



Draft Technical Guidance Document:

Guidance Manual for Permitting of New Commercial Hazardous Waste Treatment and/or Disposal Facilities

Solid Waste Advisory Committee
October 19, 2023

Josh Shapiro, Governor

Richard Negrin, Secretary

Introduction

Speaker

Chad Clancy, Environmental Group Manager
Bureau of Waste Management
Hazardous Waste Management Division
Permitting and Technical Support Section

- B.S., Environmental Science
- 25+ years of professional environmental work experience (private consulting, PADOH, DEP Storage Tanks)
- Manage team of engineer, chemist and program specialist

Regulatory Requirements

- Solid Waste Management Act (SWMA)
- Hazardous Sites Cleanup Act (HSCA)
- 25 Pennsylvania Code Chapters 260a – 270a
 - 40 CFR Parts 260 – 279 incorporated by reference §§ 260a.1 – 260a.3.

Purpose

- HSCA, Section 309 requires this guidance.
 - “...the secretary shall set forth guidelines by which any person interested in establishing a commercial hazardous waste treatment or disposal facility may submit the siting modules and the remainder of a permit application directly to the siting team. The guidelines shall instruct applicants on siting criteria and permit requirements, application timetables and the review process.”

Purpose (continued)

- HSCA, Section 309 also states...
 - *“...the department shall develop a comprehensive, innovative and effective public education program to inform the public with regard to the nature and extent of hazardous waste generation and the need for environmentally sound management, treatment and disposal of hazardous waste.”*

Impact to Regulated Community

- This draft guidance is applicable to any person or persons submitting a permit application to the DEP for a new commercial hazardous waste treatment and/or disposal facility.

Draft TGD Content

- Discussion of Steps in Permitting Process
- Step I – Pre-Application Process
 - Applicant submits PACT.
 - Pre-application meeting with DEP, municipality.
 - If proposed facility site is located in an EJ area, the EJ Public Participation Policy will be followed.

Draft TGD Content

- Step II – Phase I Exclusionary Criteria Review
 - Applicant submits required components of Phase I application.
 - Completeness review.
 - Public meeting and public hearing on application.
 - Decision on site suitability.

Draft TGD Content

- Step III – Phase II Exclusionary Review and Operations and Design Application.
 - Applicant submits remainder of application.
 - Completeness review.
 - Public Meeting held by applicant.
 - Siting Team conducts and finalizes technical review and makes recommendations to the Secretary.
 - Public notice draft permit or notice of intent to deny in *Pennsylvania Bulletin*.

Draft TGD Content

- Step IV – Permit Decision
 - Public Hearing held and written public comments received on draft permit or notice of intent to deny.
 - Siting Team reviews public input and makes recommendation.
 - Secretary approves or disapproves within 30-days of recommendation.

Draft TGD Input

- Central Office
 - HWMD staff – Director, EGM, Engineer
 - Preliminary regulatory counsel input
- Regional Office
 - Input received from WM permitting staff at two regional offices.

Next Steps

- Draft TGD Review
- Routing/Approval of Draft TGD
- Draft Publication
- Receive Comments (30 calendar days)
- Prepare Comment and Response Document
- Final Guidance

Thank You





pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Chad Clancy
Environmental Group Manager
Division of Hazardous Waste
717-787-2808
cclancy@pa.gov