



Hazardous Waste Emergency Permit

Description: SPECIAL FORM OF TSD PERMIT: In the event the Department finds an imminent and substantial endangerment to human health or the environment, the Department may issue a temporary emergency permit to (1) a non-permitted facility to allow treatment, storage, or disposal of hazardous waste or, (2) to a permitted facility to allow treatment, storage, or disposal of a hazardous waste not covered by an effective permit. An emergency permit may be oral or written. The emergency permit application requirements are tailored to the specific emergency and may include written or oral information provided to the Department by the applicant or emergency management personnel.

Issuing Division: Land **Branch:** GHWB and IHWB

When is a permit required? Department finds an imminent and substantial endangerment to human health or the environment.

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

Days from complete application to issuance: 1 (minimum) 365 (maximum)

Notes on approval timeline: The approval time for an emergency permit is proportional to the hazard posed by the waste. If the waste is in a stable state then the Department may review available data and plans associated with the treatment, storage, and disposal. If the waste poses an imminent endangerment then the emergency permit approval may be within one day or less.

Local approval required? No.

Application procedure: Generally and time-permitting, the Department would receive or collect the following information prior to issuing an emergency permit: Name and location of the proposed emergency TSD facility; A brief description of the wastes involved; A brief description of the proposed methods of treatment, storage, or disposal; Identification of the personnel or organization performing the treatment, storage, and/or disposal and the safety procedures and (if necessary) transportation routes. Once the information is determined to be complete then a 45-day public notice is issued to allow for public comments. Once all comments are addressed, the Department may issue an emergency permit for a maximum of 90 days. Most emergency permits are issued in response to an imminent and substantial endangerment to human health or the environment that will not allow for a review of a written emergency permit request or a 45-day public notice prior to treatment, storage or disposal. Many of these emergency permits are completed orally and must be followed in five days by a written emergency permit. A 45-day public notice would be issued after the danger is eliminated explaining the action authorized and reasons for authorizing it.

Base permit fee: \$0

Additive fees (explain):

Term of permit: 1 to 90 days

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

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

ADEM Contact Person: Stephen A. Cobb **Phone:** 334-271-7739

Additional Information:

Forms Required

Form #	Form Name	Applicability/Notes
n/a		