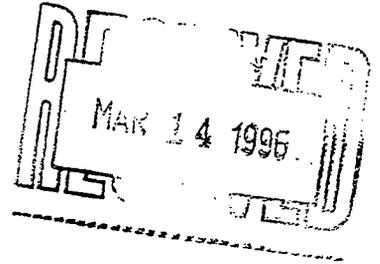




Alameda County Household Hazardous Waste Division, 1131 Harbor Bay Parkway, Mail Stop 30470, Alameda, California 94502-6540 • Phone: 510/670-6460 • Fax 510/293-9374

March 13, 1996

Attn: Joan Ferber
Permit Comments
California Environmental Protection Agency
Department of Toxic Substances Control
HQ 18
P. O. Box 806
Sacramento CA 95812-0806



Dear Joan Ferber:

SUBJECT: Permanent Household Hazardous Waste Collection Facilities Permit Regulation Comments

I recently began working through the permit regulations for Permanent Household Hazardous Waste Collection Facilities (PHHWCFs) in the California Code of Regulations, Title 22. I have the following comments and suggestions:

1. According to section 66270.60(d)(6) [the PBR section], a PHHWCF must comply with sections 66270.60(d)(6)(A), 66270.60(d)(6)(C), 67450.25 and 67450.30. Section 67450.25(a) [Requirements Applicable to Permanent Household Hazardous Waste Collection Facilities Deemed to Have a Permit by Rule] states:

The operator and contractor who conducts the operation of a PHHWCF deemed to have a permit by rule pursuant to section 66270.60 shall do all of the following:

(1) Maintain compliance with sections 66262.10 through 66262.57, 66264.175, and 66265.148.

However, section 66262.10(g) [of Chapter 12, Standards Applicable to Generators of Hazardous Waste] states:

A generator who treats, stores, or disposes of hazardous waste on-site shall comply with the applicable standards and permit requirements set forth in chapters 14, 15, 16, 18 and 20 of this division.

Section 66262.10(g) seems to be true for PHHWCFs, and seems to mean PHHWCFs must comply with the complete requirements for all types of TSDFs (Chapters 14, 15, 16, 18, and 20). However, this appears to be contrary to section 67450.25 which lists the specific sections of these chapters with which PHHWCFs must comply. According to DTSC staff, PHHWCFs can ignore section 66262.10(g) because the word "applicable" in that paragraph means PHHWCFs need only comply with those sections listed specifically under PBR for PHHWCFs.

Suggestion: To make this interpretation of "applicable" clear, I suggest the following section be added to 67450.25(a)(1):

(B) 66262.10(g) Does not apply to PHHWCFs.

2. Because Section 67450.25(a) states PHHWCFs must comply with sections 66262.10 through 66262.57, and section 66262.41 requires Biennial reports, it appears PHHWCFs must prepare and submit such reports. However, DTSC staff said only RCRA facilities must prepare such reports and since PHHWCFs do not handle RCRA wastes, PHHWCFs are exempt from the biennial report requirement.

Suggestion: To make this clear, I suggest the following section be added to 67450.25(a)(1):

(C) 66262.41 Does not apply to PHHWCFs.

3. PHHWCFs seem to be off-site facilities. If so, 66265.13(c) (as referenced by section 67450.25(a)(2)(A)) would apply to PHHWCFs and would require inspection and analysis of *"each movement of hazardous waste received at [PHHWCFs] to ensure that it matches the identity of the waste designated on the accompanying manifest or shipping paper"*. This is unworkable for a PHHWCF if it means each individual household hazardous waste can and bottle must be tracked against the waste delivery paperwork.

Suggestion: Revise section 67450.25(a)(2)(A) to exclude section 66265.13(c). Concurrently, review the exclusions of sections 66265.13(a) and (b). If (c) is also excluded, then nothing in 66265.13 applies. Is this what was intended?

4. Something is missing or misidentified after section 67450.4(b)(18). The very next entry is labeled as 67450.4(C). If this entry is in fact part of section 67450.4(b)(18), it should be labeled as 67450.4(b)(18)(A). A PHHWCF would then have to maintain compliance with Sections 66264.16 and 66264.17 and Chapter 12, Chapter 14 Article 3, and Chapter 14 Article 4. If this entry should be 67450.4(c), PHHWCFs would not need to comply with it since it is not part of section 67450.4(b)(18) and since 67450.4(c) is not listed in 67450.25(a)(4) [the original reference to the section in question].

Suggestion: Properly label section 67450.4(C).

Ms. Joan Ferber, CA EPA DTSC
PHHWCF Permit Comments
March 13, 1996

Page 3 of 3

Thank you for your review of these comments. Should you have questions or need additional information, please contact me at the letterhead address and phone.

Sincerely,



Katherine Chesick

cc: Richard A. Pantages, Division Chief
Files



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U.S. ENVIRONMENTAL PROTECTION AGENCY

April 1, 1996

Department of Toxic Substances Control
400 P Street, 4th floor
P. O. Box 806
Sacramento, CA 95812-0806
Attn: Ms. Joan Ferber

Dear Joan:

Advanced Environmental Technical Services, L.L.C., (AETS) is a nationwide subsidiary of Waste Management Technologies, Inc.. AETS is a leader in field services and management of industrial wastes. In California, AETS Service Centers have over seven years experience in the management of Household Hazardous Waste Collection Programs. Consequently, we are please to present the following comments on the Proposed Regulations for Permanent Household Hazardous Waste Collection Facilities.

AETS believes that the move from temporary collection programs, essentially daily events, to permanent collection programs, on a year round basis, is a needed option to meet the growing demand for the proper waste disposal of Household Wastes. With this goal, we are presenting several specific comments:

Assembly Bill 2201, introduced to the California Assembly February 8, 1996, promotes the "Re-use" of these wastes. We believe that this practice should be allowable in the PHHWCF framework.

Polychlorinated Biphenyl Compounds, PCBs, are often encountered in these types of wastes. Consequently, additional precautions and capabilities are needed for screening and managing PCB contaminated household wastes. The operator of the PHHWCF must have a demonstrated capability to properly manage these wastes.

Section 67450.4(d)2; The reference to the buffer zone requirement should be clarified. We are recommending stating

a distance of 50 feet. There are existing regulations which related to this as a standard distance.

Section 67450.4(e); The training requirement identified here should be clarified. OSHA regulations require 40 hour "HAZWOPER" training for hazardous waste workers. We recommend an equivalent to this OSHA requirement.

Section 67450.25(a)(4)(A); The reference to impervious containment implies that asphalt and concrete surfaces are not adequate. If impermeability is the standard then chemical resistant coatings and gap fillings will be a costly addition. Our prior experiences have revealed that coatings range from \$ /square foot, a typical area will be square feet and that the life of coatings may be as short as 3 years.

Our recommendation is to allow an alterative such as plastic sheeting. Two layers with a minimum of 10 mil thickness combined should be adequate protection and allow for very easy clean up.

Section 67450.25(a)(5)(A)2; The reference to the assessor as being independent to the project is supported; however, we are requesting that the requirement be clarified to allow for an independent of the operator versus owner of the PHHWCF. This will allow use of subsidiary company personnel who can still provide independent and objective assessment.

Section 67450.30(d)(1); AETS believes that the requirement for closure costs and sudden accidental insurance are needed. RCRA and Non-RCRA facilities in California are required to maintain these assurances and handle less hazardous and less a variety of chemicals than HHW program may.

Section 67450.30(e); PHHWCFs, once established, should be allowed to operate 365 days of the year. The reference to the 30 days implies a limitation which is too restrictive.

Section 6745.25(a)(1); PHHWCFs should be operated in a manner that requires the shipment of repacked and prepared wastes every 90 days. Our experience as found that due to the high volume potential, variability of flow of incoming wastes and



Page 3

PHHWCF Comments

the variety of chemicals and the hazards they represent, we recommend minimum requirements on shipping wastes off site. This will improve inventory management, container integrity and waste compatibilities.

Section 67450.25; The analysis requirements should be clarified in terms of which parameters and make it mandatory that the results are documented. Our recommendation on the parameters would be Ph, specific gravity, oxidizer screen, flammability potential and screen tests for cyanide and sulfides when wastes have a Ph greater than 9.

In summary, we believe that this rule fills the gap for a convenient and needed option to properly manage potentially hazardous chemicals from residential households. Thank you for the opportunity to comment.

Sincerely,

Advance Environmental Technical Services, L.L.C.



Carlos Campos

Director of Household Waste Programs

COUNTY FIRE DEPARTMENT



COUNTY OF SAN BERNARDINO

HAZARDOUS MATERIALS DIVISION
38 North Arrowhead Avenue, Second Floor • San Bernardino, CA 92415-0160

RICHARD W. SEWELL
Fire Chief
County Fire Warden

Ms. Joan Ferber
Department of Toxic Substances Control
Environmental Analysis and Regulations Section
400 P Street, 4th Floor
Post Office Box 806
Sacramento, California 95812-0806

April 1, 1996

The County of San Bernardino Household Hazardous Waste Program would like to take this opportunity to formally comment on the Permit By Rule Regulations for Permanent Household Hazardous Waste Collection Facilities, Department Reference Number R-95-03. This group of regulations either add to or amend Title 22, Division 4.5 of the California Code of Regulations.

66270.60 (d) (6) (A) (13) requires submittal of a topographic map showing the PHHWCF location and the area extending 2000 feet beyond the property boundaries of the facility. The regulation as printed reads that "the map shall clearly show the boundaries of the facility, surrounding land uses (e.g. residential, commercial, agricultural, recreational), orientation of the map, all springs and surface water bodies in the area, plus all drinking water wells within the specified area which are identified in the public record or otherwise known to the operator..." The instructions for DTSC Form 1094B (revised 2/96) further instruct the operator to also include surface contour lines, latitude and longitude at the nearest whole second, direction of the current on maps which show rivers, and directions of the ebb and flow tides on maps which include tidal waters. While these map requirements seem reasonable, it is worthwhile to note that facilities operating pursuant to a permit by rule that are not Permanent Household Hazardous Waste Collection Facilities need only submit a plot plan detailing the location(s) of the covered unit(s) in relation to the facility boundary. Requiring PHHWCFs that by law can only accept wastes that the average homeowner stores in their garage or beneath the kitchen sink to supply the information required by this section seems excessive and contrary to the intent of California Health and Safety Code Section 25218.11, especially when other Permit By rule facilities, which may be treating or storing RCRA wastes, are not held to the same requirement.

67450.25 (a) (4) (C) also requires compliance with §67450.4 (d) (10) (C), requiring that the operator provide traffic control which is "routed in a one-way direction to minimize backing up or turning around;". This is a regulation applicable to THHWCFs and adopted into the regulations pertaining to PHHWCFs. While routing traffic in a one-way direction to minimize backing up or turning around may be necessary during a busy, high traffic THHWCF, it is unnecessary and impractical at many PHHWCFs, which may have limited space. Perhaps a more practical, usable form of the regulation would read:

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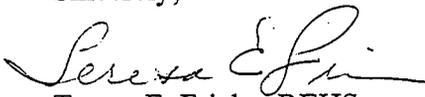
Ms. Joan Ferber
April 1, 1996
Page 2

“routed and controlled in such a way as to avoid damage to any component of the PHHWCF and/or injury to persons employed by or utilizing the PHHWCF”.

67450.25 (a) (4) further requires compliance with §67450.4 (e)(2)(A), which restricts the bulking of solvents, oil based paints, and gasoline during the hours when wastes are being accepted at a THHWCF. This is another THHWCF regulation adopted into the regulations affecting PHHWCFs. While for safety reasons this restriction makes perfect sense for a THHWCF, it may not be necessary or even practical at a PHHWCF. PHHWCFs typically process less customers and less waste in the course of daily operation than do THHWCFs. For this reason we believe it is acceptable for a PHHWCF to bulk the above mentioned waste streams during hours when wastes are being accepted as long as the bulking is not done in the waste acceptance area. This would allow, for example, those customers bringing in spent or aged gasoline to wait while their approved container is drained into a waste gasoline storage tank, and then take their container back home with them on the same day. This practice would save the customer an extra trip back to the PHHWCF just to pick up an empty container.

The County of San Bernardino Household Hazardous Waste Collection Program find that the proposed Permanent Household Hazardous Waste Regulations are, with the exception of those mentioned above, are and reasonable and necessary in order to protect public health, safety and the environment. The County is pleased at the positive progress that the Department of Toxic Substances Control has made in making the PHHWCF permitting process less burdensome.

Sincerely,



Teresa E. Fricke, REHS
Environmental Health Specialist II



Diane Christensen, REHS
Supervisor

Household Hazardous Waste Program



Peter Brierty, REHS
Division Chief
Hazardous Materials Division
San Bernardino County Consolidated Fire Department



HEALTH SERVICES AGENCY

ENVIRONMENTAL HEALTH SERVICES DIVISION

April 3, 1996

Ms. Joan Ferber
Department of Toxic Substances Control
Environmental Analysis and Regulations Section
400 P Street, 4th Floor
Sacramento, CA 95812-0806

**Re: Permanent Household Hazardous Waste Collection Facilities
Reference Number R-95-03**

Dear Ms. Ferber:

Thank you for this opportunity to comment on the Department's proposed regulations regarding permanent household hazardous waste collection facilities (PHHWCF). San Mateo County Environmental Health Services Division has been operating temporary HHW collection facilities (THHWCF) on at least a monthly basis for more than six years. We take pride in offering the public a much-needed service in as cost-effective and safe a manner as possible.

In order to better serve the public the Division plans to establish six to eight permanent HHW collection sites throughout the County. In comparison to the current program, the thrust is to move from the current number of large events to a greater number of smaller events. The objective is to increase convenience to the public without dramatically increasing costs. From the public's perspective, the main difference from our current operations will be an increased number of drop-off opportunities closer to home. From the County's perspective, the biggest difference will be the ability to safely store wastes until cost-effective quantities for shipping and disposal have been accumulated.

In the interest of establishing multiple sites that would be used a few days per month in as cost-effective manner as possible (without adversely impacting public safety) the Division suggests that two sections of the proposed regulations be amended as follows:

1. Section 66265.176 ". . . requires that containers holding ignitable or reactive wastes be located at least 50 feet from the facility's property line. This requirement provides a buffer zone to minimize the possibility of migration of contaminants to adjacent property should a spill occur"

Instead, the Division feels that the same objective could be achieved if it were worded "a buffer zone must be established that minimizes the possibility of migration of contaminants to adjacent property should a spill occur, meets Uniform Fire Code or local fire codes (which ever is more stringent), and has written approval of the appropriate local agencies."

SAN MATEO COUNTY BOARD OF SUPERVISORS

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590 HAMILTON STREET, REDWOOD CITY, CALIFORNIA 94063
PHONE (415) 363-4305 • TDD (415) 573-3206 • FAX [415] 363-7882

2. Section 67450.25 (a)(4)(A) "Because the facility is located at a permanent site, the waste handling and storage areas must have a containment system that meets the requirements of section 66264.175(b)(1) instead of a paved area covered with plastic sheeting which is allowed for THHWCFs."

While the Division recognizes the need for this requirement in a high-traffic facility, it suggests that an exemption similar to the one for closure cost assurance, section 67450.30(e), be provide to facilities that operate fewer that 30 days per year (or accepts less than a specified tonnage of waste per year), and to allow these facilities to use plastic sheeting as a ground cover.

The Division feels the financial impact of operating multiple sites could be moderated without impacting public safety or environmental exposure if these changes were incorporated into the final regulations. Thank you for this opportunity to comment on the Department's proposed regulations.

Sincerely,


Jennifer Stone
Deputy Director

PAS



THE CITY OF
SAN DIEGO

ENVIRONMENTAL SERVICES DEPARTMENT
9601 RIDGEHAVEN COURT, SAN DIEGO, CA 92123-1636



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Tel 619 492-5059
Fax 619 492-5068

April 4, 1996

Ms. Joan Ferber
Department of Toxic Substances Control
Environmental Analysis and Regulations Section
400 P Street, 4th Floor
P.O. Box 806
Sacramento, CA 95812-0806

SUBJECT: PERMANENT HOUSEHOLD HAZARDOUS WASTE COLLECTION
FACILITIES: DEPARTMENT REFERENCE NUMBER: R-95-03

Dear Ms. Ferber:

The City of San Diego strongly supports these proposed regulations establishing streamlined permit by rule (PBR) regulations for permanent household hazardous waste collection facilities (PHHWCFs). These regulations will enable public agencies interested in operating PHHWCFs to begin operation sooner and operate without the burdensome regulations as required for full permits, standardized permits, and variances.

The City supports these proposed requirements and has successfully and safely operated thirty-four (34) temporary household hazardous waste collection facilities (one-day events) under similar PBR requirements since November 1993. We commend the Department of Toxic Substances' efforts to simplify the PHHWCF permitting process, to incorporate the comments from the City and many other public agencies in drafting the proposed regulations, and to continue to be open and responsive to public comment.

Please keep us on the mailing list for any future rulemaking related to this issue.

Sincerely,

RICHARD L. HAYS
Environmental Services Director

RH:HLH:NV
nv\stlegis\1996\r9503.hhw



DIVERSITY
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BRENDA L. TOLLETT
Environmental Group Counsel
(606) 357-7024

April 4, 1996

VIA TELECOPY AND REGULAR MAIL

Ms. Joan Ferber
Environmental Analysis and Regulations Section
Department of Toxic Substances Control
400 P Street, 4th Floor
P.O. Box 806
Sacramento, California 95812-0806

Re: Proposed Regulations; Permit by rule Regulations for Permanent
Household Hazardous Waste Collection Facilities; Department
Reference Number: R-95-03

Dear Ms. Ferber,

The Valvoline Company, a division of Ashland Inc. ("Valvoline") is pleased to submit these comments to the State of California, Department of Toxic Substances Control ("Department" or "Agency") on the above referenced proposed rulemaking. Valvoline's comments are limited to those proposed modifications as they relate to the collection of used oil generated by Do-It-Yourself ("DIY") oil change consumers. For convenience only, throughout these comments all of Valvoline and its divisions and subsidiaries will be referred to as "Valvoline."

Valvoline has long been involved in the manufacture and distribution of lubricating oils, having celebrated its 125th birthday in 1991. Since 1866, Valvoline has been producing lubricants refined from crude oil, originally for use in steam powered engines and later for use in gasoline powered automotive engines as well as various industrial applications. In 1975, Valvoline published the first handbook instructing consumers on how to change their own motor oil and three years later became the first motor oil brand to print oil-changing instructions on the back of its one quart bottle. Valvoline has been heavily involved in marketing quart bottles of motor oil to Do-It-Yourself ("DIY") oil consumers ever since.

Recognizing its responsibility in the DIY motor oil market and realizing that disposal of DIY used motor oil is the number one cause of improper disposal of used oil in this country, Valvoline has stepped up to its responsibility by developing and implementing several programs designed to address the problem. Of primary significance, in April 1990, Valvoline purchased the used oil collection assets of an Indiana based re-refiner and formed a new subsidiary to provide used oil collection services to not only Valvoline-owned facilities, but to industry at large. This new subsidiary, Ecogard, Inc. ("Ecogard"), through a division known as First Recovery, provides used oil collection services for the industrial, installed and retail markets on a national basis. First Recovery is now collecting more than 43 1/2 million gallons of used oil on an annualized basis in 48 states.

In addition, First Recovery is presently partnering with a host of major retail chains to provide DIY used oil collection outlets at their facilities, including WalMart, Kragen, Chief and NAPA. First Recovery presently has over 5,200 locations participating in its DIY used oil collection program, collecting well over ten million gallons of DIY used oil per year. Over 650 of these locations are in the State of California, collecting over 3 million gallons per year (approximately 30 % of the entire Valvoline's nationwide DIY used oil collection program).

General Comments.

Valvoline understands the reasoning behind and agrees with the Agency's conclusion that permanent household waste collection facilities should be allowed to comply with a permit by rule system, rather than go through the lengthy and expensive process of obtaining a permit. The current definition of "household hazardous waste collection facility" is limited to those collection facilities operated by a public agency. Valvoline believes, however, that the flexibility of a permit by rule system should not be limited to those collection sites operated by public agencies, at least not in the context of DIY used oil. Valvoline has demonstrated, through its vast DIY used oil collection program that the more flexible the regulatory environment (provided that human health and the environment remain protected), the greater number of collection sites will be available to the public and the more household used oil will be collected. Because these retail locations voluntarily participate in the collection program at no cost to the public, they will be extremely reluctant to continue to participate if the regulatory burdens are disproportionate to the risk involved. Often, public sites are not located in areas that are convenient to the general consumer. Private retail establishments, like the ones participating in Valvoline's DIY program spend considerable sums of money evaluating the optimum location for a site in terms of access by the general public. These sites are more convenient and generally collect more DIY used oil than the sites operated by the public agencies. Therefore, the Agency should apply the same permit by rule regulatory scheme evenly amongst all household hazardous waste collection facilities whether public or private.

Ms. Joan Ferber
April 4, 1996
Page 3.

In the alternative, the Agency could carve out some regulatory exemptions for DIY used oil collection in the state. Valvoline has been encouraged by recent regulatory proposals to bring California's regulations more in line with the federal requirements and encourages the Agency to continue moving in this direction.

Conclusion.

Valvoline thanks the Department for the opportunity to provide comments on this proposed rulemaking, and hopes that the Department will consider and adopt the suggestions made by Valvoline in these comments. We look forward to reviewing the final regulation and if the Department has any questions about the comments contained in this letter, please feel free to call me at 606-357-7024.

Very Truly Yours,

A handwritten signature in cursive script that reads "Brenda L. Tollett". The signature is written in dark ink and is positioned above the printed name.

Brenda L. Tollett



People • Service • Environment
NORCAL WASTE SYSTEMS, INC.

Joan Ferber
Department of Toxic Substance Control
Environmental Analysis and Regulations Section
400 P Street, 4th Floor
P.O. Box 806
Sacramento, CA 95812-0806

RE: Permanent Household Hazardous Waste Collection Facilities Regulations R-95-03

Dear Ms. Ferber:

Norcal Waste Systems, Inc. is pleased to provide you with comments on the proposed regulations for Permanent Household Hazardous Waste Collection Facilities Regulations (R-95-03). These proposed regulations clearly reflect the Department of Toxic Substances Control's (DTSC) efforts to promulgate practical regulations that are protective of public health and the environment. The experiences of past permitting efforts for these PHHWCF has clearly been reflected in these new, improved regulations. This simplified process will ease the regulatory burden on all parties and allow communities to proceed more expeditiously with the implementation of these mandated programs to prevent hazardous wastes from entering the solid waste stream.

Norcal operates four permanent household hazardous waste collection facilities (PHHWCF) in California and we have been involved in numerous one-day collection events. These programs have greatly assisted our efforts, as a solid waste management company, to prevent potentially hazardous wastes from entering the solid waste stream by providing an opportunity for residents to safely dispose of their accumulated hazardous waste. Residents are typically extremely appreciative of the availability of this service.

Norcal was one of the first entities to attempt to permit dedicated PHHWCFs. Our experiences with the previous permit process was that it was extremely cumbersome and overly complicated and was a deterrent to implementing a PHHWCF. These proposed regulations have addressed much of our concerns and incorporated the concerns of other members of the Household Hazardous Waste Information Exchange.

Comments on the proposed regulations are attached. If we can be of further assistance in this effort, you may contact me at 415-330-1107.

Sincerely

Larry Sweetser
Director of Regulatory Affairs

Enclosure

cc: Jess Huff, Director
Denise Delmatier, The Gualco Group

Permanent Household Hazardous Waste Collection Facilities Regulations R-95-03

Section 66270.60 (c)(2) Permits by Rule - The requirement to not provide additional copies of previously submitted documents is extremely helpful to operators and assists with community's source reduction efforts.

Section 66270.60 (d)(6)(A)(4) Permits by Rule - Some PHHWCF are required to obtain air permits or other state agency permits. The intent of this section is to ensure agency notification and coordinate surveillance and enforcement efforts. This section should also require listing of any relevant state agency permits.

Section 66270.60 (d)(6)(A)(11) Permits by Rule - It is not clear whether the reference to one year storage is authorized by this section for all programs or utilized as an example. Although, reference to this authorization in this section is helpful in completing the application, this authorization would be more appropriately referenced in section 67450.25.

Section 66270.60 (d)(6)(A)(13) Permits by Rule - Commercial topographic maps are not usually current regarding the location of drinking water wells. The public record for the location of these wells is usually retained by the local water agency. This section should be revised as follows: " (This requirement may be satisfied by submitting a legible copy of a commercially available topographic sheet enlarged to a scale 200 feet per inch. The appropriate information should be noted on this sheet.)

Section 67270.60 (d)(6)(D) Permits by Rule - A new section should be added to address revised or updated information that occurs after the Department has authorized operation. This could include revisions to any the of the items in section 66270.60 (d)(6)(A). This section would state: "The Department should receive written notification, within 30 days, of any revisions to information submitted pursuant to section 66270.60 (d)(6)(A). The Department shall notify the operator if the information is incomplete or inaccurate within 30 days of receipt of the revised information."

Section 67450.25 (a)(1) Requirements Applicable to Permanent Household Hazardous Waste Collection Facilities Deemed to have a Permit by Rule - The reference for compliance with sections 262.10 through 66262.57 includes references to section 66262.34 (Accumulation Time) which conflicts with the ability to store for one year granted under proposed section 66270.60 (d)(6)(A)(11) (Permits by Rule). This section should be revised as follows: "Maintain compliance with sections 66262.10 through 66262.57, 66264.175, and 66265.148, unless otherwise authorized by the Department."

Section 67450.25 (a)(4)(C) Requirements Applicable to Permanent Household Hazardous Waste Collection Facilities Deemed to have a Permit by Rule - This is an excellent change since it acknowledges the reality of allowing insistent customers to open their own trunks but requiring them to remain outside the operating areas.

Section 67450.25 (a)(4)(D) Requirements Applicable to Permanent Household Hazardous Waste Collection Facilities Deemed to have a Permit by Rule -Most PHHWCF have controlled areas for consolidation and should not be limited to the THHWCF consolidation after-hours provision. This section should be more explicit in limiting consolidation activity for PHHWCF to the language used in 67450.25 (a)(4)(D) and not the standards of THHWCFs.

This section should be changed as follows: "The operator of a PHHWCF may also consolidate the following wastes: water-based paints, oil-based paints, compatible solvents, gasoline, antifreeze, used oil, roofing tar, photo finishing solutions, and miscellaneous solvent-containing wastes, and other wastes as authorized by the Department."

Section 67450.30 (b) Financial Assurance for Closure for Permanent Household Hazardous Waste Collection Facilities Which are Permitted by Rule - The allowance to include the salvage value of equipment in the closure cost estimate is reasonable and provides significant cost savings to operators.

Section 67450.30 (c)(4) Financial Assurance for Closure for Permanent Household Hazardous Waste Collection Facilities Which are Permitted by Rule - The reference to section 66265.143 (d) includes the use of the Department's form 1158. This form is not entirely consistent with the standardized Accord Certificate of Liability Form (copy attached) adopted by the insurance industry. We have found it extremely difficult to obtain non-Accord based forms. This section should be changed to allow submittal of other forms containing the same information as the Departments Form 1158.

Section 67450.30 (e) Financial Assurance for Closure for Permanent Household Hazardous Waste Collection Facilities Which are Permitted by Rule - it is unclear why the closure cost estimate is referenced as "\$10,000.00 per year". This section should be clarified as to whether the \$10,000 is the total estimated closure cost or the annual funding requirement.

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COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
	GENERAL LIABILITY				GENERAL AGGREGATE S
	COMMERCIAL GENERAL LIABILITY				PRODUCTS - COMP/OP AGG S
	CLAIMS MADE OCCUR				PERSONAL & ADV INJURY S
	OWNER'S & CONTRACTOR'S PROT				EACH OCCURRENCE S
					FIRE DAMAGE (Any one fire) S
					MED EXP (Any one person) S
	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT S
	ANY AUTO				
	ALL OWNED AUTOS				BODILY INJURY (Per person) S
	SCHEDULED AUTOS				
	HIRED AUTOS				BODILY INJURY (Per accident) S
	NON-OWNED AUTOS				
					PROPERTY DAMAGE S
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT S
	ANY AUTO				OTHER THAN AUTO ONLY:
					EACH ACCIDENT S
					AGGREGATE S
	EXCESS LIABILITY				EACH OCCURRENCE S
	UMBRELLA FORM				AGGREGATE S
	OTHER THAN UMBRELLA FORM				S
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATUTORY LIMITS OTH-ER
	THE PROPRIETOR/ PARTNERS/EXECUTIVE OFFICERS ARE:	INCL			EL EACH ACCIDENT S
	OTHER	EXCL			EL DISEASE - POLICY LIMIT S
					EL DISEASE - EA EMPLOYEE S

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

CERTIFICATE HOLDER

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL _____ DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE