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## **Chapter 070 Hazardous Waste Generator Treatment Permits**

- **Section 001 Purpose**

It is the purpose of this Chapter to incorporate and implement Chapters 6.5 and 6.11 of Division 20 of the California Health and Safety Code. The provisions of these codes establish the authority for the regulation and permitting of facilities that generate, store or treat hazardous wastes. (Ord.1117 § 4, 2000)

- **Section 010 Definitions**

The terms "Hazardous Materials" shall, except as hereinafter provided, mean those materials described by Paragraphs (o), (p), (q) of Section 25501 and Section 25501.1 of the Health and Safety Code. (Ord.1117 § 4, 2000)

- **Section 023 Tiered Permit**

No person shall operate a hazardous waste treatment system under a grant of Permit by Rule, Conditional Authorization or Conditionally Exempt as defined in Chapter 6.5 of the California Health and Safety Code (Sections 25117.14, 25110.91 or 25110.9 respectively) without a Permit issued by the County. (Ord.1117 § 4, 2000)

- **Section 026 Permit Required**

No person shall maintain hazardous waste on-site within the county without a valid Permit issued by the County unless specifically exempt after public notice by the Director as to type or quantity when such exemption will not pose a public health risk. (Ord.1117 § 4, 2000)

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## **Section 027 Exemptions**

Generators that accumulate hazardous waste for less than 90 days are exempt from the permit requirements of Section 20.07.026 providing they file a Certificate of Compliance on a schedule and in a form prescribed by the Director. The Director may exempt other generators from permit requirements after a public hearing providing such exemptions do not affect public health and welfare. (Ord.1117 § 4, 2000)

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## **Section 030 Application**

The Hazardous Waste Generator Permit shall be issued pursuant to the filing of an application by the person who maintains or treats the hazardous waste. The application may be filed jointly with the application for Condition Use Permit in the Public Works & Development Services Agency/Planning Division, on a form prescribed by and shall contain such information as is required by the Director. The application shall be accompanied by the payment of such fees as are prescribed by Resolution adopted by the Board of Supervisors. (Ord.1117 § 4, 2000)

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## **Section 035 Issuance/Conditions**

The Hazardous Waste Generator or Treatment Permit shall be issued in conjunction with the Use Permit issued by the Public Works & Development Services Agency/Planning Division after a completed application therefor has been filed. An Application shall not be deemed complete unless it contains all information required by the County and all Fees prescribed by Resolution have been paid. The Permit may be issued subject to such conditions as the Administering Agency determines are necessary to promote the purposes and objects of the Act, including, but not limited to operational or other practices and actions necessary to facilitate or promote reduction of hazards and the effectiveness of emergency response plans. Conditions may be added following completion of an on-site inspection or review of the permit. (Ord.1117 § 4, 2000)

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## **Section 040 Denial**

The County may deny an application for a Hazardous Waste Generator or Treatment Permit on any of the following grounds:

- A. That an application partially completed has been filed and pending thirty (30) calendar days or more, and information required by the County Director to make the application complete has not been provided;
- B. That the fee prescribed for the Permit has not been paid; or
- C. That during the term of a previously issued Hazardous Waste Generator Permit held by the applicant, fees prescribed by Resolution and associated with administration of the previously issued Permit have

been billed, unpaid, and have become delinquent.  
(Ord.1117 § 4, 2000)

- **Section 045 Enforcement Penalties**

The provisions of this Chapter shall be enforced by the Director of the Administering Agency, as appointed by the County Board of Supervisors. (Ord.1117 § 4, 2000)

- **Section 055 Violation**

Any person who fails to notify the Agency or Director when requested to do so by this chapter, and who submits false information in a permit application, Certificate of Compliance, report or to a request for information is liable for penalty as specified in Section 20.07.050. (Ord.1117 § 4, 2000)

- **Section 060 Appeals**

Any decision of the Director may be appealed to the Board of Supervisors. Any such appeal shall be in writing, shall state the specific reasons therefor and grounds asserted for relief and shall be filed with the Clerk of the Board of Supervisors not later than fifteen (15) days after the date of service of any such decision. If an appeal is not filed within the time or in the manner prescribed above, the right to review of the action against which complaint is made shall be deemed to have been waived. (Ord.1117 § 4, 2000)

- **Section 065 Appeal**

A. Not later than sixty (60) days, or longer if a notice of continuance is mailed to the appellant, following the date of filing an appeal within the time and in the manner prescribed by Section 20.06.060, the Board of Supervisors shall conduct a hearing for the purpose of determining whether the appeal should be granted. Written notice of the time, date, and place of the hearing shall be mailed to the appellant not later than ten (10) days preceding the date of the hearing.

B. During the hearing, the burden of proof shall rest with the appellant. The provisions of the California Administrative Procedure Act (commencing at Section 11500 of the Government Code) shall not be applicable to such hearings; nor shall formal rules of evidence in civil or criminal judicial proceedings be so applicable. Testimony shall be given under oath, and the parties to the hearing shall have the right to cross-examine witnesses. At the conclusion of the hearing, the Hearing Authority shall prepare a written decision which either grants or conditionally grants or denies the appeal, and contains finding of fact and conclusions. Notice of the written decision, including a copy thereof, shall be filed with the Director and served not later than thirty (30) days following the date on which the hearing is closed on the appellant and on other persons who appeared at the hearing and requested a copy. Service shall be by personal delivery or certified mail.  
(Ord.1117 § 4, 2000)

- **Section 070 Finality of Determination**

The decision by the Board of Supervisors shall become final upon the date of filing and service.  
(Ord.1117 § 4, 2000)

- **Section 080 Fees**

A. The Board of Supervisors shall establish by resolution a schedule of fees to reimburse the county of Glenn for the costs of implementing this chapter.

B. The Director shall collect all such fees and may collect the state surcharge established by state law.  
(Ord.1117 § 4, 2000)

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