

# **LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY**

## **REGULATIONS TO BE ADDRESSED IN A RCRA HAZARDOUS WASTE PERMIT APPLICATION**

### **“CERTIFICATION OF ACKNOWLEDGMENT, COMPLIANCE AND APPLICABILITY”**

#### **I. GENERAL INFORMATION**

A permit application for a hazardous waste treatment, storage, and disposal (TSD) facility must address all hazardous waste regulations (i.e., Chapters 1 through 53) of the Louisiana Administrative Code (LAC), Title 33, Part V. The formal requirements in Chapter 5 for content in an application (i.e., Part A and Part B) reflect the standards promulgated in LAC 33:V.Subpart 1. This documentation is necessary in order for the Administrative Authority to determine the applicant’s full compliance with all standards. An application is complete when the Administrative Authority receives all required information (i.e., regulatory citations and responses, diagrams, maps, plans and reports) necessary for making a decision and establishing permit conditions under LAC 33:V.311.E and 315.

The applicability or non-applicability of a particular chapter, section or subsection of the regulations is based upon the type of application submitted and as provided in Section II and Section III of this document. Those chapters not listed in Section II or next to a box that has been checked in Section III will be considered non-applicable and will not require a response.

The applicant is encouraged to schedule a meeting with the Waste Permits Division prior to submittal of the permit application. This meeting is designed to establish communication between the applicant and LDEQ relative to the submittal requirements and review process.

#### **II. STATEMENT OF ACKNOWLEDGEMENT AND COMPLIANCE WITH LAC 33:V. CHAPTERS 1, 3, 7, 11, 13, 22, 38, 40, 41, 42, 43, 49 AND 53**

Chapters 1, 3, 7, 11, 13, 22, 38, 40, 41, 42, 43, 49 and 53 of the hazardous waste regulations provide the definitions, administrative directives, public participation protocol, manifesting requirements, technical material and management criteria that govern the generation, transportation, treatment, storage and disposal of hazardous waste. By signing the certification in Section IV, the applicant acknowledges that the management of hazardous waste at the facility will fully comply with the regulatory requirements contained in these chapters.

The applicant’s certification of acknowledgment and compliance with these regulations serves as the response to these chapters in the application. However, the Administrative Authority may request additional information regarding these chapters if necessary to complete the permitting process. This may include, but not be limited to, the detailed responses to regulatory citations for Chapters 22, 38, 40, 41 and 43 as delineated in Section III, or as otherwise deemed necessary.

### III. STATEMENT OF APPLICABILITY AND NON-APPLICABILITY OF ADDITIONAL LAC 33:V. CHAPTERS

By checking the appropriate boxes below and signing the certification in Section IV, the applicant acknowledges which chapters of the hazardous waste regulations may be applicable to the management of hazardous waste at the facility. Accordingly, the applicant is required to cite and respond to these chapters in the permit application.

The applicant acknowledges that the required information (detailed and specific to the facility) will be provided in the application in accordance with the Waste Permits Division's "GENERAL GUIDELINES ADDRESSING THE CONTENT AND FORMATTING FOR A HAZARDOUS WASTE PERMIT APPLICATION". This document is available on LDEQ's website at <http://www.deq.louisiana.gov/portal/Default.aspx?tabid=2267>.

NOTE: During preparation of the application, the applicant may determine that a regulatory citation is not applicable. If a whole chapter is not applicable, the applicant need only cite the chapter's applicability section and state the reason it does not apply. If a section or subsection of a required chapter is not applicable, the applicant must still cite the regulation and state the reason it does not apply. Such statements of non-applicability must be in accordance with the abovementioned guidelines.

**Check the applicable permit type and unit(s) for which this application is being submitted (CHECK ALL THAT APPLY).**

- Operating:** The applicant must cite and respond to Chapters 5, 15, 17, 33, 35, 37 and 51 for operating permits. In addition, the applicant must cite and respond to the chapter(s) next to the unit(s) for which the application has been submitted:
  - Operating Containment Building – Chapter 18
  - Operating Tank – Chapter 19
  - Operating Container Storage Area – Chapter 21
  - Operating Waste Pile – Chapter 23
  - Operating Munitions and Explosives Storage – Chapter 24 (facilities may respond to Chapter 21 in lieu of 24 with prior approval)
  - Operating Landfill – Chapter 25
  - Operating Land Treatment Unit – Chapter 27
  - Operating Drip Pads – Chapter 28
  - Operating Surface Impoundment – Chapter 29
  - Operating Boiler and Industrial Furnace – Chapter 30
  - Operating Incinerator – Chapters 31 and 20

- Operating Miscellaneous Unit – Chapter 32 (carbon regeneration facilities shall also be required to respond to Chapter 20)
- Commercial:** In addition to the applicable chapters checked above, the applicant must cite and respond to the following chapters for a commercial facility, as applicable:
  - Commercial Facility (proposed, nonexistent) – Chapter 4 (see § 401 for applicability)
  - Universal Wastes (destination facility) – Chapters 38 and 41
  - Recyclable Materials – Chapter 41 (facilities with universal wastes shall also be required to respond to Chapter 38)
- Post-Closure:** The applicant must cite and respond to Chapters 5, 15, 17, § 2521 of Chapter 25, 33, 35, 37 and 51 for post-closure permits. **(The applicability of all or parts of Chapter 15 is determined on a case-by-case basis depending on a variety of factors including waste management.)**

In addition, the applicant must cite and respond to the unit-specific chapter(s) for the following unit(s) for which the application has been submitted:

- Post-Closure Waste Pile – Chapter 23
- Post-Closure Landfill – Chapter 25
- Post-Closure Land Treatment Unit – Chapter 27
- Post-Closure Surface Impoundment – Chapter 29
- Post-Closure Miscellaneous Unit – Chapter 32

In lieu of citing and responding to the entire unit-specific chapter(s) for the following unit(s), the applicant may provide a general history and overview of the construction, design and operation of the unit along with a response to the applicable unit-specific closure/post-closure section (§§ delineated below). The response must include waste codes and constituent(s) of concern associated with the historical operation of the unit, and provide detailed information on any components of the unit (e.g., secondary containment, pad, sumps, etc.) that are left in place.

- Post-Closure Containment Building – § 1803 of Chapter 18
- Post-Closure Tank – § 1915 of Chapter 19
- Post-Closure Container Storage Area – § 2117 of Chapter 21
- Post-Closure Munitions and Explosives Storage – § 2405 of Chapter 24
- Post-Closure Drip Pad – § 2809 of Chapter 28
- Post-Closure Boiler and Industrial Furnace – Closed permitted units must respond to § 3005.A.2.g and § 3005.I of Chapter 30; Closed interim status units must respond to § 3007.A.4.g, § 3007.L of Chapter 30 and Subchapter F of Chapter 43;

Permitted or interim status units for which waste is directly transferred from a transport vehicle without the use of a storage unit must also respond to § 3023.D.3 of Chapter 30 and § 2117 of Chapter 21

Post-Closure Incinerator – § 3121 of Chapter 31

**Corrective Action Management Unit (CAMU):** A corrective action management unit is specifically intended for treatment, storage and disposal of hazardous remediation waste. The applicant must cite and respond to Chapters 5, 15, 17, 22, 25, 26, § 3322 of Chapter 33, 35, 37, 43 and 51 for CAMU permits. In addition, the applicant must respond to the chapter(s) next to the unit(s) which will be converted to a CAMU and for which the application has been submitted:

Containment Building – Chapter 18

Tank – Chapter 19

Container Storage Area – Chapter 21

Waste Pile – Chapter 23

Munitions and Explosives Storage – Chapter 24

Landfill – Chapter 25

Land Treatment Unit – Chapter 27

Drip Pads – Chapter 28

Surface Impoundment – Chapter 29

Boiler and Industrial Furnace – Chapter 30

Incinerator – Chapter 31

Miscellaneous Unit – Chapter 32

**HSWA Corrective Action Only:** HSWA corrective action only permits are for those facilities that have no operating or post-closure units, but are required to complete corrective action under HSWA. The applicant must cite and respond to Chapters 5, 15, 17, § 3322 of Chapter 33, 37 and 51 for HSWA corrective action only permits. **(The following sections of Chapter 5 are NOT applicable and do not require a response: §§ 517.B.13, C, I, J, L, O, P, S, W, V, Q and §§ 521 through 699. The applicability of all or parts of Chapter 15 is determined on a case-by-case basis depending on a variety of factors including waste management.)**

**IV. CERTIFICATION**

This certification must be signed by the owner or operator of the facility in accordance with LAC 33:V.507.

*"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."*

\_\_\_\_\_  
Signature of Authorized Facility Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name and Official Title of Representative (type or print)

\_\_\_\_\_  
Facility Name

\_\_\_\_\_  
LDEQ Agency Interest (AI) Number

\_\_\_\_\_  
EPA Facility ID Number