



Hazardous & Solid Waste Corrective Action

Description: 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.

Issuing Division: Land **Branch:** Industrial Hazardous Waste

When is a permit required? A HSWA corrective action only permit is necessary for a facility when there is contamination not associated with a regulated unit.

Permit is required ☒ **before construction** ☐ **before operation** ☐ **before discharge**

Days from complete application to issuance: 203 (minimum) 1,095 (maximum)

Notes on approval timeline: A RCRA HSWA Corrective Action Only permit can take from 1 to 4 years to complete depending on the type and complexity of the facility. Modifications can take less time.

Local approval required? No.

Application procedure: (1) Submittal of the initial application. (2) Then fees are assessed for the application and then received by the Department before further review of the application begins. (3) Review of the initial application submittal. This will vary significantly due to the quality of initial submittal and complexity of the facility. (4) The reviewer drafts a Notice of Deficiency (NOD) outlining comments regarding the initial application. (5) Once the NOD is issued, the applicant has anywhere from 30–60 days to respond. (6) The reviewer will then have to evaluate the response and depending on the response from the applicant, another Notice of Deficiency can be issued (after appropriate review) that can include an enforcement action that could extend the permitting time significantly. (7) Once the application is deemed complete by the reviewer, a completeness determination is drafted and then sent to the applicant. (8) A draft permit is then created which can take a significant amount of time depending on the complexity of the application. (9) Next, a public notice is drafted and placed in the facility's local newspaper at which time a 45-60 day public comment period begins. (10) After the comment period, the Department must respond to all comments received during the period. If comments are received requesting a public hearing and the Department deems one is appropriate, the public hearing must be put on public notice for 30 days before the hearing can be held. (11) After the public hearing the Department will again respond to any comments and take into account the comments to make a final determination which is prepared by the reviewer along with finalizing the permit (if the final determination is to issue permit).

Base permit fee: \$42,380

Additive fees (explain): \$39,715 (RCRA Facility Assessment, Corrective Action Program, Corrective Measures Study Certification, Greenfield Fee). See ADEM Admin. Code R. 335-1-6 Fee Schedule C for further clarification (\$16,310 + \$1,610 + \$42,390 + 390) (\$61,960 (GW Plume Defined)) or (\$32,615 (GW Plume Defined)).

Term of permit: 10 years

Public notice required? ☒ **Yes** ☐ **No** **Length of notice:** 45 days

Public hearing required? ☐ **Yes** ☐ **No** ☒ **Departmental discretion/based on comments**

ADEM Contact Person: Brian Espy **Phone:** 334-271-7749

Additional Information:

Forms Required

Form #	Form Name	Applicability/Notes
8700-23	EPA Hazardous Waste Permit Application Part A	The form defines the processes to be used for treatment, storage, and disposal of hazardous wastes; the design capacity of such processes and the specific hazardous wastes to be handled at a facility. The form also includes detailed facility contact and location information.
8700-12	Notification of Regulated Waste Activity	Section 3010 of Subtitle C of Resource Conservation and Recovery Act (RCRA) requires any person who generates, transports, or recycles regulated wastes or who owns or operates a facility for the treatment, storage, or disposal of regulated wastes to notify EPA of their activities, including the location and general description of the activities and the regulated wastes handled.
N/A	RCRA Hazardous Waste Part B Permit Application	Part B of the RCRA Permit Application includes detailed design specification and operating plans for the proposed facility and is a narrative application in compliance with the regulations.