

## RCRA Permit Renewal Applications

Déjà Vu All Over Again, Again.



### Overview

RCRA Permits for hazardous waste treatment, storage, and disposal facilities must be renewed every 10 years. If your facility has an existing RCRA permit, your application for renewal must be submitted to the TCEQ at least 180 days prior to the date of permit expiration. Practical considerations for the renewal process, based on TCEQ policy and our own experience at GSI, are summarized below.

### Scope of Renewal Application

For the RCRA permit renewal application, TCEQ requires complete resubmittal of all relevant sections of the RCRA application forms (TCEQ-0283, TCEQ-00376). A complete submittal is comprised of two major documents: **i)** the Part A Application and **ii)** the Part B Application, which now incorporates the Groundwater Compliance Plan for those facilities where compliance monitoring or corrective action is required. Not all sections are created equal. For some permit sections, the renewal application may simply entail transferring information from the prior application onto the new TCEQ application forms, while, for others, considerable updates may be needed to account for changes to waste streams or waste management units. The scope and relative effort of each application segment is summarized on **Figure 1** attached.

### What's New?

Not much. The TCEQ has issued new RCRA permit application forms, available at [http://www.tceq.state.tx.us/comm.exec/forms\\_pubs/search\\_forms.html](http://www.tceq.state.tx.us/comm.exec/forms_pubs/search_forms.html); however, the information requirements have not changed significantly since the last round of permit renewals 10 years ago. **Figure 1** highlights minor changes to each permit section that could be of interest to you.

### The Goal Line

The permit renewal is your opportunity to fully re-evaluate and revise the RCRA permit to achieve the most cost-effective waste management program for your facility. This means: **i)** identifying the problems of the past decade and the needs of the next and **ii)** reviewing the prior application and permit to maximize flexibility and eliminate unnecessary requirements and associated costs. Ideally, the end product should address all upcoming waste management needs and minimize the number of permit modifications that will be required over the next 10 years.

### Getting There From Here

We recommend the following key steps to permit renewal nirvana:

- Remove waste managements units that don't need to be in the RCRA Permit: Many existing permits include waste management units that, technically, do not need to be in the RCRA permit (e.g., < 90-day storage units) and may therefore entail unnecessary administrative burden and cost. Take a hard look at whether including these units in the RCRA permit is worth the extra hassle, compared with simply obtaining a permit waiver, if and when the need arises, to store waste for over 90 days.
- Add new units to meet future waste management needs: Be sure to identify any and all new waste management units or modifications that might be required for the facility in the future, as applying for these new units now can avoid considerable additional future expense.
- Streamline the waste inventory in your Notice of Registration (NOR): Be a "lumper", not a "splitter." The more that you can consolidate your waste inventory into the minimum number of broad categories of similar wastes, the less headaches you will face for the permit renewal and future modifications, as new wastes are identified. If you find that you have numerous waste codes listed in your NOR, you may want to consider how similar waste streams might be merged into the same USEPA waste codes to make your life easier.
- Make old problems into new opportunities: Review your history of compliance issues over the past 10 years, as well as the number and types of permit modifications that you have filed, in order to identify problem areas that could be addressed in the new application.
- Right-size financial assurance requirements: Financial assurance for the future closure of waste management units and implementation of corrective action programs can be very costly. Be sure to consider whether: **i)** financial assurance is still needed, **ii)** an updated cost estimate could be lower than prior estimates, **iii)** the most cost-effective financial assurance mechanism has been selected, and **iv)** financial assurance requirements have not been double-counted among multiple regulatory programs.
- Keep it simple: The application forms can sometimes imply the need for significant effort that may not, in fact, be necessary. Examples include the RCRA Facility Assessment (RFA) and Alternate Concentration Limit (ACL) evaluation. Be sure to check with you're the TCEQ permit coordinator on the applicability of these requirements for your facility.

### Getting Started

For a major industrial facility, we recommend a minimum 6-month work period for preparation of the RCRA permit renewal application. This means that you should start work 1 year in advance of the permit expiration date in order to submit the application 180 days prior to permit expiration. After a preliminary review of permit needs and objectives, a pre-application meeting with TCEQ I&HW Permits Section coordinator for your facility may help to resolve questions and streamline the renewal process.

Figure 1: REVIEW OF RCRA PERMIT REQUIREMENTS

Permit Renewal Section	Recent Changes to Permit Section	Required Action for Renewal	Effort
<b>Part A Application</b>	Bilingual notice, TCEQ Core Data form, and survey plat/facility plan matching metes and bounds description.	Update and streamline facility NOR. Compile updated list of facility permits, new metes and bounds descriptions and maps.	High
<b>Part B Section I: General Information</b>	Bilingual notice, TCEQ Core Data form, and contact information for state and local officials with jurisdiction.	Obtain current info on adjacent property owners, and contact info for state and local officials.	Low
<b>Part B Section II: Facility Siting Criteria</b>	Site Selection Report.	Update previously submitted Site Selection Report.	Low
<b>Part B Section III: Facility Management-Plan</b>	List of all Texas solid waste management sites owned/operated/controlled by applicant.	Document compliance history. Incorporate new training, inspection and contingency plans. Confirm arrangements for emergency response.	Low
<b>Part B Section IV: Wastes and Waste Analysis</b>	TCEQ Waste Form and Classification Codes, including codes associated with hazardous debris.	Consolidate similar waste streams into single waste codes as appropriate, and incorporate flexibility in analytical methods, sampling locations, etc.	High
<b>Part B Section V: Engineering Reports</b>	Management of ignitable, reactive, incompatible, and spent solvent mixture wastes; QAPP, and new boiler and incinerator parameters.	Prepare facility descriptions and enclose existing as-build drawings. Review BIF operating conditions for consistency with prior trial burn test.	High
<b>Part B Section VI: Geology Report</b>	Approval and seal of Texas-licensed professional geologists for reports, maps, and cross-sections. Groundwater data consistent with TCEQ QAPP document.	Compile previously sealed geology reports, geologic maps and cross-sections. Update groundwater detection monitoring program.	Moderate
<b>Part B Section VII: Closure and Post-Closure Plans</b>	Closure and post-closure care cost summary tables.	Add flexibility to closure plans and re-evaluate cost effectiveness of past plans.	Moderate
<b>Part B Section VIII: Financial Assurance</b>	State's assumption of responsibility for closure, post-closure, corrective action activities, or liability coverage.	Evaluate adequacy of prior FA mechanism and availability of more cost-effective closure options.	Moderate
<b>Part B Section IX: Releases from Solid Waste Units and Corrective Action</b>	Management of releases consistent with TRRP provisions.	Summarize prior RFA/RFI/CMI work.	Low
<b>Part B Section X: Air Emission Standards</b>	New info requirements for process vents, equipment leaks, and tanks and containers containing ≥10% ppmw organics.	Obtain facility Leak Detection and Repair program and review for fugitives management.	Moderate
<b>Part B Section XI: Compliance Plan</b>	Compliance Plan incorporated into Part B application, not stand-alone application, and now includes TRRP provisions.	Propose action plan for long-term monitoring and corrective action. Revise & simplify existing program.	Moderate
<b>Part B Section XII: Hazardous Waste Permit Application Fee</b>	New fees for reviews related to TRRP provisions, and for changes in groundwater monitoring programs.	Create list of application contents and compare to list of fees to determine application payment.	Low
<b>Part B Section XIII: Confidential Material</b>	Texas Health & Safety Code Section 361.037 provisions.	Consult legal counsel as needed regarding confidentiality of facility information.	Low



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■ *GSI WILL CONTINUE TO PROVIDE periodic updates regarding important regulatory developments in Texas. Should you have any questions regarding these or other upcoming issues, please feel free to contact us at 713-522-6300.*

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### About GSI

GSI ENVIRONMENTAL INC, (GSI), is an environmental engineering consulting company located in Houston, Texas, which specializes in the management of environmental risk. Since 1986, GSI, has been providing industry with innovative solutions to soil, groundwater, surface water, and air pollution problems.