



**MISSOURI**  
DEPARTMENT OF  
NATURAL RESOURCES

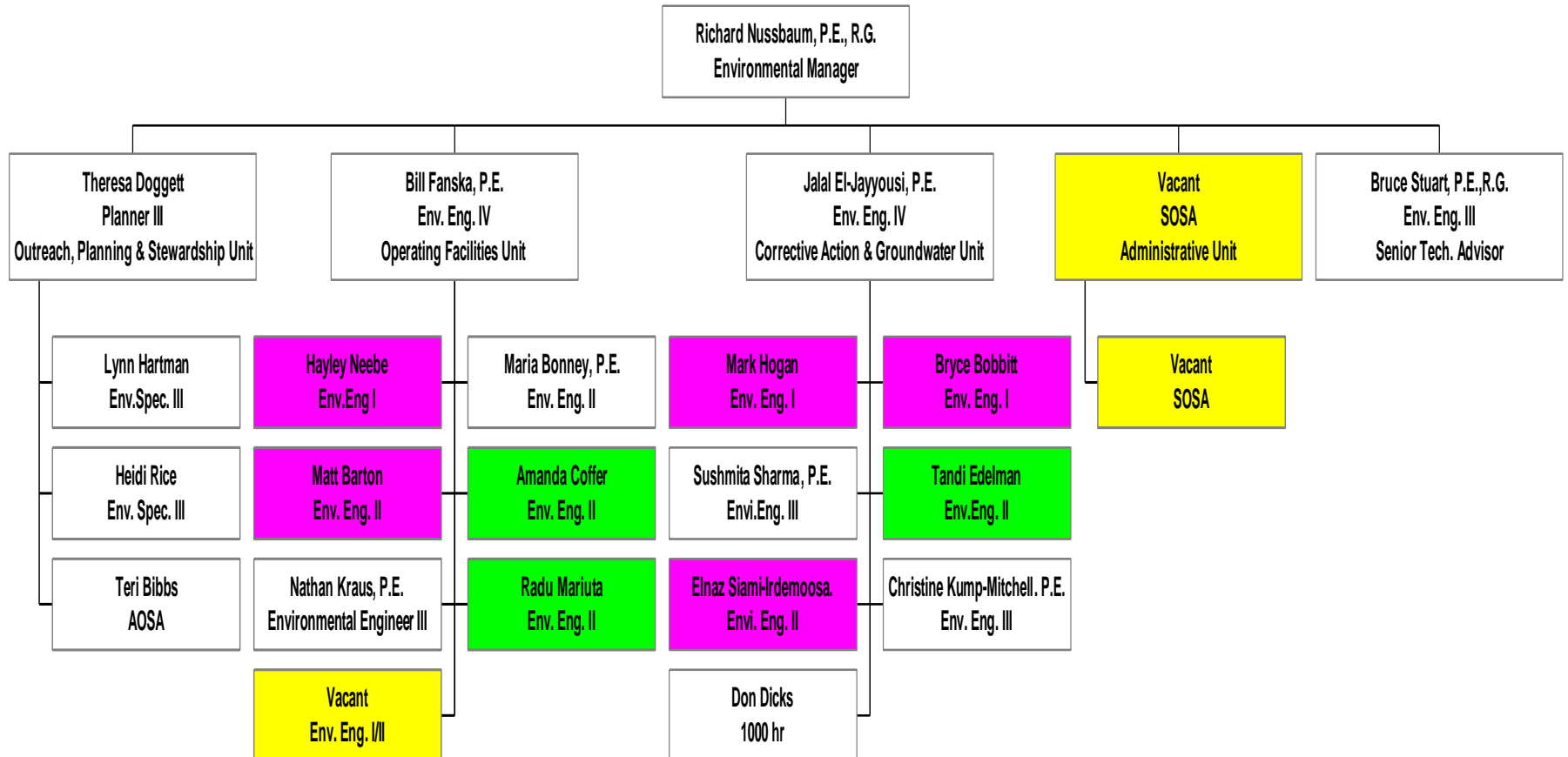
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# **Hazardous Waste Permitting Update**

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**2017 REGFORM Hazardous Waste Seminar**  
**Nov. 15, 2017**

# Permits Section - Organization



# Permits Section - Functions

- Hazardous Waste Permitting/Closure
- Corrective Action
- Financial Assurance
- Groundwater
- Resource Recovery Certification
- Technical/Compliance Assistance

# Hazardous Waste Permits Universe\*

- 39 facilities, 1 new one in the pipeline
- Facility breakdown
  - Operating & Corrective Action\*\* (14)
  - Operating & Post-Closure & Corrective Action (2)
  - Post-Closure & Corrective Action (21)
    - Permits (14)
    - CA Orders in lieu of Permits (7) - EPA PC Rule
  - Corrective Action Only (2)

\* Does not include facilities subject to Corrective Action but not permitting or Resource Recovery facilities.

\*\* One Operating Facility has Corrective Action deferred to CERCLA.



# Permit Application

- Before Permit Expiration
- Initial “Completeness” Review and Public Notice
- Technical Review

# Draft Permit Issuance Elements

- Draft Permit (typically 80 to 120 pages plus figures)
- Internal-external concurrence/legal review
- Internal briefing memo (HWP/DEQ Director)
- Facility letter
- Landowner letter/Interested party mailing list (20 to 500)
- Fact sheet/Statement of Basis
- Web updates/postings
- Legal Notice/Newspaper email/affidavit of publication
- Radio Announcement/Radio email/certificate of broadcast
- Library letter/information repository(ies)
- Public meeting/hearing

# Final Permit Issuance Elements

- Final Permit (typically 80 to 120 pages plus figures)
- Response to public comments and final decision
- Internal signature memo (HWP/DEQ Director)
- Facility letter
- Web updates/postings
- Library letter
- Permit appeal window

# The Hazardous Waste Permit is Issued Now What?

- Schedule of Compliance Requirements
- Other Permit Deliverables
- Permit Modifications



# Permit Work Load Evolution

Nationally: The vast majority of facilities that continue to treat, store or dispose of hazardous waste have been issued permits. The bulk of permitting activity has shifted to responding to business needs\* and changes in facility operations while ensuring that the permit conditions continue to be protective and prevent releases.

\*See Permit Modifications Report: Safeguarding the environment in the Face of Changing Business Needs

[https://www.epa.gov/sites/production/files/2016-01/documents/permit\\_mod\\_report\\_final\\_508.pdf](https://www.epa.gov/sites/production/files/2016-01/documents/permit_mod_report_final_508.pdf)

# Class 1 Permit Modifications

Apply to minor changes that keep the permit current with routine changes to the facility or its operation. These changes do not substantially alter the permit conditions or reduce the capacity of the facility to protect human health or the environment.

<b>Examples</b>
<b>Administrative and informational changes</b>
<b>Correction of typographical errors</b>
<b>Changes in names, addresses, and phone numbers of emergency coordinators</b>
<b>Changes to waste sampling and analysis methods to comply with new regulations</b>
<b>Changes to analytical quality assurance and quality control plan to comply with new regulations</b>
<b>Note: See 40 CFR 270.42, Appendix I for more detail</b>

# Class 2 Permit Modifications

Apply to changes that are necessary to enable a permittee to respond, in a timely manner, such as: a) Common variations in the types and quantities of the wastes managed under the facility permit, b) Technological advancements, and c) Changes necessary to comply with new regulations, where these changes can be implemented without substantially changing design specifications or management practices in the permit.

Examples
Changes in frequency or content of inspection schedules
Changes to a corrective action program
Extensions of post-closure care period
Changes to facility training plan that affect the type or amount of employee training
Changes in number, location, depth, or design of groundwater monitoring wells
Note: See 40 CFR 270.42, Appendix I for more detail



# Class 3 Permit Modifications

**Substantially  
alter the facility  
or its operation.**

<b>Examples</b>
<b>Addition of a corrective action program</b>
<b>Addition of land disposal or combustion units</b>
<b>RCRA Parceling (i.e., removal of property from a permit)</b>
<b>Corrective action final remedy selection/implementation</b>
<b>Reduction in Post-Closure care period</b>
<b>Note: See 40 CFR 270.42, Appendix I for more detail</b>

# **Other Permit and Modification Types & Related Approvals**

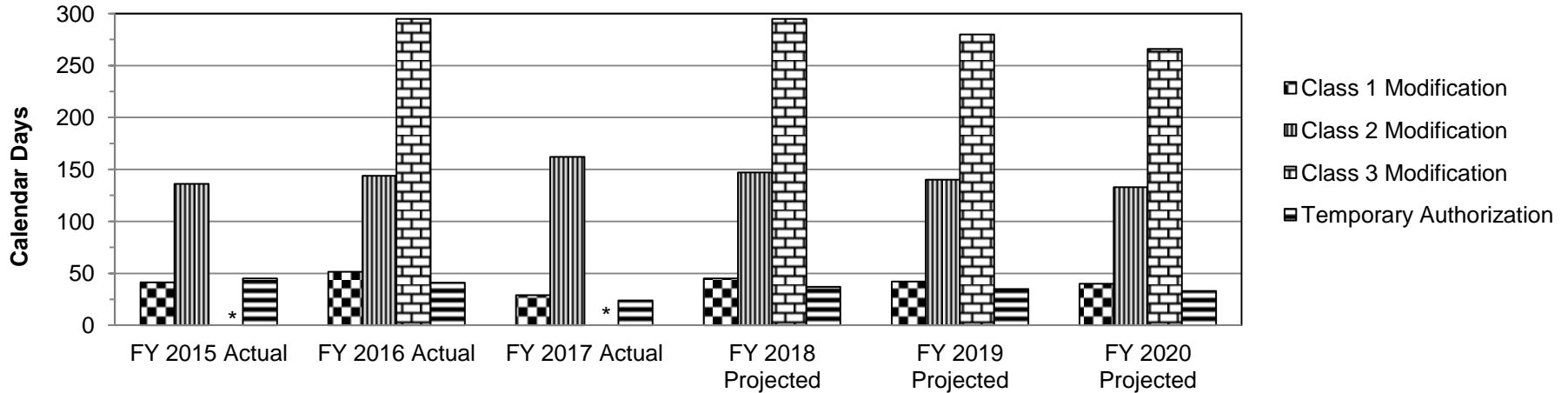
- Emergency Permits
- Remedial Action Plans
- MoDNR-Initiated Permit Modifications
- Temporary Authorizations



# Permit Modifications and Temporary Authorizations Approved

Requests Approved	FY 2015 Actual	FY 2016 Actual	FY 2017 Actual	FY 2018 Projected	FY 2019 Projected	FY 2020 Projected
Class 1 without prior approval	12	15	18	15	15	15
Class 1 with prior approval	11	11	7	10	10	10
Class 2	5	5	3	4	4	4
Class 3 – Multi-year average	*	1	*	2	1	1
Temporary Authorizations	2	4	5	4	4	4

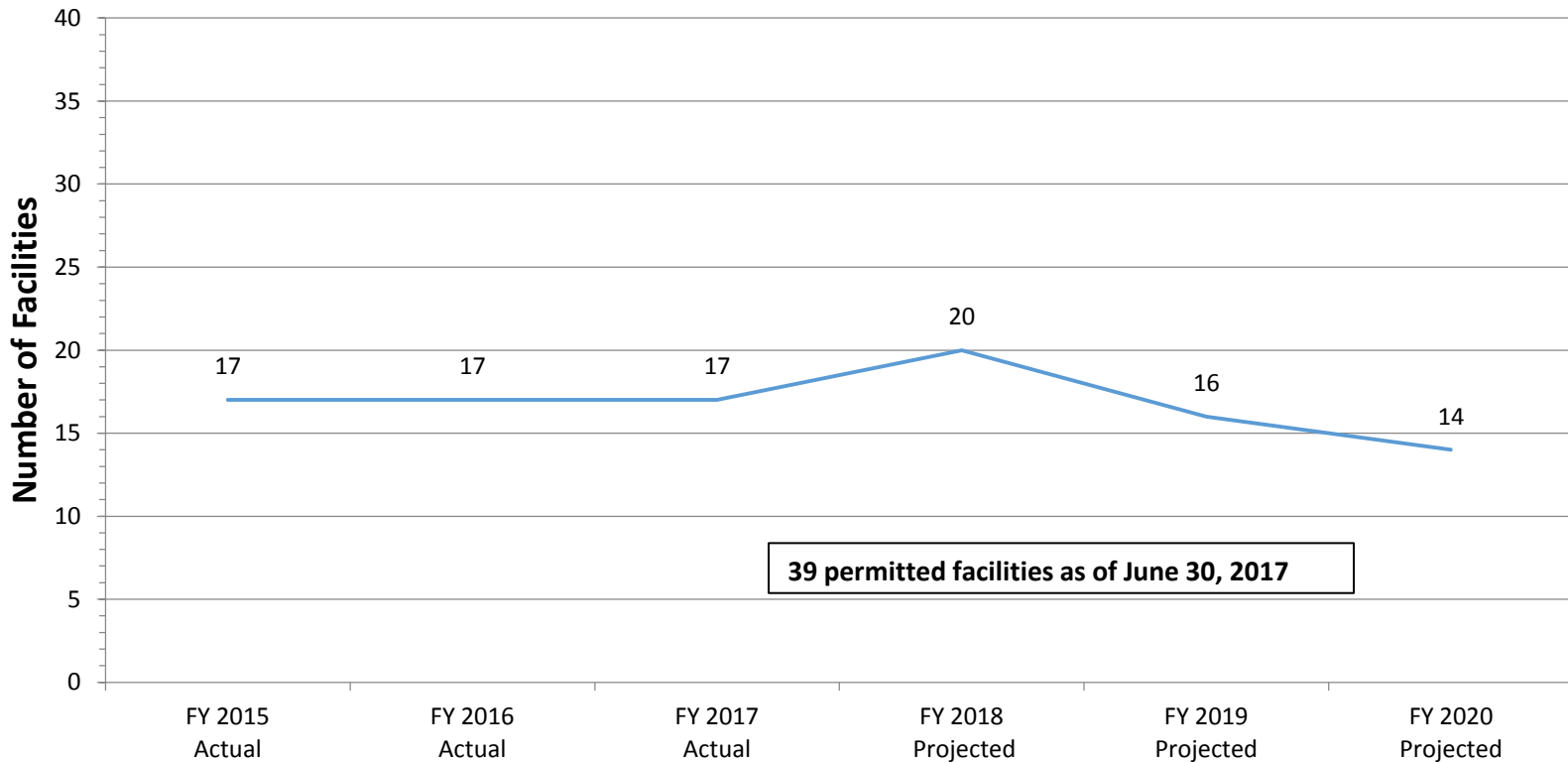
## Permit Modification and Temporary Authorization Processing Time



Modification Type	FY 2015 Actual	FY 2016 Actual	FY 2017 Actual	FY 2018 Projected	FY 2019 Projected	FY 2020 Projected
<b>Class 1 Modification</b>	<b>41</b>	<b>51</b>	<b>29</b>	<b>45</b>	<b>42</b>	<b>40</b>
<b>Class 2 Modification</b>	<b>136</b>	<b>144</b>	<b>162</b>	<b>147</b>	<b>140</b>	<b>133</b>
<b>Class 3 Modification</b>	<b>0</b>	<b>295</b>	<b>0</b>	<b>295</b>	<b>280</b>	<b>266</b>
<b>Temporary Authorization</b>	<b>45</b>	<b>41</b>	<b>24</b>	<b>37</b>	<b>35</b>	<b>33</b>

Stretch goal = an additional 5 percent reduction in projected timeframes.

# Hazardous Waste Permits Backlog



**Base Goal** - Reduce the backlog of expired permits to 14 by 2020.  
**Stretch Goal** - Reduce overall permit issuance timeframes and reduce the expired permit backlog to 11 by 2020.



# Permitting Efficiency Improvements

- **Recent Past**

- Statutory changes (Habitual violator, health profile)
- “No stricter than” rules scrub (Chapter 7 – 59.5 percent reduction)
- No more EPA Part II Permits unless required

- **Current**

- Internal Goal Setting/Performance Metrics
- Red Tape Reduction/Additional Rules Scrubbing (Chapter 7 – 62.1 percent proposed)
- Signature Delegation
- Employee Retention

# Current/Planned Performance Measures

- **Permitting**
  - New/updated controls (address permit reissuance “backlog”)
  - Modifications (reduce processing time frames)
- **Corrective Action**
  - Human Exposures/Groundwater Migration Control
  - Final Remedy Implemented
  - Corrective Action Complete
- **Resource Recovery Certifications**
  - Reduce processing time frames



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# Questions?

**Richard Nussbaum, P.E., R.G.**  
**MoDNR – Hazardous Waste Program**  
**[rich.nussbaum@dnr.mo.gov](mailto:rich.nussbaum@dnr.mo.gov)**  
**573-751-3553**