



# Permit by Rule Explained

Keeping your Program in  
Compliance with Hazardous  
Waste Regulations



## Preparing for Door to Door HHW Collection Event

T22= California Code of Regulations, title 22  
H & S= California Health & Safety Code  
BMP= Best Management Plan

Discuss Event with CUPA, Check to see if your **site** has an EPA ID#, may have to obtain one from DTSC

Contact/select  
Contractor

Discuss **Operation Plan** with contractor:

- 1) Who will complete
- 2) How to manage leaking containers
- 3) Universal Wastes or non Hazardous Waste
- 4) How much HHW can take from one residence
- 5) Where HHW will be take to consolidation point (authorized HHW site)

When selecting a contractor you are strongly encouraged to:

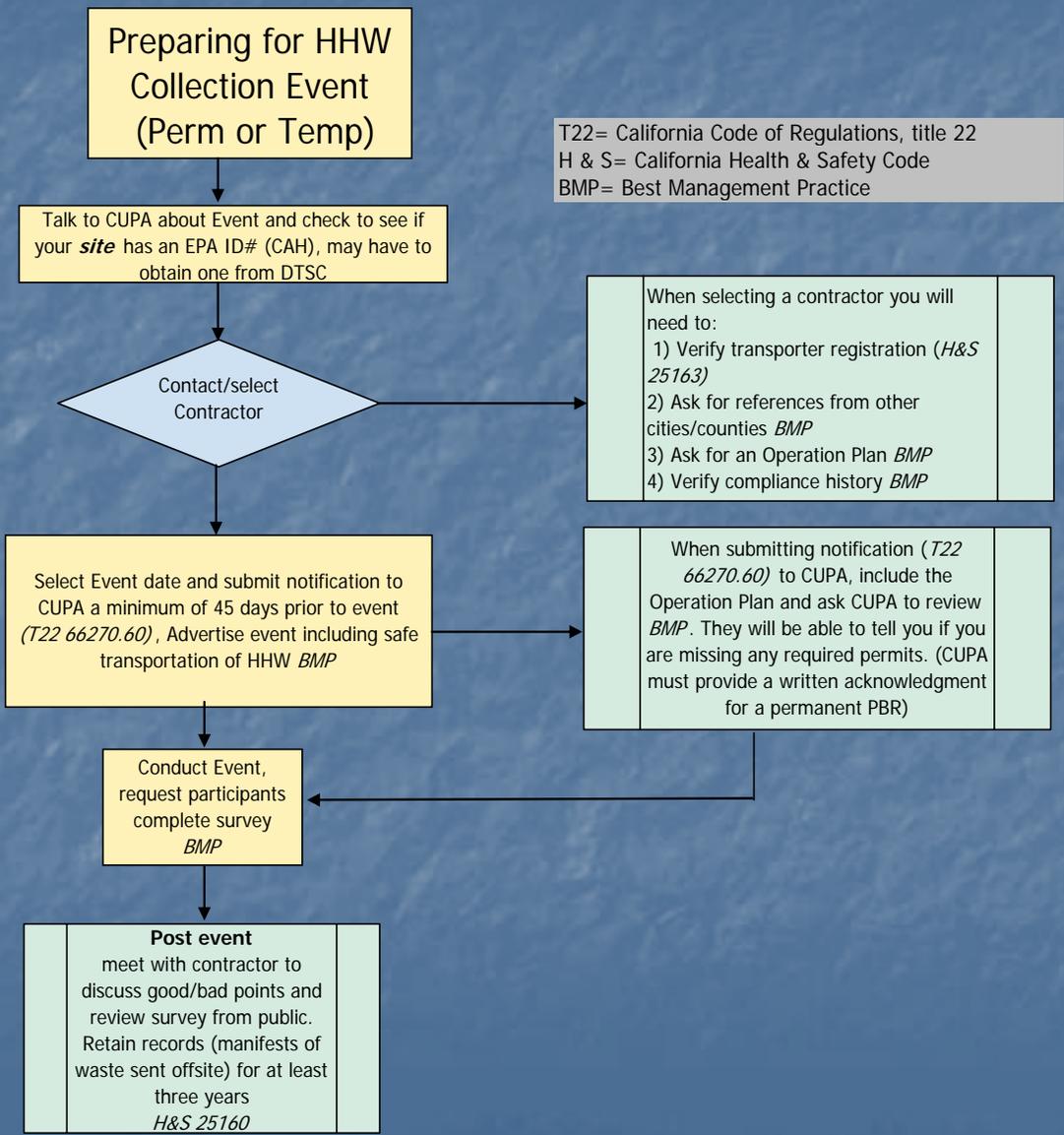
- 1) Verify transporter registration *H&S 25218(1)(c)*
- 2) Ask for references from other cities/counties *BMP*
- 3) Ask for an operation plan *BMP*
- 4) Verify compliance history *BMP*

Select Event date(s) and submit notification to CUPA a minimum of 45 days prior to event *T22 66270.60(d)(5)*, advertise event and proper storage of HHW to be picked up *BMP*

When submitting notification to CUPA include the Operation Plan and ask CUPA to review. They will be able to tell you if you are missing any required permits. *BMP*

Conduct Event,  
Leave residences a  
receipt *H&S 25218(c)(3)*

**Post event**  
meet with contractor to  
discuss good/bad points and  
Retain records (receipts and  
operation plan) for at least  
three years *H&S 25218(e)(3)*





# Importance of Complying with Hazardous Waste Regulations



- Avoids grant problems with CIWMB
- Avoids problems with other agencies
- Positive Public Relations
- Satisfaction of a successfully managed event(s)



# Know your Regulators



- Department of Toxic Substances Control (DTSC) is authorized by EPA for hazardous waste management program
- In early 90's The Certified Unified Program Agency (CUPA) was created
- CUPAs are certified by Cal EPA to regulate Hazardous Waste at local level



# Who does what?



- CUPAs are the Regulatory Authority for Hazardous Waste at Local level
  - All authorizations and most routine and complaint inspections
  - DTSC may investigate multi-jurisdictional cases, transporters, or where CUPA refers case.



# What is Permit by Rule?



- In the past, either a permit or a variance was required from DTSC to operate a HHW Program
- PBR was created (for HHW) so local government could collect HHW without a formal permit or variance from DTSC
- All authorizations/permits come from CUPA



# What about Universal Waste?



- Not regulated under PBR
- Similar liability and compliance issues
- Must account for in Operation Plan



# What about E Waste?



- If collecting E-Waste submit Notification form 1382 to DTSC
- Incorporate E waste handling into Operation Plan



# Know your CUPA



- All CUPAs listed on Cal EPA Website

<http://www.calepa.ca.gov/CUPA/Directory/default.aspx>

- Talk to your CUPA early in the process and often



# Who is Liable



- Liability is with the Public Agency
- The Public Agency holds the Permit
- The Contractor may be held liable in conjunction with the local agencies
  - (T22 66270.60)



# Suggested Time Line (Temporary Event)



- 6 Months -1 year: Interview contractors/select event date(s)
- 6 months: verify or request EPA ID #
- 4-6 months: develop Operation Plan/contract with contractor and CUPA
- 45+ days: submit notification to CUPA



# Pre Event Planning

(1 of 4)



- Verify or Obtain an EPA ID #
  - Call Nicole at (916) 255-4776
- Review Contractor
  - Are they a registered transporter?
    - [http://www.dtsc.ca.gov/HazardousWaste/Transporters/index.cfm#Registered\\_Transporters](http://www.dtsc.ca.gov/HazardousWaste/Transporters/index.cfm#Registered_Transporters)
    - Any compliance issues in the past? Ask them, check with local CUPA, Google Them
    - Ask the contractor for references



# Pre Event Planning

## 2 of 4



- Preparing an Operation Plan.
  - The plan requirements are listed in T22, 67450.4 (temp) and 67450.25(permeation)
  - Not required to be submitted, but must make available if CUPA, DTSC, or other agency requests
  - DTSC encourages CUPAs to request Operation Plans with notifications



# Pre Event Planning

3 of 4



Written agreement between property owner and operator of event

- If event is operated by a contractor then a copy of the agreement between contractor and operator must be made available



# Pre Event Planning

4 of 4



- Notification to CUPA
  - Must submit minimum 45 days before event
  - Must include items listed in CCR, T22 66270.60(d)(5)
  - Advertise Event
    - Include information on safe transportation of HHW



# Day of Event



- Be Prepared for visit from the CUPA
- Survey participants



# Post Event



- Maintain shipping papers
- Records of transfer of collected material to destination facility