

HAZARDOUS WASTE “PART B” OPERATING PERMIT APPLICATION INSTRUCTIONS FOR CHECKLIST COMPLETION

The Part B permit application checklist includes the information requirements of 40 CFR Part 270 and 329 IAC 3.1-13. IDEM may request additional information before a permit is issued for clarification or if regulatory requirements change.

The RCRA Hazardous Waste Part A Permit Application includes the RCRA Subtitle C Site Identification Form (Site Identification Form) and the Hazardous Waste Part A Permit Application. [RCRA Subtitle C Form and Part A](#) (Also see [40 CFR 270.13](#))

Reference Document for Hazardous Waste Treatment, Storage and Disposal Facilities | US EPA

329 IAC 3.1-13-3(b) When a facility or activity is owned by one (1) person but is operated by another person, it is the operator's duty to obtain a permit, except that the owner must also sign the permit application.

Permit Application Attachments are as follows:

- A. Part A Application
- B. Facility Description
- C. Waste Characteristics
- D. Process Information
- E. Groundwater Monitoring (Only for land disposal / land treatment and certain Subpart X units)
- F. Procedures to Prevent Hazards
- G. Contingency Plan
- H. Personnel Training
- I. Closure Plan, Post-Closure Plan, and Financial Assurance
- J. Corrective Action for Solid Waste Management Units
- K. Other Federal Laws
- L. Application Certification: See [40 CFR 270.11\(d\)](#)

Insert the following permit modules as needed to each of the attachments. These modules will be provided to the facility as needed or the permittee may request the module be sent to them. Modules include specific requirements for the following:

- Container storage / treatment
- Tank storage / treatment
- Boilers and Industrial Furnaces (BIFs)
- Incinerator
- Subpart X – Miscellaneous Unit (e.g., OB / OD)
- Landfill
- Subpart AA: add “D-AA” to Attachment D, Process Information
- Subpart BB: add “D-BB” to Attachment D, Process Information
- Subpart CC: add “D-CC” to Attachment D, Process Information

If you are seeking a permit for a surface impoundment, waste pile, drip pad, or land treatment unit, please contact your IDEM permit manager for a unit specific module.

INSTRUCTIONS FOR SUBMITTING APPLICATION

The application shall be submitted following the format and order of the “base checklist.” It must include the base checklist and any required modules. The applicant will receive an e-mail with instructions for creating a SharePoint Portal for the submission of the application and associated documents. The application should be submitted as:

- Microsoft Word 2013 document or compatible version. If this is a permit renewal application, please enable track changes if you are making changes to the current permit;
and,
- Portable Document Format (PDF)

329 IAC 3.1-13-3(c) An application for a permit is complete when the commissioner receives an application form and any supplemental information which is completed to his satisfaction.

329 IAC 3.1-13-3(d) All applicants for final state permits shall provide information set forth in [40 CFR 270.13](#) and applicable sections in [40 CFR 270.14 through 40 CFR 270.21](#) to the commissioner, using the application form provided by the commissioner.

A preapplication public notice and public meeting is required under 329 IAC 3.1-13-18(a)(2) for applicants seeking initial permits or if the renewal application is proposing any change that would qualify as a Class 3 permit modification under 40 CFR 270.42.

DESIGNATION OF MATERIAL AS CONFIDENTIAL

The applicant must follow the requirements of 329 IAC 6.1-4-1(c) when submitting confidential information. The designation of material as confidential must be supported in accordance with 329 IAC 6.1-4-1(d). The commissioner has a responsibility to public notice each application and safeguard confidential material from becoming public knowledge. Thus, the commissioner requests that the applicant be prudent in the designation of material as confidential.

NEW PERMITS ONLY

329 IAC 3.1-13-6 Permit processing The commissioner shall not begin the processing of a permit until the applicant has fully complied with the application requirements for that permit in this rule and the [good character] requirements of [IC 13-19-4](#).

Good Character applies to commercial facilities only. [IC 13-11-2-32](#) "Commercial hazardous waste facility," for purposes of [IC 13-22-10](#), means a plant, structure, or site at which hazardous waste, generated by:

- (1) a person other than the owner or operator of the plant, structure, or site; or
 - (2) the owner or operator of the plant, structure, or site as a result of treatment or storage of wastes generated by persons other than the owner or operator;
- is received for treatment, storage, or disposal.

329 IAC 3.1-13-3(f) No person shall begin physical construction or operation of a new hazardous waste management facility without having complied with [IC 13-22-10](#) [see below], if applicable, and having received a finally effective final state permit pursuant to this rule.

IC 13-22-10-5 Approval of construction

(b) A person who proposes to construct a hazardous waste disposal facility permitted under [IC 13-22](#), a commercial hazardous waste facility permitted under [IC 13-22](#), or a commercial low level radioactive waste facility permitted under [IC 13-29-1-6](#) may not begin construction of the facility until:

- (1) the person has obtained all approvals to construct the facility required under applicable zoning ordinances or other zoning laws; or
- (2) if the facility is located in an area that is not subject to a zoning ordinance or other zoning law, the person has obtained approval to construct the facility from the county executive of the county in which the facility would be located.