



9.1 FACILITY IDENTIFICATION

The purpose of this section is to provide DTSC with the legal identity of the facility, facility owner, and facility operator. A completed Part A application must be submitted for a new facility. For an interim status facility or an existing facility seeking permit modification or renewal, an updated Part A application must be submitted. The Part A requirements are listed in Title 22, Cal. Code of Regs., section 66270.13, but the requirements are in a slightly different order than in the Part A application instructions; in addition, the requirements in the regulations are worded differently than in the Part A application instructions.

This step also includes the review of information required by the general application requirements (66270.10), signatory to permit application (66270.11), confidentiality of information (66270.12), and required notices.

As part of the facility identification step, the permit writer is required to verify the Part A and B application information. Verified means that the permit writer has compared given information against (1) other documents, such as deeds or titles to property, copies of Secretary of State corporation records, recorded lease agreements, or other legal records; (2) results of inspections and site visits; (3) results of laboratory tests on wastes handled or processed; and (4) regulatory criteria (particularly for RCRA versus non-RCRA waste determinations) or definitions.

Both the land owner and facility operator must sign the Part A application. The permit writer must verify that the persons signing the Part A as the owner and operator are the persons named in the legal records and meet the permit application signatory requirements of Title 22, Cal. Code of Regs., section 66270.11.

Facility identification also includes establishing the legal boundaries of the facility. As noted in [Chapter 7.0](#), Preapplication Site Visit, the permit writer should tour physical boundaries of the facility and walk the perimeter of each unit being permitted. Descriptions of both the facility boundaries and the permitted unit boundaries must be included in the fees and RCRIS databases and RCRA Facility Assessment (RFA) Report.

KEY QUESTIONS

Questions to be considered during the facility identification are:

Who is the legal owner of the property being permitted, as described in the deed?

Who is the legal operator of the facility being permitted, as described in supporting legal documents?

Who is the person(s) authorized by the facility owner and operator to be the facility's official contact person with DTSC?

Who is the person or firm responsible for the preparation of the Part A and Part B? May DTSC contact the preparer of the application directly for clarifying information, or should all information requests go through an official facility contact?

What are the wastes and waste amounts to be handled by the facility? Have the waste types and amounts been verified by physical inspection, DTSC laboratory analysis, or other means?

What are the waste processes, processing units, and design capacities to be permitted?

Has the Part A been signed by the correct persons and in accordance with Title 22, Cal. Code of Regs., section 66270.11?

Has there been a claim of confidentiality, and if so, has the claim been submitted consistent with section 66270.12.

REQUIRED OUTPUTS

APPLICABLE REGULATIONS AND STATUTES

State Laws and Regulations:

Cal. H&S Code

Sections

25186.5 Required disclosure statement

25200.10(a) Defines "facility" for the purpose of corrective action.

Title 22, Cal. Code of Regs.

Sections

66270.10(a),(b) Signature requirements

66270.10(d) Information Requirements

66270.11 Signatories to Permit Application

66270.11(a) Signatory Requirements

66270.12 Confidentiality of Information

66270.13 Contents of the Part A application

66270.14(a) Signature requirement

66270.14(a) Contents of Part B

66270.14(b)(1) General Description

66270.14(b)(19) Additional information - facility contact

66264.11 Identification Number

66264.73(b)(9) Waste minimization certification

Federal Laws and Regulations:

Other Laws and Regulations:

POLICIES

DTSC Policies:

EPA Policies:

Other Policies:

INSTRUCTIONS TO APPLICANTS

Handouts to be Given to Applicants:

Examples to be Given to Applicants:

CEQA CONSIDERATIONS

LEGAL CONSIDERATIONS

It is important to clearly identify the owners and operators for a hazardous waste facility in order to properly

issue a permit. Corporations may do business under a name other than the corporate name. The Corporation, Partnership, or Individual must be clearly identified so that the financial assurance documents and any future enforcement actions can be directed to the proper legally liable individuals.

INTERAGENCY AGREEMENTS & MOUs

COORDINATION WITH OTHERS

Other DTSC Units:

Environmental/Legislative/Industry Groups:

Other Agencies:

Special Requests:

STEP-BY-STEP PROCEDURES

Flow Charts:

Checklists:

TECHNICAL REFERENCES

U. S. EPA Permit Applicants' Guidance Manual for the General Facility Standards of 40 CFR 264 (SW-968, October 1983) (Page 5-3)

EXAMPLES OF COMPLETED WORK PRODUCTS

TIMELINE AND PLANNING

Permit Processing Chart:

Workload Standards:

Statutory & Other Deadlines:

WP File Name: 2/CH0910_P.MAN

WP File Name for Checklist: 5/CK0910_P.MAN

List of Examples:

List of Appendices:

List of References: