



**US Army Corps  
of Engineers**

## **HTRW Center of Expertise Information - Fact Sheets**

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### **HTRW Center of Expertise Fact Sheet FY 05-07**

**Title: Hazardous Waste Management System;  
Standardized Permit for RCRA Hazardous Waste  
Management Facilities**

**Date:** September 8, 2005

**SARS RIN #:**2050-AE44

**Action Type:** Final Rule

**Cite:**70 FR 53419

**Applicability:** This rule modifies the Federal RCRA permitting program and establishes procedures for applying for and processing "standardized permits" in lieu of traditional "individual permits".

This rule applies to routine storage and non-thermal treatment of hazardous waste in containers, aboveground or on-ground tanks, or containment buildings. Facilities eligible for a standardized permit are (1) those that generate and then store and/or non-thermally treat their own waste and (2) those which receive waste generated offsite by a generator under the same ownership. For Federal facilities, waste is considered to be under the same ownership if generated within the same Federal agency. Therefore Department of Defense (DoD) facilities may utilize standardized permits to accept waste from other offsite DoD generators.

**Summary:** This rule creates 40 CFR 267, Standards for Owners and Operators of Hazardous Waste Facilities Operating Under a Standardized Permit. It also modifies permitting procedures in 40 CFR 124 and 270. Together these changes allow standardized permits to be issued in lieu of traditional "Part B" permits, also known as individual permits, for routine storage and non-thermal treatment in containers, aboveground or on-ground tanks, and containment buildings. It is available only to (1) facilities that generate and then store and/or non-thermally treat their own waste on-site and (2) facilities which receive hazardous waste generated off-site by a generator under the same ownership.

The standardized permit will expedite the permitting process. Previously, the only permit option was to apply for an individual permit. This required submission of extensive amounts of information regarding compliance with 40 CFR 264, Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities. The information then had to be reviewed by the regulatory agency for completeness, for approval, and as the basis for drafting site-specific permit conditions. The new standardized permit process allows permit applicants to certify compliance with standards in 40 CFR 267 and maintain much of the supporting documentation onsite rather than submitting vast amounts of information to the regulatory agency for review and approval. It also uses "uniform" permit conditions for the bulk of the standardized permit. At the discretion of the regulator, this may be augmented with a supplemental

portion to address site specific conditions, such as corrective action requirements. Thus less time is required for drafting the standardized permit.

A TSDF eligible for a standardized permit may choose to continue to operate under their existing individual permit, may seek conversion to a standardized permit, or may seek to operate under both types of permits where some, but not all activities, qualify for a standardized permit.

DoD facilities seeking a standardized permit would proceed as follows:

- Hold a pre-application public meeting.
- Have the facility audited for compliance with 40 CFR 267 standards and obtain a written audit report signed and certified as accurate by the auditor.
- Submit a Notice of Intent (NOI) to be covered by a standardized permit and supporting information. This constitutes the standardized permit application. Supporting information submitted includes "Part A" information described in 40 CFR 270.13, a summary of the pre-application meeting, documentation of compliance with location standards, information regarding consideration under other Federal laws (Endangered Species Act, etc.), solid waste management unit information, the audit report and related certification statement regarding compliance with 40 CFR 267 standards, and a closure plan. (Financial assurance requirements do not apply to the Federal government.)
- If seeking a permit for managing offsite waste, submit a waste analysis plan and documentation that generating entities are under the same Federal agency, DoD.

A draft permit decision regarding intent to issue or deny the standardized permit is to be issued by the permitting agency within 120 days of receipt of the NOI, but the agency may obtain a one-time 30 day extension.

**POC:** Beverly VanCleaf, USACE HTRW CX, 402 697-2559 or by email at [Beverly.D.VanCleaf@USACE.Army.mil](mailto:Beverly.D.VanCleaf@USACE.Army.mil)