

HAZARDOUS WASTE TIERED PERMIT VIOLATION CODES CONDITIONAL EXEMPTION SMALL QUANTITY TREATMENT, CONDITIONAL EXEMPTION SPECIFIED WASTE STREAMS & CONDITIONAL EXEMPTION — LIMITED

Authority Cited: California Health and Safety Code (HSC); Santa Clara County Ordinance Code, Div. B11 (SCCO)

This document has been prepared to briefly summarize common violations observed by Santa Clara County Hazardous Materials Compliance Division (HMCD) at facilities that perform on-site treatment of hazardous waste subject to CESQT, CESW, and CEL Tiered Permit requirements. Each requirement of law/regulation is identified by a Violation Code (VC) to help you understand violations noted in an Official Notice of Inspection. The complete and official text of these requirements can be found on-line at: www.leginfo.ca.gov/calaw.html for HSC; and www.EHinfo.org/hazmat for SCCO. If you would like to discuss any interpretations of these requirements, please call HMCD at (408) 918-3400 and ask for the Hazardous Materials Program Manager. Forms are available at www.unidocs.org.

Requirements for CE On-Site Treatment

V	N/A	Violation Code	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	T000	SCCO § B11-423	Hazardous Waste Onsite Treatment Permit – Any person who treats their own hazardous waste on-site must obtain a Hazardous Waste Onsite Treatment Permit from and pay an annual permit fee to HMCD or, if applicable, the Participating Agency (PA) city.
<input type="checkbox"/>	<input type="checkbox"/>	T100	HSC § 25201.5(d)(7)*	<p>Treatment Notification – The generator must complete and submit a notification to HMCD at least 60 days before start of treatment operation. This includes the following properly completed Unified Program Consolidated Form (UPCF) pages:</p> <ul style="list-style-type: none"> <input type="checkbox"/> UPCF Facility Information – Business Activities page; <input type="checkbox"/> UPCF Facility Information – Business Owner/Operator Identification page; <input type="checkbox"/> UPCF Onsite Hazardous Waste Treatment Notification – Facility Page; <input type="checkbox"/> UPCF Onsite Hazardous Waste Treatment Notification – Unit Page; <input type="checkbox"/> UPCF Onsite Tiered Permitting – Waste and Treatment Process Combinations Page (for appropriate CE tier).
<input type="checkbox"/>	<input type="checkbox"/>	T101	HSC § 25201.5(i)	Amended Treatment Notification: – Under the CESQT and CESW tiers, an amended treatment notification must be submitted to HMCD within 30 days of any change in operation that necessitates revision.
<input type="checkbox"/>	<input type="checkbox"/>	T102	HSC §§ 25201.5(d)(3)* 25201.5(d)(5)*	<p>Operating Instructions and Record – The generator must prepare and maintain on-site for a period of 3 years:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Written operating instructions; <input type="checkbox"/> A record of dates, amounts, and types of wastes treated.
<input type="checkbox"/>	<input type="checkbox"/>	T103	HSC §§ 25201.5(d)(4)* 25201.5(d)(5)*	<p>Inspection Schedule and Log – The generator must prepare and maintain on-site for a period of 3 years:</p> <ul style="list-style-type: none"> <input type="checkbox"/> A written inspection schedule; <input type="checkbox"/> A log of inspections conducted.

* For the CEL tier, this requirement is referenced by HSC §25201.14(c)(1).

V	N/A	Violation Code	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	T104	HSC § 25201.5(d)(6)*	<p>Wastewater Discharge Records – The generator must maintain adequate records to demonstrate compliance with:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Applicable pretreatment standards; <input type="checkbox"/> Industrial wastewater discharge requirements issued by the local POTW.
<input type="checkbox"/>	<input type="checkbox"/>	T105	HSC § 25201.5(d)(8)*	<p>Closure – Upon terminating operation of the treatment unit, the generator must:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Remove or decontaminate equipment, waste residues, containment systems, soils and structures in accordance with the local fire agency or HMCD (depending on which agency has hazardous materials storage jurisdiction); <input type="checkbox"/> Submit a notification to HMCD and DTSC after all closure requirements are met.
<input type="checkbox"/>	<input type="checkbox"/>	T120	HSC § 25201.5(a)-(b)	<p>Eligible Wastes and Processes: CESQT – Types of waste and treatment methods must be appropriate for the CESQT tier.[†]</p>
<input type="checkbox"/>	<input type="checkbox"/>	T130	HSC § 25201.5(c)	<p>Eligible Wastes and Processes: CESW – Types of waste and treatment methods must be appropriate for the CESW tier.[†]</p>
<input type="checkbox"/>	<input type="checkbox"/>	T140	HSC § 25201.14(a)-(b)	<p>Eligible Wastes and Processes: CEL – Types of waste and treatment methods must be appropriate for the CEL tier.[†]</p>
<input type="checkbox"/>	<input type="checkbox"/>	T141	HSC § 25201.14(c)(3)	<p>Record Keeping: CEL – The generator must:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintain adequate records to demonstrate that all permit requirements are being met. This includes, but is not limited to, waste sampling and analysis records to demonstrate that water containing more than 2% of diesel and/or any measurable amount of gasoline is not being treated in the unit; <input type="checkbox"/> Keep the records on-site for at least 3 years.
<input type="checkbox"/>	<input type="checkbox"/>	T999	See Official Notice of Inspection	<p>Other Tiered Permit Violation – (<i>See the Official Notice of Inspection for details.</i>)</p>

* For the CEL tier, this requirement is referenced by HSC §25201.14(c)(1).

[†] Refer to DTSC's On-Site Tiered Permitting Flowchart for details. The flowchart is available at www.dtsc.ca.gov/PublicationsForms/pubs_index.cfm.