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Notice of Public Workshop on Hazardous Waste Facility Permit Modification Requirements

The Department of Toxic Substances Control (DTSC) invites you to participate in a public workshop to discuss a proposed regulatory revision of the hazardous waste facility permit modification procedures. This workshop offers the opportunity for public input on the scope and content of proposed changes to the current permit modification regulations. DTSC wants to solicit your comments and suggestions before releasing a public notice on draft regulations to the regulated community. Further workshops may be held if they are necessary to ensure the best proposal is considered for formal adoption. This workshop will be held at the following time and location:

Date: Tuesday June 29, 2010

Time: 9:00 AM to 12:00 noon (Time may be extended or shortened based on participants' needs)

**Location: Joe Serna Cal/EPA Building
Sierra Hearing Room, 2nd Floor
1001 "I" Street
Sacramento, CA 95814
Phone: (916) 551-1313**

Note: Visitors must check in with the Visitor and Environmental Services Center upon entering the Cal/EPA building.

At this workshop, a DTSC representative will summarize the proposal, describe the rationale used to develop the proposal and discuss the alternatives considered. After this short presentation, DTSC will solicit comments and suggestions from participants. Draft regulatory language to assist in the discussion is available on the DTSC website, <http://www.dtsc.ca.gov/LawsRegsPolicies/Regs/Class-1-Permit-Modification-Procedures.cfm>, and will also be available at the workshop. You can also contact DTSC at the number listed below to receive a copy of this information by mail.

Background of the proposal: Current California regulations, found in title 22, section 66270.42 of the California Code of Regulations (CCR), mandate that hazardous waste facilities that are required to obtain a permit under the Resource Conservation and Recovery Act (RCRA) must notify DTSC at least 30 days prior to any Class 1 modification to their permit. In contrast, hazardous waste facilities that are required to obtain a permit under state law only (non-RCRA), are allowed to notify DTSC up to 10 days after for some modifications (CCR Title

22 66270.42.5) or to follow the same prior notification requirements as RCRA facilities, depending on the type of Class 1 modification. The similar federal regulations, found in title 40, section 270.42 of the Code of Federal Regulations, require the facility owner/operator to either notify the agency within seven days after the modification, or to obtain agency approval before making the modification, depending on the type of Class 1 modification.

DTSC is proposing to revise the permit modification process to mirror the federal RCRA regulations for both RCRA and non-RCRA facilities. The specific objectives of the proposed regulations are to reduce procedural requirements for minor changes to hazardous waste management activities at permitted facilities. For minor and/or purely administrative changes designated as Class I permit modifications (for example, name changes, typographical errors, minor date changes, minor equipment changes, etc.) the proposed regulations will require the facility owner/operator to notify DTSC seven calendar days after the change is put into effect. Since these permit modifications would not meet the definition of "project" under the California Environmental Quality Act (CEQA), they would not be subject to the development of a case-specific environmental analysis under CEQA.

Remote viewing: This workshop will be webcast in both audio and video. You can choose which media suits you. To view or listen to the webcast, go to the Cal/EPA web site <http://www.calepa.ca.gov/>. Under Quick Links at the left margin, click on Webcasts. Make sure the pulldown menu reads Current Broadcasts. Scroll down until you find Workshop on Draft Permit Modification Regulations. Select either audio or video. Prior to the workshop, you should test your audio and video connections by clicking on Test Your Connection at the top of the web page.

How to comment: All interested parties are encouraged to review the text and to provide comments. You can also email your comments/questions while the workshop is in progress. Use Sierrarm@calepa.ca.gov. DTSC will accept comments for 2 weeks after the workshop. Additionally, DTSC has established a listserv for all activities associated with this proposed rulemaking. For information on how to subscribe to this listserv, please see the information at <http://www.calepa.ca.gov/Listservs/DTSC/>. The listserv for this regulation is titled **DTSC: Proposed Amendments to Class 1 Permit Modification Procedures: R-2005-10**. The final regulatory language will be developed after DTSC has considered all of the input received. DTSC encourages your participation in this workshop so that your issues and concerns can be identified early on in the process. Please visit the DTSC website for progress updates and information on future public workshops.

If you have any questions regarding this proposed public workshop or future outreach meetings, please contact Mr. Gary Murchison, Project Lead, at (916) 322-0708 or gmurchis@dtsc.ca.gov. This workshop and all future workshops are accessible to all persons with disabilities. If you have special accommodation needs or have special language needs, please contact Adrian Recio, Reasonable Accommodation Coordinator, at (916) 324-3095 or arecio@dtsc.ca.gov no later than June 15, 2010 to ensure making the necessary arrangements. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.