

CHAPTER 43. Additional Requirements for Management of Extremely
Hazardous Wastes

67430.1. Requirement for Extremely Hazardous Waste Disposal Permit.

(a) No extremely hazardous waste shall be handled or disposed of in California except pursuant to an Extremely Hazardous Waste Disposal Permit issued by the Department.

(b) No person shall dispose of waste that may reasonably be considered to be an extremely hazardous waste without first obtaining an Extremely Hazardous Waste Disposal Permit from the Department.

(c) The operator of a waste disposal site shall not accept an extremely hazardous waste without having a copy of the Extremely Hazardous Waste Disposal Permit issued by the Department covering said waste unless specific approval of the Department is obtained.

(d) No person shall deviate from methods approved by the Department for handling or disposal of an extremely hazardous waste without the written permission of the Department.

NOTE: Authority cited: Sections 208 and 25150, Health and Safety Code.

Reference: Section 25150, Health and Safety Code.

67430.2. Application for Extremely Hazardous Waste Disposal Permit.

(a) The producer of extremely hazardous waste shall apply for an Extremely Hazardous Waste Disposal Permit from the Department at least 15 days prior to the intended date of disposal of the waste.

(b) The application shall include, but not be limited to:

(1) The amount, type and chemical composition of the waste.

(2) The proposed methods of handling and disposal of the waste.

(3) The name and address of the proposed hauler.

(4) The name and address of the proposed disposal site.

(c) Within 10 days after receiving an application, the Department shall take one of the following actions:

(1) Approve the proposed handling and disposal methods and issue a written disposal permit.

(2) Require that the proposed methods be specifically modified.

(3) Deny the disposal permit.

(4) Notify the producer that further evaluation of the proposed handling and disposal methods will be required before the Department makes a decision.

(d) On a showing of good cause by the producer of an extremely hazardous waste, the Department may not require the 15-day notice period and may immediately issue an Extremely Hazardous Waste Disposal Permit.

(e) The extremely hazardous waste producer shall notify the Department by telephone and subsequently by certified mail if such a variance is requested. If a situation creates a need for immediate processing or disposal of an extremely hazardous waste to prevent hazards to public health and safety, the Department need not be notified prior to disposal. As soon as possible thereafter, the Department shall be notified by telephone or telegraph. Subsequently, the extremely hazardous waste producer shall notify the Department by certified mail detailing the amount and type of the extremely hazardous waste and the emergency processing or disposal method used and the reason why the emergency action was undertaken.

(f) If the method used to process or dispose of the extremely hazardous waste is unacceptable to the Department, the Department may require that the waste be reprocessed, or removed and disposed of elsewhere. If these actions are necessary, the Department shall reply within 10 working days after receiving written notification.

NOTE: Authority cited: Sections 208 and 25150, Health and Safety Code.

Reference: Section 25150, Health and Safety Code.

67430.3. Removal of Spilled or Improperly Deposited Waste.

The Department may require the operator to remove from the disposal site and properly dispose of any extremely hazardous waste disposed of or applied on land, and any soil contacted by the waste, if the disposal or application of the waste was not consistent with the requirements of this chapter and the conditions of the Extremely Hazardous Waste Disposal Permit issued by the Department.

NOTE: Authority cited: Sections 208 and 25150, Health and Safety Code.

Reference: Sections 25150 and 25187, Health and Safety Code.

67430.4. Recurring Disposal of Extremely Hazardous Waste.

The Department may grant a producer of an extremely hazardous waste an Extremely Hazardous Waste Disposal Permit, valid up to 12 months, that specifies approved methods for the handling and disposal of a specific extremely hazardous waste that is routinely produced.

NOTE: Authority cited: Sections 208 and 25150, Health and Safety Code.

Reference: Section 25150, Health and Safety Code.

