



Research, Development, and Demonstration Permit (RD&D)

Description: Owners and operators of TSD Facilities who propose to use innovative hazardous waste treatment technologies may receive a research, development, and demonstration (RD&D) permit, provided that permit standards for such an activity have not already been established. The RD&D permit requirements specify that a facility can only receive those wastes necessary to determine the efficiency of the treatment technology. RD&D permits provide for the construction and operation of the facility for up to one year, but may be renewed up to three times with each renewal not exceeding one year. The Department may modify or waive the usual permit application and issuance requirements, with the exception of financial responsibility and public participation.

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

When is a permit required? The Department may issue a RD&D permit for any hazardous waste treatment facility which proposes to utilize an innovative and experimental hazardous waste treatment technology or process for which permit standards for such experimental activity have not been promulgated.

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

Days from complete application to issuance: 365 (**minimum**) 1460 (**maximum**)

Notes on approval timeline: The Department announces the receipt of the permit application and makes the application available for public review and comment. Fees are assessed for the application and received by the Department before further review of the application begins. If the application is incomplete, the Department will issue a notice of deficiency (NOD). Once issued, the applicant has a limited number of days to respond. The reviewer will then have to evaluate the response and depending on the response from the applicant another Notice of Deficiency may be issued that may include an enforcement action. Multiple NODs may be necessary before the application is complete. If application is determined to be complete, the Department notifies the permittee of the application's completeness. Once the application is deemed to be complete, the permit writer will then draft the permit. The draft permit will then go through a peer review followed by a management review. Once the Department's internal review is complete, the draft permit must go through a 45-day public comment period. During this time if requested or deemed necessary by the Department a public hearing may be held to take questions and comments. The Department in making its final determination regarding the proposed permit will consider all comments received during the 45-day public comment period or at the public hearing. After consideration of all formal comments and the requirements and policies of the AHWMA, the Department will make its final decision regarding the proposed RD&D permit application. When the Department makes its final decision, notice will be given to the applicant and to each person who has submitted written comments or requested notice of the final decision. If the draft permit is substantially changed, the Department will issue a second public notice indicating the changes prior to issuing its final decision. The time required to issue a permit depends on the type and complexity of the facility applying. In order to expedite the permit process for RD&D permits the Department may modify or waive the usual permit application and issuance requirements, with the exception of financial responsibility and public participation.

Local approval required? No.

Application procedure: Prior to the submission of a RCRA permit application for a facility, the applicant must hold at least one meeting with the public in order to solicit questions from the community and inform the local community of proposed hazardous waste management activities. A summary of the meeting along with a list of attendees must accompany the permit application. The applicant then submits Part A and Part B permit applications to the Department.

Base permit fee: \$54,910

Additive fees (explain): Price will increase with the addition of units, public hearing and closure. (See Fee Schedule C for further clarification.)

Term of permit: 1 year

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
EPA Form 8700-23	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.
	Part B	Part B of the RCRA Permit Application includes detailed design specification and operating plans for the proposed facility. This information is not presented on a form but in a narrative format.