, may be submitted as specified in 335-14-5-.08(8)(c).

18. [Reserved]

19. A topographic map showing a distance of 1000 feet around the facility at a scale of 2.5 centimeters (1 inch) equal to not more than 61.0 meters (200 feet). Contours must be shown on the map. The contour interval must be sufficient to clearly show the pattern of surface water flow in the vicinity of and from each operational unit of the facility. For example, contours with an interval of 1.5 meters (5 feet), if relief is greater than 6.1 meters (20 feet), or an interval of 0.6 meters (2 feet), if relief is less than 6.1 meters (20 feet). Owners and operators of HWM facilities located in mountainous areas should use large contour intervals to adequately show topographic profiles of facilities. The map shall clearly show the following:

- (i) Map scale and date;
- (ii) 100 year floodplain area;
- (iii) Surface waters including intermittent streams;
- (iv) Surrounding land uses (residential, commercial, agricultural, recreational);
- (v) A wind rose (i.e., prevailing windspeed and direction);
- (vi) Orientation of the map (north arrow);
- (vii) Legal boundaries of the HWM facility site;
- (viii) Access control (fences, gates);
- (ix) injection and withdrawal wells both on-site and off-site;
- (x) Buildings; treatment, storage or disposal operations; or other structure (recreation areas, run-off control systems, access and internal roads,

storm, sanitary, and process sewerage systems, loading and unloading areas, fire control facilities, etc.);

(xi) Barriers for drainage or flood control; and

(xii) Location of operational units within the HWM facility site, where hazardous waste is (or will be) treated, stored, or disposed (include equipment cleanup areas).

(xiii) Location of all SWMUs and AOCs.

20. Applicants may be required to submit such information as may be necessary to enable the Department to carry out its duties under other laws as required in 335-14-8-.01(3).

21. For land disposal facilities; if a case-by-case extension has been approved under 335-14-9-.01(5) or a petition has been approved under 335-14-9-.01(6), a copy of the notice of approval for the extension or petition is required.

22. A summary of the pre-application meeting, along with a list of attendees and their addresses, and copies of any written comments or materials submitted at the meeting, as required under rule 335-14-8-.08(1)(a)3.

(c) Additional information requirements. The following additional information regarding protection of groundwater is required from owners or operators of hazardous waste facilities containing a regulated unit except as provided in 335-14-5-.06(1)(b):

1. A summary of the groundwater monitoring data obtained during the interim status period under 335-14-6-.06(1) through (5) where applicable, or the previous permit period if the application is for permit renewal;

2. Identification of the uppermost aquifer and aquifers hydraulically interconnected beneath the facility property, including groundwater flow direction and rate, and the basis for such identification (i.e., the information obtained from hydrogeologic investigations of the facility area);

3. On the topographic map required under 335-14-8-.02(5)(b)19., a delineation of the waste management area, the property boundary, the proposed "point of compliance" as defined under 335-14-5-.06(6), the proposed location of groundwater monitoring wells as required under 335-14-5-.06(8), and, to the extent possible, the information required in 335-14-8-.02(5)(c)2.;

4. A description of any plume of contamination that has entered the groundwater from a regulated unit at the time that the application was submitted that:

(i) Delineates the extent of the plume on the topographic map required under 335-14-8-.02(5)(b)19.;

(ii) Identifies the concentration of each Chapter 335-14-5-Appendix IX constituent throughout the plume or identifies the maximum concentrations of each Chapter 335-14-5-Appendix IX constituent in the plume;

5. Detailed plans and an engineering report describing the proposed groundwater monitoring program to be implemented to meet the requirements of 335-14-5-.06(8);

6. If the presence of hazardous constituents has not been detected in the groundwater at the time of permit application, the owner or operator must submit sufficient information, supporting data and analyses to establish a detection monitoring program which meets the requirements of 335-14-5-.06(9). This submission must address the following items specified under 335-14-5-.06(9):

(i) A proposed list of indicator parameters, waste constituents, or reaction products that can provide a reliable indication of the presence of hazardous constituents in the groundwater;

(ii) A proposed groundwater monitoring system;

(iii) Background values for each proposed monitoring parameter or constituent, or procedures to calculate such values; and

(iv) A description of proposed sampling, analysis and statistical comparison procedures to be utilized in evaluating groundwater monitoring data;

7. If the presence of hazardous constituents has been detected in the groundwater at the point of compliance at the time of permit application, the owner or operator must submit sufficient information, supporting data, and analyses to establish a compliance monitoring program which meets the requirements of 335-14-5-.06(10). Except as provided in 335-14-5-.06(9)(g)5., the owner or operator must also submit an engineering feasibility plan for a corrective action program necessary to meet the requirements of 335-14-5-.06(11), unless the owner or operator obtains written authorization in advance from the Department to submit a proposed permit schedule for submittal of such a plan. To demonstrate compliance with 335-14-5-.06(10), the owner or operator must address the following items:

(i) A description of the wastes previously handled at the facility;

(ii) A characterization of the contaminated groundwater, including concentrations of hazardous constituents;

(iii) A list of hazardous constituents for which compliance monitoring will be undertaken in accordance with 335-14-5-.06(8) and (10);

(iv) Proposed concentration limits for each hazardous constituent, based on the criteria set forth in 335-14-5-.06(5)(a), including a justification for establishing any alternate concentration limits;

(v) Detailed plans and an engineering report describing the proposed groundwater monitoring system, in accordance with the requirements of 335-14-5-.06(8); and

(vi) A description of proposed sampling, analysis and statistical comparison procedures to be utilized in evaluating groundwater monitoring data; and

8. If hazardous constituents have been measured in the groundwater which exceed the concentration limits established under 335-7-2-.03(1), 335-7-2-.04(1), or Table 1 of 335-14-5-.06(5), or if groundwater monitoring conducted at the time of permit application under 335-14-6-.06(1) through (5) at the waste boundary indicates the presence of hazardous constituents from the facility in groundwater over background concentrations, the owner or operator must submit sufficient information, supporting data, and analyses to establish a corrective action program which meets the requirements of 335-14-5-.06(11). However, an owner or operator is not required to submit information to establish a corrective action program if he demonstrates to the Department that alternate concentration limits will protect human health and the environment after considering the criteria listed in 335-14-5-.06(5)(b). An owner or operator who is not required to establish a corrective action program for this reason must instead submit sufficient information to establish a compliance monitoring program which meets the requirements of 335-14-5-.06(10) and 335-14-8-.02(5)(c)6. To demonstrate compliance with 335-14-5-.06(11), the owner or operator must address, at a minimum, the following items:

(i) A characterization of the contaminated groundwater, including concentrations of hazardous constituents;

(ii) The concentration limit for each hazardous constituent found in the groundwater as set forth in 335-14-5-.06(5);

(iii) Detailed plans and an engineering report describing the corrective action to be taken; and

(iv) A description of how the groundwater monitoring program will demonstrate the adequacy of the corrective action.

(v) The permit may contain a schedule for submittal of the information required in 335-14-8-.02(5)(c)8.(iii) and (iv) provided the owner or operator obtains written authorization from the Department prior to submittal of the complete permit application.

(d) Information requirements for solid waste management units.

1. The following information is required for each solid waste management unit at a facility seeking a permit:

(i) The location of the unit on the topographic map required under 335-14-8-.02(5)(b)19.

(ii) Designation of type of unit.

(iii) General dimensions and structural description (supply any available drawings).

(iv) When the unit was operated.

(v) Specification of all wastes that have been managed at the unit, to the extent available.

2. The owner or operator of any facility containing one or more solid waste management units must submit all available information pertaining to any release of hazardous wastes or hazardous constituents from such unit or units.

3. The owner/operator must conduct and provide the results of sampling and analysis of groundwater, land surface, and subsurface strata, surface water, or air which may include the installation of wells, where the Department ascertains it is necessary to complete a RCRA Facility Assessment that will determine if a more complete investigation is necessary.

4. The owner or operator must provide documentation of compliance with the requirements of the Uniform Environmental Covenants Program in ADEM Admin. Code div. 335-5 for all solid waste management units and areas of concern (including regulated units) for which remediation does not achieve the standard of unrestricted use.

(6) Specific Part B information requirements for containers. Except as otherwise provided in 335-14-5-.09(1), owners or operators of facilities that store containers of hazardous waste must provide the following additional information:

(a) A description of the containment system to demonstrate compliance with 335-14-5-.09(6). Show at least the following:

1. Basic design parameters, dimensions, and materials of construction;

2. How the design promotes drainage or how containers are kept from contact with standing liquids in the containment system;

3. Capacity of the containment system relative to the number and volume of containers to be stored;

4. Provisions for preventing or managing run-on; and

5. How accumulated liquids can be analyzed and removed to prevent overflow.

(b) For storage areas that store containers holding wastes that do not contain free liquids, a demonstration of compliance with 335-14-5-.09(6)(c), including:

1. Test procedures and results or other documentation or information to show that the wastes do not contain free liquids; and

2. A description of how the storage area is designed or operated to drain and remove liquids or how containers are kept from contact with standing liquids.

(c) Sketches, drawings, or data demonstrating compliance with 335-14-5-.09(7) (location of buffer zone and containers holding ignitable or reactive wastes) and 335-14-5-.09(8)(c) (location of incompatible wastes), where applicable.

(d) Where incompatible wastes are stored or otherwise managed in containers, a description of the procedures used to ensure compliance with 335-14-5-.09(8)(a) and (b) and 335-14-5-.02(8)(b) and (c).

(e) Information on air emission control equipment as required in 335-14-8-.02(18).

(7) Specific Part B information requirements for tank systems. Except as otherwise provided in 335-14-5-.10(1), owners and operators of facilities that use tanks to store or treat hazardous waste must provide the following additional information:

(a) A written assessment that is reviewed and certified by a qualified Professional Engineer as to the structural integrity and suitability for handling hazardous waste of each tank system, as required under 335-14-5-.10(2) and 335-14-5-.10(3);

(b) Dimensions and capacity of each tank;

(c) Description of feed systems, safety cutoff, bypass systems, and pressure controls (e.g., vents);

(d) A diagram of piping, instrumentation, and process flow for each tank system;

(e) A description of materials and equipment used to provide external corrosion protection, as required under 335-14-5-.10(3)(a)3.(ii);

(f) For new tank systems, a detailed description of how the tank system(s) will be installed in compliance with 335-14-5-.10(3)(b), (c), (d), and (e);

(g) Detailed plans and description of how the secondary containment system for each tank system is or will be designed, constructed, and operated to meet the requirements of 335-14-5-.10(4)(a), (b), (c), (d), (e), and (f);

(h) For tank systems for which a variance from the requirements of 335-14-5-.10(4) is sought (as provided by 335-14-5-.10(4)(g)):

1. Detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any hazardous waste or hazardous constituents into the groundwater or surface water during the life of the facility, or

2. A detailed assessment of the substantial present or potential hazards posed to human health or the environment should a release enter the environment.

(i) Description of controls and practices to prevent spills and overflows, as required under 335-14-5-.10(5)(b).

(j) For tank systems in which ignitable, reactive, or incompatible wastes are to be stored or treated, a description of how operating procedures and tank system and facility design will achieve compliance with the requirements of 335-14-5-.10(9) and 335-14-5-.10(10); and

(k) Information on air emission control equipment as required in 335-14-8-.02(18).

(8) Specific Part B information requirements for surface impoundments. Except as otherwise provided in 335-14-5-.01(1), owners and operators of facilities that store, treat or dispose of hazardous waste in surface impoundments must provide the following additional information:

(a) A list of the hazardous wastes placed or to be placed in each surface impoundment;

(b) Detailed plans and an engineering report describing how the surface impoundment is designed and is or will be constructed, operated, and maintained to meet the requirements of 335-14-5-.02(10), 335-14-5-.11(2), 335-14-5-.11(3), and 335-14-5-.11(4), addressing the following items;

1. The liner system (except for an existing portion of a surface impoundment). If an exemption from the requirement for a liner is sought as provided by 335-14-5-.11(2)(b), submit detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any hazardous constituents into the groundwater or surface water at any future time;

2. The double liner and leak (leachate) detection, collection, and removal system, if the surface impoundment must meet the requirements of

335-14-5-.11(2)(c). If an exemption from the requirements for double liners and a leak detection, collection, and removal system or alternative design is sought as provided by 335-14-5-.11(2)(d), (e), or (f), submit appropriate information;

3. If the leak detection system is located in a saturated zone, submit detailed plans and an engineering report explaining the leak detection system design and operation, and the location of the saturated zone in relation to the leak detection system;

4. The construction quality assurance (CQA) plan if required under 335-14-5-.02(10);

5. Proposed action leakage rate, with rationale, if required under 335-14-5-.11(3), and response action plan, if required under 335-14-5-.11(4);

6. Prevention of overtopping; and

7. Structural integrity of dikes.

(c) A description of how each surface impoundment, including the double liner system, leak detection system, cover system, and appurtenances for control of overtopping, will be inspected in order to meet the requirements of 335-14-5-.11(7)(a), (b), and (d). This information must be included in the inspection plan submitted under 335-14-8-.02(8)(b)5.;

(d) A certification by a qualified Engineer which attests to the structural integrity of each dike, as required under 335-14-5-.11(7)(c). For new units, the owner or operator must submit a statement by a qualified engineer that he will provide such a certification upon completion of construction in accordance with the plans and specifications;

(e) A description of the procedures to be used for removing a surface impoundment from service, as required under 335-14-5-.11(8)(b) and (c). This information should be included in the contingency plan submitted under 335-14-8-.02(5)(b)7.;

(f) A description of how hazardous waste residues and contaminated materials will be removed from the unit at closure, as required under 335-14-5-.11(9)(a)1. For any wastes not to be removed from the unit upon closure, the owner or operator must submit detailed plans and an engineering report describing how 335-14-5-.11(9)(a)2. and (9)(b) will be complied with. This information should be included in the closure plan and, where applicable, the post-closure plan submitted under 335-14-8-.02(5)(b)13.;

(g) If ignitable or reactive wastes are to be placed in a surface impoundment, an explanation of how 335-14-5-.11(10) will be complied with;

(h) If incompatible wastes, or incompatible wastes and materials will be placed in a surface impoundment, an explanation of how 335-14-5-.11(11) will be complied with;

(i) A waste management plan for EPA Hazardous Waste Nos. F020, F021, F022, F023, F026 and F027 describing how the surface impoundment is or will be designed, constructed, operated and maintained to meet the requirements of 335-14-5-.11(12). This submission must address the following items as specified in 335-14-5-.11(12):

1. The volume, physical and chemical characteristics of the wastes, including their potential to migrate through soil or to volatilize or escape into the atmosphere;

2. The attenuative properties of underlying and surrounding soils or other materials;

3. The mobilizing properties of other materials co-disposed with these wastes; and

4. The effectiveness of additional treatment, design, or monitoring techniques.

(j) Information on air emission control equipment as required in 335-14-8-.02(18).

(9) Specific Part B information requirements for waste piles. Except as otherwise provided in 335-14-5-.01(1), owners and operators of facilities that store or treat hazardous waste in waste piles must provide the following information:

(a) A list of hazardous wastes placed or to be placed in each waste pile;

(b) If an exemption is sought to 335-14-5-.12(2) and rule 335-14-5-.06 as provided by 335-14-5-.12(1)(c) or 335-14-5-.06(1)(b)2., an explanation of how the standards of 335-14-5-.12(1)(c) will be complied with or detailed plans and an engineering report describing how the requirements of 335-14-5-.06(1)(b)2. will be met;

(c) Detailed plans and an engineering report describing how the waste pile is designed and is or will be constructed, operated, and maintained to meet the requirements of 335-14-5-.02(10), 335-14-5-.12(2), 335-14-5-.12(3), and 335-14-5-.12(4), addressing the following items:

1. (i) The liner system (except for an existing portion of a waste pile), if the waste pile must meet the requirements of 335-14-5-.12(2)(a). If an exemption from the requirement for a liner is sought as provided by 335-14-5-.12(2)(b), submit detailed plans, and engineering and hydrogeological reports, as appropriate, describing alternate designs and operating practices that will, in conjunction with location aspects, prevent the migration of any hazardous constituents into the groundwater or surface water at any future time;

(ii) The double liner and leak (leachate) detection, collection, and removal system, if the waste pile must meet the requirements of 335-14-5-.12(2)(c). If an exemption from the requirements for double liners and a leak detection, collection, and removal system or alternative design is sought as provided by 335-14-5-.12(2)(d), (e), or (f), submit appropriate information;

(iii) If the leak detection system is located in a saturated zone, submit detailed plans and an engineering report explaining the leak detection system design and operation, and the location of the saturated zone in relation to the leak detection system;

(iv) The construction quality assurance (CQA) plan if required under 335-14-5-.02(10);

(v) Proposed action leakage rate, with rationale, if required under 335-14-5-.12(3), and response action plan, if required under 335-14-5-.12(4);

2. Control of run-on;

3. Control of run-off;

4. Management of collection and holding units associated with run-on and run-off control systems; and

5. Control of wind dispersal of particulate matter, where applicable;

(d) A description of how each waste pile, including the double liner system, leachate collection and removal system, leak detection system, cover system, and appurtenances for control of run-on and run-off, will be inspected in order to meet the requirements of 335-14-5-.12-(5)(a), (b), and (c). This information must be included in the inspection plan submitted under 335-14-8-.02(5)(b)5.;

(e) If treatment is carried out on or in the pile, details of the process and equipment used, and the nature and quality of the residuals;

(f) If ignitable or reactive wastes are to be placed in a waste pile, an explanation of how the requirements of 335-14-5-.12(7) will be complied with;

(g) If incompatible wastes, or incompatible wastes and materials will be placed in a waste pile, an explanation of how 335-14-5-.12(8) will be complied with;

(h) A description of how hazardous waste residues and contaminated materials will be removed from the waste pile at closure, as required under 335-14-5-.12(9)(a). For any waste not to be removed from the waste pile upon closure, the owner or operator must submit detailed plans and an engineering report describing how 335-14-5-.14(11)(a) and (b) will be complied with. This information should be included in the closure plan and, where applicable, the post-closure plan submitted under 335-14-8-.02(5)(b)13.; and

(i) A waste management plan for EPA Hazardous Waste Nos. F020, F021, F022, F023, F026 and F027 describing how a waste pile that is not enclosed (as defined in 335-14-5-.12(1)(c)) is or will be designed, constructed, operated and maintained to meet the requirements of 335-14-5-.12(10). This submission must address the following items as specified in 335-14-5-.12(10):

1. The volume, physical, and chemical characteristics of the wastes to be disposed in the waste pile, including their potential to migrate through soil or to volatilize or escape into the atmosphere;

2. The attenuative properties of underlying and surrounding soils or other materials;

3. The mobilizing properties of other materials co-disposed with these wastes; and

4. The effectiveness of additional treatment, design or monitoring techniques.

(10) Specific Part B information requirements for incinerators. Except as 335-14-5-.15(1) and 335-14-8-.02(10)(e) provide otherwise, owners and operators of facilities that incinerate hazardous waste must fulfill the requirements of 335-14-8-.02(10)(a), (b), or (c).

(a) When seeking an exemption under 335-14-5-.15(1)(b) or (c) (Ignitable, corrosive, or reactive wastes only):

1. Documentation that the waste is listed as a hazardous waste in rule 335-14-2-.04, solely because it is ignitable (Hazard Code I) or corrosive (Hazard Code C) or both; or

2. Documentation that the waste is listed as a hazardous waste in rule 335-14-2-.04, solely because it is reactive (Hazard Code R) for characteristics other than those listed in 335-14-2-.03(4)(a)4. and (4)(a)5., and will not be burned when other hazardous wastes are present in the combustion zone; or

3. Documentation that the waste is a hazardous waste solely because it possesses the characteristic of ignitability, corrosivity or both, as determined by the tests for characteristics of hazardous waste under rule 335-14-2-.03; or

4. Documentation that the waste is a hazardous waste solely because it possesses the reactivity characteristics listed in 335-14-2-.03(4)(a)1., 2., 3., 6., 7., or 8., and that it will not be burned when other hazardous wastes are present in the combustion zone; or

(b) Submit a trial burn plan or the results of a trial burn, including all required determinations, in accordance with 335-14-8-.06(2);

(c) In lieu of a trial burn, the applicant may submit the following information:

1. An analysis of each waste or mixture of wastes to be burned including:

(i) Heat value of the waste in the form and composition in which it will be burned;

(ii) Viscosity (if applicable), or description of physical form of the waste;

(iii) An identification of any hazardous organic constituents listed in 335-14-2-Appendix VIII, which are present in the waste to be burned, except that the applicant need not analyze for constituents listed in 335-14-2-Appendix VIII which would reasonably not be expected to be found in the waste. The constituents excluded from analysis must be identified and the basis for their exclusion stated. The waste analysis must rely on appropriate analytical techniques.

(iv) An approximate quantification of the hazardous constituents identified in the waste, within the precision produced by appropriate analytical methods; and

(v) A quantification of those hazardous constituents in the waste which may be designated as POHCs based on data submitted from other trial or operational burns which demonstrate compliance with the performance standards in 335-14-5-.15(4);

2. A detailed engineering description of the incinerator, including:

(i) Manufacturer's name and model number of incinerator;

(ii) Type of incinerator;

(iii) Linear dimension of incinerator unit including cross sectional area of combustion chamber;

(iv) Description of auxiliary fuel system (type/feed);

(v) Capacity of prime mover;

(vi) Description of automatic waste feed cutoff system(s);

(vii) Stack gas monitoring and pollution control monitoring system;

(viii) Nozzle and burner design;

(ix) Construction materials; and

(x) Location and description of temperature, pressure, and flow indicating devices and control devices;

3. A description and analysis of the waste to be burned compared with the waste for which data from operational or trial burns are provided to support the contention that a trial burn is not needed. The data should include those items listed in 335-14-8-.02(10)(c)1. This analysis should specify the POHCs which the applicant has identified in the waste for which a permit is sought, and any differences from the POHCs in the waste for which burn data are provided;

4. The design and operating conditions of the incinerator unit to be used, compared with that for which comparative burn data are available;

5. A description of the results submitted from any previously conducted trial burn(s) including:

(i) Sampling and analysis techniques used to calculate performance standards in 335-14-5-.15(4); and

(ii) Methods and results of monitoring temperatures, waste feed rates, carbon monoxide, and an appropriate indicator of combustion gas velocity (including a statement concerning the precision and accuracy of this measurement);

6. The expected incinerator operation information to demonstrate compliance with 335-14-5-.15(4) and (6) including:

(i) Expected carbon monoxide (CO) level in the stack exhaust gas;

(ii) Waste feed rate;

(iii) Combustion zone temperature;

(iv) Indication of combustion gas velocity;

(v) Expected stack gas volume, flow rate, and temperature;

(vi) Computed residence time for waste in the combustion zone;

(vii) Expected hydrochloric acid removal efficiency;

(viii) Expected fugitive emissions and their control procedures; and

(ix) Proposed waste feed cut-off limits based on the identified significant operating parameters.

7. Such supplemental information as the Department finds necessary to achieve the purposes of 335-14-8-.02(10)(c);

8. Waste analysis data, including that submitted in 335-14-8-.02(10)(c)1., sufficient to allow the Department to specify as permit Principal Organic Hazardous Constituents (permit POHCs) those constituents for which destruction and removal efficiencies will be required.

(d) The Department may approve a permit application without a trial burn if it finds that:

1. The wastes are sufficiently similar; and
2. The incinerator units are sufficiently similar, and the data from other trial burns are adequate to specify (under 335-14-5-.15(6)) operating conditions that will ensure that the performance standards in 335-14-5-.15(4) will be met by the incinerator.

(e) When an owner or operator demonstrates compliance with the air emission standards and limitations in 335-3-11-.06(56) [i.e., by conducting a comprehensive performance test and submitting a Notification of Compliance], the requirements of 335-14-8-.02 do not apply, except those provisions the Department determines are necessary to ensure compliance with 335-14-5-.15(6)(a) and (6)(c) if the owner or operator elects to comply with 335-14-8-.15(1)(a)1.(i) to minimize emissions of toxic compounds from startup, shutdown, and malfunction events. Nevertheless, the Department may apply the provisions of 335-14-8-.02, on a case-by-case basis, for purposes of information collection in accordance with 335-14-8-.02(10)(k) and 335-14-8-.03(3)(b)2.

(11) Specific Part B information requirements for land treatment facilities. Except as otherwise provided in 335-14-5-.02~~1~~(1), owners and operators of facilities that use land treatment to dispose of hazardous waste must provide the following additional information:

(a) A description of plans to conduct a treatment demonstration as required under 335-14-5-.13(3). The description must include the following information:

1. The wastes for which the demonstration will be made and the potential hazardous constituents in the waste;
2. The data sources to be used to make the demonstration (e.g., literature, laboratory data, field data, or operating data);
3. Any specific laboratory or field test that will be conducted, including:
 - (i) The type of test (e.g., column leaching, degradation);
 - (ii) Materials and methods, including analytical procedures;
 - (iii) Expected time for completion;

(iv) Characteristics of the unit that will be simulated in the demonstration, including treatment zone characteristics, climatic conditions, and operating practices;

(b) A description of a land treatment program, as required under 335-14-5-.13(2). This information must be submitted with the plans for the treatment demonstration, and updated following the treatment demonstration. The land treatment program must address the following items:

1. The wastes to be land treated;

2. Design measures and operating practices necessary to maximize treatment in accordance with 335-14-5-.13(4)(a) including:

- (i) Waste application method and rate;
- (ii) Measures to control soil pH;
- (iii) Enhancement of microbial or chemical reactions;
- (iv) Control of moisture content;

3. Provisions for unsaturated zone monitoring, including:

- (i) Sampling equipment, procedures, and frequency;
- (ii) Procedures for selecting sampling locations;
- (iii) Analytical procedures;
- (iv) Chain of custody control;
- (v) Procedures for establishing background values;
- (vi) Statistical methods for interpreting results;

(vii) The justification for any hazardous constituents recommended for selection as principal hazardous constituents, in accordance with the criteria for such selection in 335-14-5-.13(9)(a);

4. A list of hazardous constituents reasonably expected to be in, or derived from the wastes to be land treated based on waste analysis performed pursuant to 335-14-5-.02(4);

5. The proposed dimensions of the treatment zone;

(c) A description of how the unit is or will be designed, constructed, operated, and maintained in order to meet the requirements of 335-14-5-.13(4). This submission must address the following items:

1. Control of run-on;

2. Collection and control of run-off;
3. Minimization of run-off of hazardous constituents from the treatment zone;
4. Management of collection and holding facilities associated with run-on and run-off control systems;
5. Periodic inspection of the unit. This information should be included in the inspection plan submitted under 335-14-8-.02(5)(b)5.;
6. Control of wind dispersal of particulate matter, if applicable;
 - (d) If food-chain crops are to be grown in or on the treatment zone of the land treatment unit, a description of how the demonstration required under 335-14-5-.13(7)(a) will be conducted including:
 1. Characteristics of the food-chain crop for which the demonstration will be made;
 2. Characteristics of the waste, treatment zone, and waste application method and rate to be used in the demonstration;
 3. Procedures for crop growth, sample collection, sample analysis, and data evaluation;
 4. Characteristics of the comparison crop including the location and conditions under which it was or will be grown;
 - (e) If food-chain crops are to be grown, and cadmium is present in the land-treated waste, a description of how the requirements of 335-14-5-.13(7)(b) will be complied with;
 - (f) A description of the vegetative cover to be applied to closed portions of the facility, and a plan for maintaining such cover during the post-closure care period, as required under 335-14-5-.13(11)(a)8. and (c)2. This information should be included in the closure plan and, where applicable, the post-closure care plan submitted under 335-14-8-.02(5)(b)13.;
 - (g) If ignitable or reactive wastes will be placed in or on the treatment zone, an explanation of how the requirements of 335-14-5-.13(12) will be complied with;
 - (h) If incompatible wastes, or incompatible wastes and materials, will be placed in or on the same treatment zone, an explanation of how 335-14-5-.13(13) will be complied with; and
 - (i) A waste management plan for EPA Hazardous Waste Nos. F020, F021, F022, F023, F026, and F027 describing how a land treatment facility is or will be designed, constructed, operated, and maintained to meet the

requirements of 335-14-5-.13(14). This submission must address the following items as specified in 335-14-5-.13(14):

1. The volume, physical, and chemical characteristics of the wastes including their potential to migrate through soil or to volatilize or escape into the atmosphere;

2. The attenuative properties of underlying and surrounding soils or other materials;

3. The mobilizing properties of other materials co-disposed with these wastes; and

4. The effectiveness of additional treatment, design or monitoring techniques.

(12) Specific Part B information requirements for landfills. Except as otherwise provided in 335-14-5-.01(1), owners and operators of facilities that dispose of hazardous waste in landfills must provide the following information:

(a) A list of the hazardous wastes placed or to be placed in each landfill or landfill cell;

(b) Detailed plans and an engineering report describing how the landfill is designed and is or will be constructed, operated, and maintained to meet the requirements of 335-14-5-.02(10), 335-14-5-.14(2), 335-14-5-.14(3), and 335-14-5-.14(4), addressing the following items:

1. (i) The liner system (except for an existing portion of a landfill), if the landfill must meet the requirements of 335-14-5-.14(2)(a);

(ii) The double liner and leak (leachate) detection, collection, and removal system, if the landfill must meet the requirements of 335-14-5-.14(2)(b);

(iii) If the leak detection system is located in a saturated zone, submit detailed plans and an engineering report explaining the leak detection system design and operation, and the location of the saturated zone in relation to the leak detection system;

(iv) The construction quality assurance (CQA) plan if required under 335-14-5-.02(10);

(v) Proposed action leakage rate, with rationale, if required under 335-14-5-.14(3), and response action plan, if required under 335-14-5-.14(4)(5);

2. Control of run-on;

3. Control of run-off;

4. Management of collection and holding facilities associated with run-on and run-off control systems; and

5. Control of wind dispersal of particulate matter, where applicable;

(c) [Reserved]

(d) A description of how each landfill, including the double liner system, leachate collection and removal system, leak detection system, cover system, and appurtenances for control of run-on and run-off, will be inspected in order to meet the requirements of 335-14-5-.14 (4)(a), (b), and (c). This information must be included in the inspection plan submitted under 335-14-8-.02(5)(b)5.;

(e) Detailed plans and an engineering report describing the final cover which will be applied to each landfill or landfill cell at closure in accordance with 335-14-5-.14(11)(a), and a description of how each landfill will be maintained and monitored after closure in accordance with 335-14-5-.14(11)(b). This information should be included in the closure and post-closure plans submitted under 335-14-8-.02(5)(b)13.;

(f) If ignitable or reactive wastes will be landfilled, an explanation of how the standards of 335-14-5-.14(13) will be complied with;

(g) If incompatible wastes, or incompatible wastes and materials, will be landfilled, an explanation of how 335-14-5-.14(14) will be complied with;

(h) [Reserved]

(i) If containers of hazardous waste are to be landfilled, an explanation of how the requirements of 335-14-5-.14(16) or (17), as applicable, will be complied with; and

(j) A waste management plan for EPA Hazardous Waste Nos. F020, F021, F022, F023, F026, and F027 describing how a landfill is or will be designed, constructed, operated, and maintained to meet the requirements of 335-14-5-.14(18). This submission must address the following items as specified in 335-14-5-.14(18):

1. The volume, physical, and chemical characteristics of the wastes, including their potential to migrate through soil or to volatilize or escape into the atmosphere;

2. The attenuative properties of underlying and surrounding soils or other materials;

3. The mobilizing properties of other materials co-disposed with these wastes; and

4. The effectiveness of additional treatment, design or monitoring techniques.

(13) Specific Part B information requirements for boilers and industrial furnaces burning hazardous waste. When an owner or operator of a cement or

lightweight aggregate kiln demonstrates compliance with the air emission standards and limitations of 335-3-11-.06(56) (i.e., by conducting a comprehensive performance test and submitting a Notification of Compliance), the requirements of 335-14-8-.02 do not apply, except those provisions the Department determines are necessary to ensure compliance with 335-14-7-.08 if the facility elects to comply with 335-14-8-.15(1)(a)1.(i) to minimize emissions of toxic compounds from startup, shutdown, and malfunction events. Nevertheless, the Department may apply the provisions of 335-14-8-.02, on a case-by-case basis, for the purposes of information collection in accordance with 335-14-8-.02(1)(k) and 335-14-8-.03(3)(b)2.

(a) Trial burns

1. General. Except as provided below, owners and operators that are subject to the standards to control organic emissions provided by 335-14-7-.08(5), standards to control particulate matter provided by 335-14-7-.08(6), standards to control metals emissions provided by 335-14-7-.08(7), or standards to control hydrogen chloride or chlorine gas emissions provided by 335-14-7-.08(8) must conduct a trial burn to demonstrate conformance with those standards and must submit a trial burn plan or the results of a trial burn, including all required determinations, in accordance with 335-14-8-.06(5).

(i) A trial burn to demonstrate conformance with a particular emission standard may be waived under provisions of 335-14-7-.08(5) through 335-14-7-.08(8) and 335-14-8-.02(13)(a)2. through (a)5.; and

(ii) The owner or operator may submit data in lieu of a trial burn, as prescribed in 335-14-8-.02(13)(a)6.

2. Waiver of trial burn for DRE.

(i) Boilers operated under special operating requirements. When seeking to be permitted under 335-14-7-.08(5)(a)4. and 335-14-7-.08(11) that automatically waive the DRE trial burn, the owner or operator of a boiler must submit documentation that the boiler operates under the special operating requirements provided by 335-14-7-.08(11).

(ii) Boilers and industrial furnaces burning low risk waste. When seeking to be permitted under the provisions for low risk waste provided by 335-14-7-.08(5)(a)5. and 335-14-7-.08(10)(a) that waive the DRE trial burn, the owner or operator must submit:

(I) Documentation that the device is operated in conformance with the requirements of 335-14-7-.08(10)(a)1.

(II) Results of analyses of each waste to be burned, documenting the concentrations of nonmetal compounds listed in 335-14-2-Appendix VIII, except for those constituents that would reasonably not be expected to be in the waste. The constituents excluded from analysis must be identified and the

basis for their exclusion explained. The analysis must rely on appropriate analytical techniques.

(III) Documentation of hazardous waste firing rates and calculations of reasonable, worst-case emission rates of each constituent identified in 335-14-8-.02(13)(a)2.(ii)(II) using procedures provided by 335-14-7-.08(10)(a)2.(ii).

(IV) Results of emissions dispersion modeling for emissions identified in 335-14-8-.02(13)(a)2.(ii)(III) using modeling procedures prescribed by 335-14-7-.08(7)(h). The Department will review the emission modeling conducted by the applicant to determine conformance with these procedures. The Department will either approve the modeling or determine that alternate or supplementary modeling is appropriate.

(V) Documentation that the maximum annual average ground level concentration of each constituent identified in 335-14-8-.02(13)(a)2.(ii)(II) quantified in conformance with 335-14-8-.02(13)(a)2.(ii)(IV) does not exceed the allowable ambient level established in 335-14-7-Appendices IV or V. The acceptable ambient concentration for emitted constituents for which a specific Reference Air Concentration has not been established in 335-14-7-Appendix IV or Risk-Specific Dose has not been established in 335-14-7-Appendix V is 0.1 micrograms per cubic meter, as noted in the footnote to 335-14-7-Appendix IV.

3. Waiver of trial burn for metals. When seeking to be permitted under the Tier I (or adjusted Tier I) metals feed rate screening limits provided by 335-14-7-.08(7)(b) and (e) that control metals emissions without requiring a trial burn, the owner or operator must submit:

(i) Documentation of the feed rate of hazardous waste, other fuels, and industrial furnace feed stocks;

(ii) Documentation of the concentration of each metal controlled by 335-14-7-.08(7)(b) or (e) in the hazardous waste, other fuels, and industrial furnace feedstocks, and calculations of the total feed rate of each metal;

(iii) Documentation of how the applicant will ensure that the Tier I feed rate screening limits provided by 335-14-7-.08(7)(b) or (e) will not be exceeded during the averaging period provided by that paragraph;

(iv) Documentation to support the determination of the terrain-adjusted effective stack height, good engineering practice stack height, terrain type, and land use as provided by 335-14-7-.08(7)(b)3. through (b)5.;

(v) Documentation of compliance with the provisions of 335-14-7-.08(7)(b)6., if applicable, for facilities with multiple stacks;

(vi) Documentation that the facility does not fail the criteria provided by 335-14-7-.08(7)(b)7. for eligibility to comply with the screening limits; and

(vii) Proposed sampling and metals analysis plan for the hazardous waste, other fuels, and industrial furnace feed stocks.

4. Waiver of trial burn for particulate matter. When seeking to be permitted under the low risk waste provisions of 335-14-7-.08(10)(b) which waives the particulate standard (and trial burn to demonstrate conformance with the particulate standard), applicants must submit documentation supporting conformance with 335-14-8-.02(13)(a)2.(ii) and (a)3.

5. Waiver of trial burn for HCl and Cl₂. When seeking to be permitted under the Tier I (or adjusted Tier I) feed rate screening limits for total chloride and chlorine provided by 335-14-7-.08(8)(b)1. and (e) that control emissions of hydrogen chloride (HCl) and chlorine gas (Cl₂) without requiring a trial burn, the owner or operator must submit:

(i) Documentation of the feed rate of hazardous waste, other fuels, and industrial furnace feed stocks;

(ii) Documentation of the levels of total chloride and chlorine in the hazardous waste, other fuels, and industrial furnace feedstocks, and calculations of the total feed rate of total chloride and chlorine;

(iii) Documentation of how the applicant will ensure that the Tier I (or adjusted Tier I) feed rate screening limits provided by 335-14-7-.08(8)(b)1. or (e) will not be exceeded during the averaging period provided by that subparagraph;

(iv) Documentation to support the determination of the terrain-adjusted effective stack height, good engineering practice stack height, terrain type, and land use as provided by 335-14-7-.08(8)(b)3.;

(v) Documentation of compliance with the provisions of 335-14-7-.08(8)(b)4., if applicable, for facilities with multiple stacks;

(vi) Documentation that the facility does not fail the criteria provided by 335-14-7-.08(8)(b)3. for eligibility to comply with the screening limits; and

(vii) Proposed sampling and analysis plan for total chloride and chlorine for the hazardous waste, other fuels, and industrial furnace feedstocks.

6. Data in lieu of trial burn. The owner or operator may seek an exemption from the trial burn requirements to demonstrate conformance with 335-14-7-.08(5) through 335-14-7-.08(8) and 335-14-8-.06(5) by providing the information required by 335-14-8-.06(5) from previous compliance testing of the device in conformance with 335-14-7-.08(4), or from compliance testing or trial or operational burns of similar boilers or industrial furnaces burning similar hazardous wastes under similar conditions. If data from a similar device is used to support a trial burn waiver, the design and operating information required by 335-14-8-.06(5) must be provided for both the similar

device and the device to which the data is to be applied, and a comparison of the design and operating information must be provided. The Department shall approve a permit application without a trial burn if it finds that the hazardous wastes are sufficiently similar, the devices are sufficiently similar, the operating conditions are sufficiently similar, and the data from other compliance tests, trial burns, or operational burns are adequate to specify [under 335-14-7-.08(3)] operating conditions that will ensure conformance with 335-14-7-.08(3)(c). In addition, the following information shall be submitted:

(i) For a waiver from any trial burn:

(I) A description and analysis of the hazardous waste to be burned compared with the hazardous waste for which data from compliance testing, or operational or trial burns are provided to support the contention that a trial burn is not needed;

(II) The design and operating conditions of the boiler or industrial furnace to be used, compared with that for which comparative burn data are available; and

(III) Such supplemental information as the Department finds necessary to achieve the purposes of 335-14-8-.02(13)(a).

(ii) For a waiver of the DRE trial burn, the basis for selection of POHCs used in the other trial or operational burns which demonstrate compliance with the DRE performance standard in 335-14-7-.08(5)(a). This analysis should specify the constituents in 335-14-2-Appendix VIII, that the applicant has identified in the hazardous waste for which a permit is sought, and any differences from the POHCs in the hazardous waste for which burn data are provided.

(b) Alternative HC limit for industrial furnaces with organic matter in raw materials. Owners and operators of industrial furnaces requesting an alternative HC limit under 335-14-7-.08(5)(f) shall submit the following information at a minimum:

1. Documentation that the furnace is designed and operated to minimize HC emissions from fuels and raw materials;

2. Documentation of the proposed baseline flue gas HC (and CO) concentration, including data on HC (and CO) levels during tests when the facility produced normal products under normal operating conditions from normal raw materials while burning normal fuels and when not burning hazardous waste;

3. Test burn protocol to confirm the baseline HC (and CO) level including information on the type and flow rate of all feed streams, point of introduction of all feed streams, total organic carbon content (or other appropriate measure of organic content) of all nonfuel feed streams, and operating conditions that affect combustion of fuel(s) and destruction of hydrocarbon emissions from nonfuel sources;

4. Trial burn plan to:
- (i) Demonstrate that flue gas HC (and CO) concentrations when burning hazardous waste do not exceed the baseline HC (and CO) level; and
 - (ii) Identify the types and concentrations of organic compounds listed in 335-14-2-Appendix VIII that are emitted when burning hazardous waste in conformance with procedures prescribed by the Department;

5. Implementation plan to monitor overtime changes in the operation of the facility that could reduce the baseline HC level and procedures to periodically confirm the baseline HC level; and

6. Such other information as the Department finds necessary to achieve the purposes of 335-14-8-.02(13)(b).

(c) Alternative metals implementation approach. When seeking to be permitted under an alternative metals implementation approach under 335-14-7-.08(7)(f), the owner or operator must submit documentation specifying how the approach ensures compliance with the metals emissions standards of 335-14-7-.08(7)(c) or (d) and how the approach can be effectively implemented and monitored. ~~Further,~~ The owner or operator shall provide ~~such~~ any other information that the Department finds necessary to achieve the purposes of 335-14-8-.02(13)(c).

(d) Automatic waste feed cutoff system. Owners and operators shall submit information describing the automatic waste feed cutoff system, including any pre-alarm systems that may be used.

(e) Direct transfer. Owners and operators that use direct transfer operations to feed hazardous waste from transport vehicles [containers, as defined in 335-14-7-.08(12)] directly to the boiler or industrial furnace shall submit information supporting conformance with the standards for direct transfer provided by 335-14-7-.08(12).

(f) Residues. Owners and operators that claim that their residues are excluded from regulations under the provisions of 335-14-7-.08(13) must submit information adequate to demonstrate conformance with those provisions.

(14) Specific Part B information requirements for miscellaneous units. Except as otherwise provided in 335-14-5-.24(1), owners and operators of facilities that treat, store or dispose of hazardous waste in miscellaneous units must provide the following additional information:

(a) A detailed description of the unit being used or proposed for use, including the following:

1. Physical characteristics, materials of construction and dimensions of the unit;

2. Detailed plans and engineering reports describing how the unit will be located, designed, constructed, operated, maintained, monitored,

inspected, and closed to comply with the requirements of 335-14-5-.24(2) and 335-14-5-.24(3); and

3. For disposal units, a detailed description of the plans to comply with the post-closure requirements of 335-14-5-.24(4).

(b) Detailed hydrologic, geologic, and meteorologic assessments and land-use maps for the region surrounding the site that address and ensure compliance of the unit with each factor in the environmental performance standards of 335-14-5-.24(2). If the applicant can demonstrate that he does not violate the environmental performance standards of 335-14-5-.24(2) and the Department agrees with such demonstration, preliminary hydrologic, geologic, and meteorologic assessments will suffice.

(c) Information on the potential pathways of exposure of humans or environmental receptors to hazardous waste or hazardous constituents and on the potential magnitude and nature of such exposures.

(d) For any treatment unit, a report on a demonstration of the effectiveness of the treatment based on laboratory or field data.

(e) Any additional information determined by the Department to be necessary for evaluation of compliance of the unit with the environmental performance standards of 335-14-5-.24(2).

(15) Specific Part B information requirements for process vents. Except as otherwise provided in 335-14-5-.01(1), owners and operators of facilities that have process vents to which 335-14-5-.27 applies must provide the following additional information:

(a) For facilities that cannot install a closed-vent system and control device to comply with the provisions of 335-14-5-.27 on the effective date that the facility becomes subject to the provisions of Chapter 335-14-5 or 335-14-6-.27, an implementation schedule as specified in 335-14-5-.27(4).

(b) Documentation of compliance with the process vent standards in 335-14-5-.27(3), including:

1. Information and data identifying all affected process vents, annual throughput and operating hours of each affected unit, estimated emission rates for each affected vent and for the overall facility (i.e., the total emissions for all affected vents at the facility), and the approximate location within the facility of each affected unit (e.g., identify the hazardous waste management units on a facility plot plan).

2. Information and data supporting estimates of vent emissions and emission reduction achieved by add-on control devices based on engineering calculations or source tests. For the purpose of determining compliance, estimates of vent emissions and emission reductions must be made using operating parameter values (e.g., temperatures, flow rates, or concentration)

that represent the conditions that exist when the waste management unit is operating at the highest load or capacity level reasonably expected to occur.

3. Information and data used to determine whether or not a process vent is subject to the requirements of 335-14-5-.27(3).

(c) Where an owner or operator applies for permission to use a control device other than a thermal vapor incinerator, catalytic vapor incinerator, flare, boiler, process heater, condenser, or carbon adsorption system to comply with the requirements of 335-14-5-.27(3), and chooses to use test data to determine the organic removal efficiency or the total organic compound concentration achieved by the control device, a performance test plan as specified in 335-14-5-.27(6).

(d) Documentation of compliance with 335-14-5-.27(4), including:

1. A list of all information references and sources used in preparing the documentation.

2. Records including the dates of each compliance test required by 335-14-5-.27(4).

3. A design analysis, specifications, drawings, schematics, and piping and instrumentation diagrams based on the appropriate sections of "APTI Course 415: Control of Gaseous Emissions" [incorporated by reference in rule 335-14-1-.02(2)] or other engineering texts acceptable to the Department that present basic control device design information. The design analysis shall address the vent stream characteristics and control device operation parameters as specified in 335-14-5-.27(6).

4. A statement signed and dated by the owner or operator certifying that the operating parameters used in the design analysis reasonably represent the conditions that exist when the hazardous waste management unit is or would be operating at the highest load or capacity level reasonably expected to occur.

5. A statement signed and dated by the owner or operator certifying that the control device is designed to operate at an efficiency of 95 weight percent or greater unless the total organic emission limits of 335-14-5-.27(3) for affected process vents at the facility can be attained by a control device involving vapor recovery at an efficiency less than 95 weight percent.

(16) Specific Part B information requirements for equipment. Except as otherwise provided in 335-14-5-.01(1), owners and operators of facilities that have equipment to which rule 335-14-5-.28 applies must provide the following additional information:

(a) For each piece of equipment to which rule 335-14-5-.28 applies:

1. Equipment identification number and hazardous waste management unit identification.

2. Approximate locations within the facility (e.g., identify the hazardous waste management unit on a facility plot plan).

3. Type of equipment (e.g., a pump or pipeline valve).

4. Percent by weight total organics in the hazardous waste stream at the equipment.

5. Hazardous waste state at the equipment (e.g., gas/vapor or liquid).

6. Method of compliance with the standard (e.g., "monthly leak detection and repair" or "equipped with dual mechanical seals").

(b) For facilities that cannot install a closed-vent system and control device to comply with the provisions of rule 335-14-5-.28 on the effective date that the facility becomes subject to the provisions of rule 335-14-5-.28 or 335-14-6-.28, an implementation schedule as specified in 335-14-5-.27(4).

(c) Where an owner or operator applies for permission to use a control device other than a thermal vapor incinerator, catalytic vapor incinerator, flare, boiler, process heater, condenser, or carbon adsorption system and chooses to use test data to determine the organic removal efficiency or the total organic compound concentration achieved by the control device, a performance test plan as specified in 335-14-5-.27(6).

(d) Documentation that demonstrates compliance with the equipment standards in 335-14-5-.28(3) to (10). This documentation shall contain the records required under 335-14-5-.28(15). The Department may request further documentation before deciding if compliance has been demonstrated.

(e) Documentation to demonstrate compliance with 335-14-5-.28(11) shall include the following information:

1. A list of all information references and sources used in preparing the documentation.

2. Records, including the dates of each compliance test required by 335-14-5-.27(4).

3. A design analysis, specifications, drawings, schematics, and piping and instrumentation diagrams based on the appropriate sections of "APTI Course 415: Control of Gaseous Emissions" [incorporated by reference in rule 335-14-1-.02(2)] or other engineering texts acceptable to the Department that present basic control device design information. The design analysis shall address the vent stream characteristics and control device operation parameters as specified in 335-14-5-.27(6).

4. A statement signed and dated by the owner or operator certifying that the operating parameters used in the design analysis reasonably represent

the conditions that exist when the hazardous waste management unit is operating at the highest load or capacity level reasonably expected to occur.

5. A statement signed and dated by the owner or operator certifying that the control device is designed to operate at an efficiency of 95 weight percent or greater.

(17) Special Part B information requirements for drip pads. Except as otherwise provided by rule 335-14-5-.01, owners and operators of hazardous waste treatment, storage, or disposal facilities that collect, store, or treat hazardous waste on drip pads must provide the following additional information:

(a) A list of hazardous wastes placed or to be placed on each drip pad.

(b) If an exemption is sought to rule 335-14-5-.06, as provided by 335-14-5-.06(1), detailed plans and an engineering report describing how the requirements of 335-14-5-.06(1)(b)2. will be met.

(c) Detailed plans and an engineering report describing how the drip pad is or will be designed, constructed, operated, and maintained to meet the requirements of 335-14-5-.23(4), including the as-built drawings and specifications. This submission must address the following items as specified in 335-14-5-.23(2):

1. The design characteristics of the drip pad;
2. The liner system;
3. The leakage detection system, including the leak detection system and how it is designed to detect the failure of the drip pad or the presence of any releases of hazardous waste or accumulated liquid at the earliest practicable time;
4. Practices designed to maintain drip pads;
5. The associated collection system;
6. Control of run-on to the drip pad;
7. Control of run-off from the drip pad;
8. The interval at which drippage and other materials will be removed from the associated collection system and a statement demonstrating that the interval will be sufficient to prevent overflow onto the drip pad;
9. Procedures for cleaning the drip pad at least once every seven days to ensure the removal of any accumulated residues of waste or other materials, including but not limited to rinsing, washing with detergents or

other appropriate solvents, or steam cleaning and provisions for documenting the date, time, and cleaning procedure used each time the pad is cleaned.

10. Operating practices and procedures that will be followed to ensure that tracking of hazardous waste or waste constituents off the drip pad due to activities by personnel or equipment is minimized;

11. Procedures for ensuring that, after removal from the treatment vessel, treated wood from pressure and non- pressure processes is held on the drip pad until drippage has ceased, including recordkeeping practices;

12. Provisions for ensuring that collection and holding units associated with the run-on and run-off control systems are emptied or otherwise managed as soon as possible after storms to maintain design capacity of the system;

13. If treatment is carried out on the drip pad, details of the process equipment used, and the nature and quality of the residuals.

14. A description of how each drip pad, including appurtenances for control of run-on and run-off, will be inspected in order to meet the requirements of 335-14-5-.23(4). This information should be included in the inspection plan submitted under 335-14-8-.02(5)(b)5.

15. A certification signed by a qualified Professional Engineer, stating that the drip pad design meets the requirements of 335-14-5-.23(4)(a) through (f).

16. A description of how hazardous waste residues and contaminated materials will be removed from the drip pad at closure, as required under 335-14-5-.23(6)(a). For any waste not to be removed from the drip pad upon closure, the owner or operator must submit detailed plans and an engineering report describing how 335-14-5-.14(11) will be complied with. This information should be included in the closure plan and, where applicable, the post-closure plan submitted under 335-14-8-.02(5)(b)13.

(18) Specific Part B information requirements for air emission controls for tanks, surface impoundments, and containers.

(a) Except as otherwise provided in 335-14-5-.01(1), owners and operators of tanks, surface impoundments, or containers that use air emission controls in accordance with the requirements of 335-14-5-.29 shall provide the following additional information:

1. Documentation for each floating roof cover installed on a tank subject to 335-14-5-.29(5) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the applicable design specifications as listed in 335-14-5-.29(5).

2. Identification of each container area subject to the requirements of 335-14-5-.29 and certification by the owner or operator that the requirements of 335-14-8-.02 are met.

3. Documentation for each enclosure used to control air pollutant emissions from tanks or containers in accordance with the requirements of 335-14-5-.29(5) or 335-14-5-.29(7) that includes records for the most recent set of calculations and measurements performed by the owner or operator to verify that the enclosure meets the criteria of a permanent total enclosure as specified in "Procedure T--Criteria for and Verification of a Permanent or Temporary Total Enclosure" under 40 CFR 52.741, Appendix B.

4. Documentation for each floating membrane cover installed on a surface impoundment in accordance with the requirements of 335-14-5-.29(6) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the specifications listed in 335-14-5-.29(6).

5. Documentation for each closed-vent system and control device installed in accordance with the requirements of 335-14-5-.29(8) that includes design and performance information as specified in 335-14-8-.02(15)(c) and (d).

6. An emission monitoring plan for both Method 21 in 40 CFR part 60, Appendix A and control device monitoring methods. This plan shall include the following information: monitoring point(s), monitoring methods for control devices, monitoring frequency, procedures for documenting exceedances, and procedures for mitigating noncompliances.

7. When an owner or operator of a facility subject to 335-14-6-.29 cannot comply with 335-14-5-.29 by the date of permit issuance, he must comply with the schedule of implementation required under 335-14-6-.29(3).

(19) Specific Part B information requirements for post-closure permits. The following specific Part B information must be provided in addition to the general application requirements of 335-14-8-.02(1), (2), (3), and (4).

(a) For post-closure permits, the owner or operator is required to submit only the information specified in 335-14-8-.02(5)(b)1., 4., 5., 6., 11., 13., 14., 16., 18., and 19., 335-14-8-.02(5)(c), 335-14-8-.02(5)(d), and a list of the hazardous wastes placed in each unit, unless the Department determines that additional information from 335-14-8-.02(5), (7), (8), (9), (11), or (12) is necessary. The owner or operator is required to submit the same information when an alternative authority is used in lieu of a post-closure permit as provided in 335-14-8-.01(1)(c)7.

(b) For alternative post-closure permits, the owner or operator is required to submit the information specified in 335-14-8-.02(19)(a). The information specified in 335-14-8-.02(1), (2), (3), (4), (5)(b)1., (5)(b)4., (5)(b)5., (5)(b)6., (5)(b)11.(i), (5)(b)11.(iii), (5)(b)14., (5)(b)16., (5)(b)19., and a list of the hazardous wastes placed in each unit must be submitted in the permit

application, together with a proposed permit schedule for submittal of the remaining required information.

(20) Permit denial. The Department may, pursuant to the procedures in rule 335-14-8-.08, deny the permit application either in its entirety or as to the active life of a hazardous waste management facility or unit only.

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