

Chapter 45. Transportable Treatment Units

67450.1. Permit Requirement.

Permits are required for treatment of hazardous wastes using a Transportable Treatment Unit (TTU). However, the owner or operator of a TTU is deemed to have a permit to operate the TTU if the owner or operator complies with the requirements of Section 67450.2 (permit by rule for TTUs).

NOTE: Authority cited: Sections 208 and 25200.2, Health and Safety Code.

Reference: Section 25150 Health and Safety Code.

67450.2. Permits by Rule for TTUs.

The owner or operator of a TTU that treats hazardous waste shall be deemed to have a permit, if the owner or operator of a TTU does all of the following:

(a) Restricts treatment to those processes and wastes listed in Section 67450.3;

(b) Discharges any effluent or treatment residual as follows:

(1) To a publicly owned treatment works (POTW) in accordance with all applicable sewer discharge requirements issued by the POTW. Any discharges to a sewer shall not contain hazardous waste unless discharge of the hazardous waste is specifically approved in writing by the POTW. The TTU owner or operator shall inform the appropriate POTW of the time, volume and point of discharge in accordance with the POTW's requirements; or

(2) In accordance with a National Pollution Discharge Elimination System (NPDES) permit issued by a Regional Water Quality Control Board; or

(3) To a treatment, storage or disposal facility authorized to receive the waste; or

(4) In accordance with other applicable state laws allowing for alternative disposition of the material.

(c) Operates the TTU:

(1) At any single generator site or at any off-site hazardous waste facility where the facility is permitted for that treatment and wastestream for a maximum of 180 operating days within any 365 day period. Upon written request by the affected TTU client, the Department may grant an extension for reasonable cause. Reasonable cause will be determined on a case by case basis; or

(2) At a hazardous waste release site or hazardous waste facility as part of a site remediation, corrective action or closure activity for a maximum of 2 years. Upon written request by the affected TTU client, the Department may grant an extension for reasonable cause. Reasonable cause will be determined on a case by case basis;

(d) Permanently marks the exterior of the TTU with the name of the operating company and an individual serial number;

(e) The following items describing the TTU operation shall be submitted to the Department regional office in the region or regions where the treatment shall be performed prior to commencing operation in that region. If the information submitted to a Department regional office changes, then the most current information shall be resubmitted:

(1) A closure cost estimate for each unit as specified in Section 67450.4;

(2) A waste analysis plan for the treatment operation as specified in Section 66265.13(b);

(3) A written inspection schedule as specified in Section 66265.15(b);

(4) Training documents as specified in Section 66265.16(d), and

(5) A contingency plan as specified in Section 66265.52.

(f) Submits in person or by certified mail with return receipt a TTU Permit by Rule Site Specific Notification (DHS Form 8429 8/88) to the Department regional office in the region where the treatment shall be performed. The form shall be submitted a minimum of 30 days prior to beginning the first treatment of waste with the TTU at that site. On subsequent visits of the TTU to the facility to treat the same wastestream, a minimum 15-day notification period is required. If a different treatment process, waste or TTU will be involved in the subsequent visit then the 30-day notification period is required. Either notification period may be shortened by the Department upon a showing of reasonable cause. The notification form shall be submitted with all of the following:

(1) A disclosure statement, as defined in Health and Safety Code Section 25112.5, for the owner and operator of the Transportable Treatment Unit (TTU).

(2) A certification specifying the local authorities that have been notified of the intended date(s) of operation. At the minimum, the owner or operator shall notify the local health official responsible for hazardous waste, the POTW, if the treatment results in a discharge to a POTW, and any other agency that requires notification for the operation of the TTU at that site. Copies of any local Air District permit or other permits required for the operation of the TTU shall be attached to the Site Specific Notification.

(3) Treatment site information including: site name, address or legal description of the site location, site ID number, if applicable, site contact person and telephone number, TTU contact person and telephone number, plot plan detailing where the hazardous waste treatment processes shall occur, description of the specific waste types, TTU serial number, a full description of the treatment processes to be used, the anticipated time period the unit will be on site, the anticipated dates and hours the unit will be in operation, and the anticipated date the unit will complete operations.

(4) Documentation of an agreement with the property owner or facility operator allowing operation of the TTU;

(g) Maintains compliance with Sections 66450.4 and 66450.5 and with the following regulations found in Chapter 15 of this division:

(1) Article 2. General Facility Standards (except for Section 66265.25);

- (2) Article 3. Preparedness and Prevention;
 - (3) Article 4. Contingency Plan and Emergency Procedures;
 - (4) Article 5. Manifest System, Recordkeeping and Reporting
(except for Sections 66265.73(b)(2) and (b)(6));
 - (5) Article 7. Closure and Post-Closure;
 - (6) Article 9. Use and Management of Containers;
 - (7) Article 10. Tank Systems;
 - (8) Article 17. Chemical, Physical and Biological Treatment.
- (h) Prepares a quarterly report and submits the report to the Department within 45 days of the end of each quarter. The report shall be signed by the owner or operator or the authorized representative of the owner or operator. Forms for the report shall be available from the Department. The report shall include the following information for each site where treatment was performed during that quarter:
- (1) The serial number of the TTU(s) involved in the treatment;
 - (2) The physical and mailing address of the TTU owner or operator;

- (3) The title and phone number of the TTU contact person;
- (4) The name and address or legal description of the site;
- (5) The site ID number, when applicable;
- (6) The number of days the TTU was operated;
- (7) The quantity of hazardous waste treated by the TTU;
- (8) The composition of the influent hazardous waste(s);
- (9) The identification of the waste(s) by waste code. The applicable waste codes are found in Appendix XII to Chapter 11 of this division and are also available on the back of page 6 of the Uniform Hazardous Waste Manifest (DHS 8022 A (1/88)).
- (10) The treatment method for each hazardous waste treated by the TTU;
- (11) The quantity of effluent from the TTU that was discharged to a POTW, if applicable.

Authority cited: Sections 208 and 25200.2, Health and Safety Code.
Reference: Section 25150 Health and Safety Code.

67450.3. List of Approved Treatment Processes and Influent Waste Streams.

(a) The following processes are approved singly or in combination for use by Transportable Treatment Units (TTU) deemed to have permits by rule pursuant to Section 67450.2 to treat wastes listed under subsection (b) of this section:

(1) A filtration process which separates particulate matter from a fluid by passing the fluid through a porous medium that will not pass the particulates.

(2) A dewatering process which removes water from a waste.

(3) A phase separation process which separates solid and/or liquid phases from wastes using a centrifuge, tanks or containers, but excluding super critical fluid extraction and the use of positive pressure vessels. A phase is a portion of a liquid or solid that is homogeneous throughout, has definable boundaries, and can be separated physically from other phases.

(4) An elementary neutralization process.

(5) An evaporation process which physically separates liquids from dissolved, suspended, or semi-solid wastes by converting a liquid to a vapor by adding latent heat, and capturing and condensing the vapor so that no discharges are released to air.

(6) A process which changes only the physical properties of the waste by grinding, shredding, crushing or blending.

(7) Solidification or fixation using silicates and/or cementitious type reactions.

(8) Absorption.

(9) Adsorption.

(10) A precipitation process which produces a separable solid phase within a liquid medium.

(b) The following influent hazardous wastes are approved for treatment by TTUs as provided in Section 67450.2 provided that the treatment of the waste is not regulated under the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C., Sec. 6901 et seq.), and regulations adopted pursuant thereto and provided that the waste is not classified as reactive pursuant to Section 66261.23. Wastes classified as extremely hazardous pursuant to Chapter 11 of this division are specifically excluded from these approved influent hazardous wastes.

(1) Aqueous solutions with metals.

(2) Aqueous solutions with total organic residue less than 10 percent and/or volatile organic compounds less than 1 percent.

- (3) Metals sludge, metals dust and machining waste.
- (4) Waste oils, mixed oils and oils mixed with solids.
- (5) Oil/water separation sludge.
- (6) Alum and gypsum sludge.
- (7) Lime sludge.
- (8) Phosphate sludge.
- (9) Sulfur sludge.
- (10) Special wastes as listed in Section 66261.120.
- (11) Acid or alkaline wastes.
- (12) Soils contaminated with metals or petroleum based fuels.
- (13) Unrinsed containers that once held oils, lubricants, waste oils, mixed oils or oils mixed with solids which have been emptied so that:

(A) All material has been removed that can be removed using the practices commonly employed to remove materials from that type of container, e.g., pouring, pumping, and aspirating; and

(B) No more than 2.5 centimeters (one inch) of residue remain on the bottom of the container or inner liner, or

(C) If the container is less than or equal to 110 gallons in size, no more than 3 percent by weight of the total capacity of the container remains in the container or inner liner, or

(D) If the container is greater than 110 gallons in size, no more than 0.3 percent by weight of the total capacity of the container remains in the container or inner liner.

(c) Treatment residuals and effluents from a TTU shall be subject to the requirements of Chapter 6.5 of Division 20 (commencing with Section 25100) of the Health and Safety Code and of this chapter, and shall be the responsibility of the generator of the waste influent treated by the TTU.

NOTE: Authority cited: Sections 208 and 25200.2, Health and Safety Code.
Reference: Section 25150 Health and Safety Code.

67450.4. Financial Assurance for Closure of Transportable Treatment Units which are Permitted by Rule.

(a) Notwithstanding any other requirements of this article, this section shall apply to all transportable treatment units (TTU), (as defined in Section 66260.10) deemed to have permits by rule pursuant to Section 66450.2.

(b) The TTU owner or operator shall prepare and submit to the Department a written estimate of the cost of closing the unit. The estimate shall be submitted to the department before the owner or operator begins operation of the unit. The estimate shall equal the cost of closure at the point in the unit's operating life when the extent and manner of its operation would make closure the most expensive.

(c) The TTU owner or operator shall adjust the closure cost estimate for inflation and shall submit the adjusted cost estimate to the Department by March 1 of each year. The adjustment shall be made as specified in subsections (c)(1) and (c)(2) of this section, using an inflation factor derived from the annual Implicit Price Deflator for Gross National Product as published by the U.S. Department of Commerce in its Survey of Current Business. The inflation factor is the result of dividing the latest published annual Deflator by the Deflator of the previous year.

(1) The first adjustment is made by multiplying the closure cost estimate by the inflation factor. The result is the adjusted closure cost estimate.

(2) Subsequent adjustments are made by multiplying the latest adjusted closure cost estimate by the latest inflation factor.

(d) The TTU owner or operator shall revise the closure cost estimate whenever a change in the closure plan increases the cost of closure. The revised closure cost estimate shall be adjusted for inflation as specified in Section 67450.4(a)(2).

(e) Financial assurance for closure of the unit can be established by:

(1) A closure trust fund, as provided in Section 66265.143(a),

(2) A surety bond guaranteeing payment into a closure trust fund, as described in Section 66265.143(b),

(3) A closure letter of credit, as described in Section 66265.143(c),

(4) Closure insurance, as described in Section 66265.143(d),

(5) A financial test and corporate guarantee for closure, as described in Section 66265.143(e),

(6) An alternative financial mechanism for closure costs, as described in Section 66265.143(f),

(7) Use of multiple financial mechanisms for closure costs, as described in Section 66265.143(g).

NOTE: Authority cited: Sections 208, 25200.2 and 25245, Health and Safety Code.
Reference: Section 25150 Health and Safety Code.

67450.5. Liability Requirements: Coverage for Sudden Accidental Occurrences for Transportable Treatment Units which are Permitted by Rule.

(a) This section applies to all Transportable Treatment Units (TTU), as defined in Section 66260.10, which operate under the provisions of Section 66450.2 (Permit by Rule).

(b) The TTU owner or operator shall demonstrate to the Department financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences arising from operations of the unit.

(c) The TTU owner or operator shall have and maintain liability coverage for sudden accidental occurrences in the amount of at least \$1 million per occurrence, with an annual aggregate of at least \$2 million, exclusive of legal defense costs.

(d) This liability coverage may be demonstrated by:

(1) Liability insurance, as described in Section 66265.147 (f);

(2) A financial test, as described in Section 66265.147 (g);

(3) A guarantee, as described in Section 66265.147 (h);

(4) A letter of credit, as described in Section 66265.147 (i);

(5) A surety bond, as described in Section 66265.147 (j);

(6) A trust fund, as described in Section 66265.147 (k);

(7) An alternative mechanism, as described in Section 66265.147 (l) or

(8) Any combination of the above mechanisms, provided the amounts of coverage total the minimum required under subsection (c) of this section.

NOTE: Authority cited: Sections 208, 25200.2 and 25245, Health and Safety Code.

Reference: Section 25150, Health and Safety Code.