



TIERED PERMITTING BASICS

W-B₃

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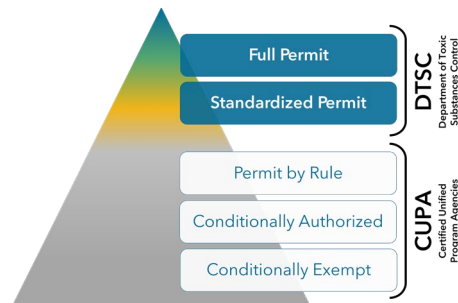
Agenda and Goals

- Stay awake, post lunch
- Learn a little about Tiered Permitting
- Look at some cool photos
- Leave a bit smarter than you arrived



The 5 tiers of Tiered Permitting

- Full (RCRA) permit
- Standardized (non-RCRA) permit
- Permit-By-Rule (PBR) [T22, CCR, 67450](#)
- Conditional Authorization (CA) [HSC, 25200.3](#)
- Conditionally Exempt (CE)
 - Small Quantity Treatment (CESQT) [HSC, 25201.5\(a\)](#)
 - Commercial Laundry (CECL) [HSC, 25144.6\(c\)](#)
 - Limited (CEL) [HSC, 25201.14](#)
 - Special Wastestream (CESW) [HSC, 25201.5\(c\)](#)



What we (CUPAs) get to regulate

- Hazardous wastes created and treated “on site”
- Fixed treatment units (FTUs)
- HHW
- K-12 School Consolidation



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Stuff you have to know

- Is it a waste?
- Is it a hazardous waste?
- Is it being treated?
- Is it exempt from treatment requirements?
- What the heck to I do when I see it?
- How do I address it in my report/notice?



Is it a waste? Waste Determination

- 22 CCR, 66261.2 – “waste” is discarded material in any form (l, s, semi-s, g) that is not excluded by regulation
 - (b) a discarded material
 - (c) a relinquished* material
 - (d) recycled
 - (e) inherently waste-like



* Disposed, incinerated, accumulated speculatively,

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Is it a Hazardous Waste?

- Second part of 22 CCR 66261.2
- Listed*
- Characteristic*
 - Toxic
 - Reactive
 - Ignitable
 - Corrosive



*You'll want to know if its RCRA or non-RCRA regulated for waste counting.

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Is it being treated?

- “any method, technique, or process which is not otherwise excluded from the definition of treatment by this chapter and which is designed to change the physical, chemical, or biological character or composition of any hazardous waste or material contained therein, or which removes or reduces its harmful properties or characteristics for any purpose.”

* CCR 66260.10 and
HSC 25123.5

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Is it being treated? What's that look like?

- Adsorbtion (ion exchange)
- Sieving/Filtering
- Neutralization (pH adjust)
- Drying/Evaporation
- Crushing/Compacting
- Biological degradation
- Rinsing
- Curing resins
- Precipitation/flocculation

Is it exempt from treatment permits?

- Most exemptions are in HSC
- 25123.5 (misc treat during accum)
- 25200.3.1 (lab treatment)
- 25201.16 (aerosols)
- 25143.13 (silver)
- 66266.130 (used oil filter crushing)



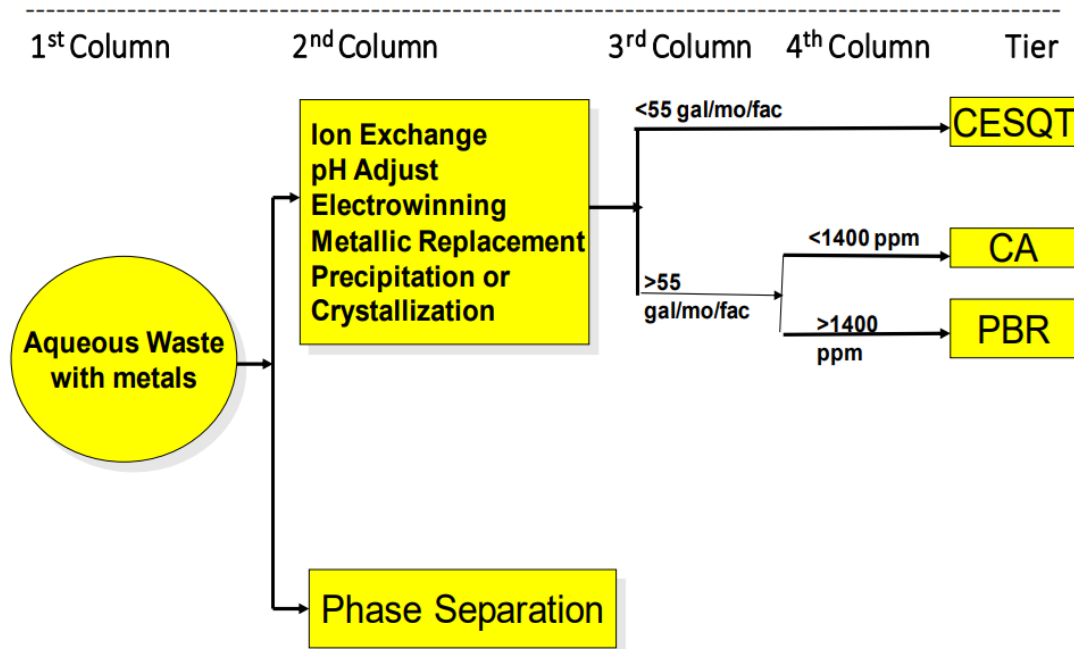
What the heck do I do when I see it?

- Determine if its eligible
 - NOT EVERY FORM OF TREATMENT AND EVERY WASTE CAN BE TREATED USING TIERED PERMITTING
 - Waste type
 - What type of treatment
 - Quantity to be treated (month or batch)
 - Concentration



What the heck do I do when I see it?

Going with the Flow (chart)



What happens if you can't find your wastestream/ technology combo on the flowchart?

- (a) Draw my own flowchart page
- (b) Curl up in the corner and cry
- (c) Prepare your “sorry, that’s not allowed” speech for the facility
- (d) Use flowchart #20 “Catch all” and document the process

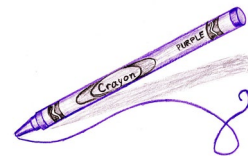
What the heck do I do when I see it?

- Flowchart warnings:
 - It's a guide, not the rule
 - It gives you the most logical, least regulated option
 - Its not all inclusive
 - Definitions of technologies (treatment types) are generally not regulatorily defined



What the heck do I do when I see it?

- Make sure you are analyzing the waste at the point of generation
- Draw it out
- Follow the flowchart. Confirm with reading the statute/regulation
- Get them started on CERS (or start confirming what you read)



*Drawing out a system will help with setting units, counting regulated tanks, etc

What the heck do I do when I see it?

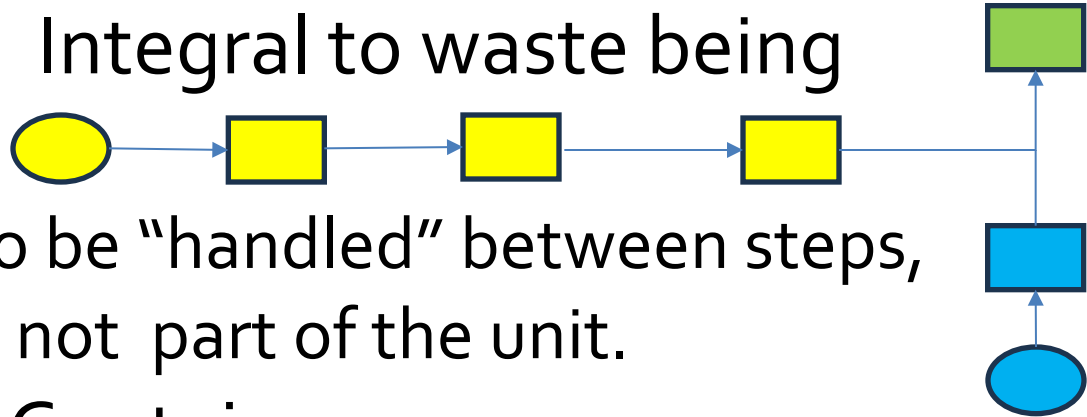
- 1 • Determine what tier fits best
- 2 • Determine number of tanks/containers
- 3 • Determine number of units
- 4 • Determine quantity being treated

Permit Status (Check all that apply)		Number of Units at Facility	
No	Facility Permit	#	Unit Type / Tier
No	Interim Status	0	Conditionally Exempt – Small Quantity Treatment (CESQT)
Yes	Standardized Permit	0	Conditionally Exempt Specified Wastestream (CESW)
No	Variance	0	Conditionally Authorized (CA)
No	Consent Agreement	2	Permit by Rule (PBR)
		0	Conditionally Exempt – Limited (CEL)
		0	Number of CE-CL Units
		2	TOTAL UNITS

Treatment Unit Identification and Details			
Unit Type/Tier	Unit ID#	Unit Name	
PBR	HM001	Cyanide and Metal Rinsewater	
Number of Tanks	Number Of Containers/Treatment Areas	Monthly Treatment Volume	Unit Of Measure
8	1	36000	Gallons
Specific Waste Treated (Narrative)		Treatment Process Description (Narrative)	
Spent rinse water from plating operations containing cyanide and metals.		Effluent is treated with sodium hypochlorite to destroy cyanide by oxidation, then directed for metals removal.	

What the heck do I do when I see it?

- Unit – series of interconnected processes that can be traced with a single line. Integral to waste being treated
 - If it has to be “handled” between steps, probably not part of the unit.
- Tanks and Containers
 - Work backward from the endpoint



If you see the facility adjust the pH of waste A then co-mingle that with waste B you have:

- (a) One unit
- (b) Broken at least two laws
- (c) Two units
- (d) More questions to ask

What the heck do I do when I see it?

- Number and name the system
- Figure out why it doesn't need a federal permit
- Figure out what happens to it once done treating it
- Does it involve cyanide?*

Treatment Unit Identification

Unit Type/Tier	Unit ID#
PBR	HM001
Number of Tanks	

Basis for Not Needing Federal Permit (Check all that apply)

- ☒ No a. Treated Waste is not a Hazardous Waste under Federal Law (California-only waste)
- ☐ Yes b. Treated in Waste Water Treatment Units (Tanks) and Discharged to a Publicly Owned Treatment Works (POTW)/Sewering Agency or under an NPDES Permit

Residuals Management Description (Check all that apply)

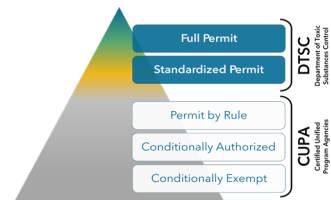
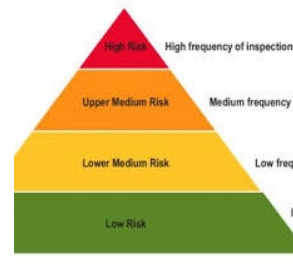
- ☒ Yes a. Discharge non-hazardous aqueous waste to POTW or sewer
- ☐ No b. Discharge non-hazardous aqueous waste under a NPDES permit

T22, CCR 67450.11(c)

How do I address it during the inspection

- Rules are generally additive in TP – the same rules apply all the way up the tiers, just add additional rules the higher you go
- Its all risk based

* We'll be giving you the CERS violation codes for each rule at each level. **CE level** **CA level** **PBR level**



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All tiers

- Follow generator standards
- Written operating instructions (3230, 3210037, 3210010)
- Written operating logs (how much, when is system operating) (3230, 3210037, 3210010)
- Does what you see match what was submitted in CERS (3210009, 3210008, 3210002)
 - Type, quantity, description, tier

All tiers

- Conduct and record inspections (3230031, 3230011, 3230085)
- Wastewater discharge records (3210051, 3210052, 3230047)
- Special rules for special processes
 - Eligible quantities (CESQT 3230084), eligible processes (CEL 3230080), eligibility (CECL 3230018)
- Follow Generator rules (3210, 3210, 3210010)

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CA and PBR

- Tank Containment (3210, 3230074)
- Container Containment (3210, 3230081)
- Tank Assessment (3210/3210012, 3210042/3210012)
- Phase I assessment (3210024, 3210022)
- Provide security (3230088, 3230075)
- Closure Cost Estimate (3210025, 3210026)
 - Annual inflation adjustment (3210027, 3210028)
 - Financial Assurance Mechanism (3310007, 3210026)

PBR

- Waste Analysis Plan (3230087)
- Written Closure Plan (3230086)
- Annual notification (3210053)
- Mark system (3230048)

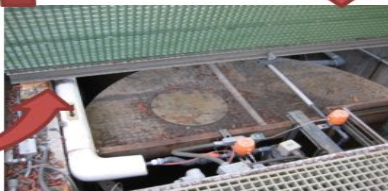
Which of the following do all levels of tiered permitting have to do:

- (a) Waste Analysis plan and closure plan
- (b) Conduct and log inspections
- (c) Keep an operating log
- (d) b and c

BREAK TIME!



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Metal Finishers

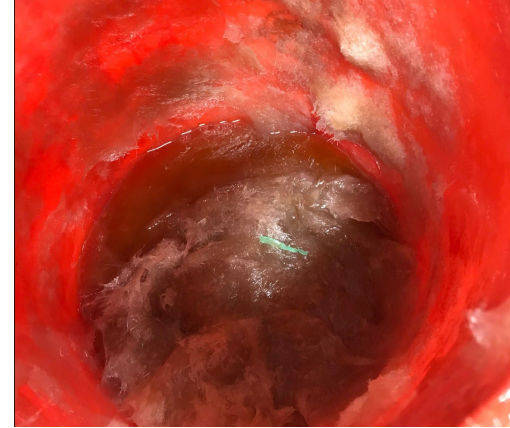


CE – Commercial Laundry



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Resin Treatment - Prepreg, Gel Coat, Fiberglass



What the heck?



- (a) Roku for plating shops
- (b) Flow meter
- (c) Oxidation Reduction Potential (ORP) Meter
- (d) pH Meter

Flammable paint drying



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Hazardous Waste Compaction: No Dice



Sludge Treatment



What the heck?



- (a) Crap
- (b) Misdelivered alphabet blocks for the preschool next to the plating shop
- (c) Un-used, expired resins to be treated
- (d) Amazon returns

PBR Acid/Caustic Neutralization system



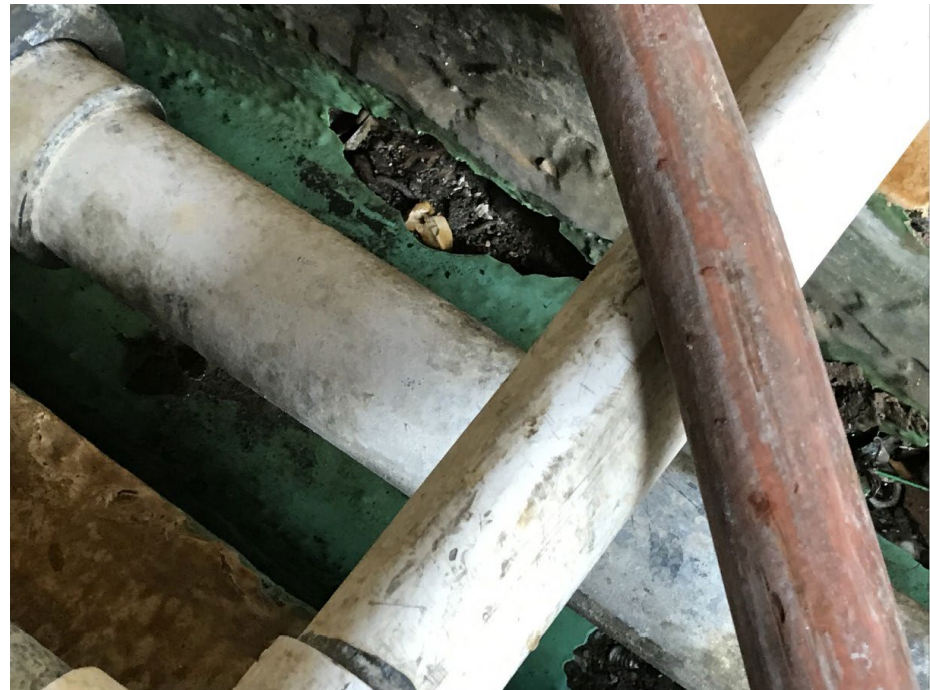
Old School Printed Circuit Board Shop which use to operate a 'wet floor'



Petroleum affected water activated carbon filtration



TP – Haz Waste Tank System inspections



Metal Finishing – Rinse Water Counter Current Flow



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Portable (Container) pH adjust unit



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What the heck?



- (a) Festival sized spaghetti makers
- (b) Paint Care processing
- (c) Universal Waste treatment units
- (d) Drying units

Basic Filter Press



Aerosol Processing



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Multi-function treatment “tank”



Treatment in containers



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What the heck?

- (a) O/W separator
- (b) Deburring machine
- (c) Fancy parts washer
- (d) Really big ultrasonic unit



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Lift stations and piping - ancillary tank system parts



Batch treatment



WTH?



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Any Questions?

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Who's doing what in this presentation

Ryan

- 4-5-6
- 10-12
- 15-16
- 20
- 23-24
- 30-43

Mickey

- 2-3
- 7-9
- 14
- 17-19
- 21-22
- 28-29
- 33
- 44-52