

SUBPART CC STANDARDS

The subpart CC standards of 40 CFR part 264 (Permitted Facilities) and part 265 (Interim Status Facilities) apply to owners and operators of all facilities that treat, store, or dispose of hazardous waste in tanks, surface impoundments, or containers and certain miscellaneous Subpart X units if the waste management units are subject to 40 CFR parts 264/265, subparts I, J, or K, after December 6, 1996. This includes large-quantity hazardous waste generators ($\geq 1,000$ kg/month) storing hazardous waste in tanks or containers for less than 90 days that generate waste that has an average volatile organic concentration at the point of waste origination of 500 ppmw or more. See 40 CFR 264.1080 or 265.1080 to determine if the waste management unit is subject to the subpart CC regulations. See 40 CFR 264.1082 and 265.1083 for a description of hazardous wastes and waste management units that are exempt from the subpart CC standards. Generally, if a hazardous waste has an average volatile organic (VO) concentration less than 500 parts per million by weight (ppmw) at the point of waste origination or if the hazardous waste organic content has been reduced by a treatment process to the extent described in 40 CFR 264.1082 or 265.1083 prior to placement in the waste management unit, the unit is exempt from the air emission controls required under the standards. The procedures to be used for determining average VO concentration and other waste characteristics are specified in 40 CFR 264.1083 and 265.1084. It should be noted that an owner or operator of an exempt waste management unit is required to maintain records that document the rationale for the exemption. Such exemptions include, but are not limited to, wastewater treatment units, elementary neutralization units, emergency or spill management units, totally enclosed treatment facilities, hazardous waste recycling units, conditionally exempt small quantity generators, small quantity generators, satellite accumulation units, and RCRA empty containers.

Subpart CC standards applicable to tanks containing hazardous wastes are specified in 40 CFR 264.1084 and 265.1085. There are two levels of air emission controls for tanks based on the size of the tank, maximum organic vapor pressure of the waste, and whether the tank is used in a waste stabilization process. The owner or operator is responsible for determining whether Tank Level 1 or Tank Level 2 controls are applicable.

Tank Controls

1. If a tank's waste is greater than or equal to 500 ppmw VO, then air emission controls must be used.
2. Level of control is determined based on tank capacity, vapor pressure at storage conditions, and waste stabilization. Table 1 provides a matrix for determining the applicable control level for a tank.
3. If a tank qualifies for Level 1 controls, a tight-fitting cover (i.e., fixed roof) can be used and the owner or operator using Level 1 must determine the maximum organic vapor pressure for each hazardous waste placed in the tank as specified by 40 CFR 265.1084(c). Records of the maximum organic vapor pressure determination are required. These records must include the date and time the samples were collected, the analytical method

used, and the results.

4. If a tank qualifies for Level 2 controls, the following control options are available to the owner/operator:
 - External floating roof (EFR)
 - Internal floating roof (IFR)
 - Vent to control device
 - Pressure tank
 - Vent to an enclosed combustion device.

All tanks regulated by the subpart CC standards must be regularly inspected. Inspection procedures and requirements vary by type of tank control used. Records of all inspections, regardless of the control level, must be kept at the facility for a minimum of 3 years after the date of the inspection.

Owners or operators of tanks with internal or external floating roofs using Tank Level 2 controls are required to notify the Regional Administrator before conducting inspections. More detailed recordkeeping and inspection requirements are also required for floating roof tanks and tanks or enclosures that vent to a control device.

Surface Impoundments

Subpart CC standards applicable to surface impoundments containing hazardous wastes are found in 40 CFR 264.1085 and 265.1086. To control air emissions from a surface impoundment managing a hazardous waste with a VO concentration >500 ppmw, an owner or operator must install and operate either a floating membrane cover or a cover that is vented through a closed-vent system to a control device. The floating membrane cover must meet certain design requirements specified in the rule including a requirement that the cover be made of high-density polyethylene with a thickness no less than 2.5 mm or of an equivalent material. The surface impoundment covers and closure devices are to be visually inspected for defects on or before the date that the unit is subject to the subpart CC standards and at least once a year thereafter. First efforts at repair of any defects detected on the cover or closure devices must be made within 5 days of detection, and repairs must be completed within 45 days of detection. A repair may be delayed more than 45 days only if it requires emptying the surface impoundment or removing it from service and no alternative capacity is available at the facility to accept the hazardous waste normally managed in the unit. Records of all inspections must be kept at the facility for a minimum of 3 years from the date of the inspection.

Containers

Subpart CC standards applicable to containers of hazardous wastes are specified in 40 CFR 264.1086 and 265.1087. There are three levels of air emission controls for containers based on container size, organic contents, and whether the container is used in a waste stabilization process. Containers with a capacity less than 0.1 m³ (26 gallons) are exempted from the rule. Container Level 1 controls require that the hazardous waste be stored in an approved Department

of Transportation (DOT) container, a container equipped with a cover and closure devices for each opening, or an open-top container with an organic-vapor-suppressing barrier. Container Level 2 controls require that the hazardous waste be stored in an approved DOT container, a container that operates with no detectable organic emissions, or a demonstrated vapor-tight container. Container Level 3 controls require that the hazardous waste be stored in a container that is either vented directly to a control device or is located inside an enclosure that is vented through a closed-vent system to a control device. Design and operating criteria are specified in the rule for the enclosure, closed-vent system, and control device. If a container is not emptied within 24 hours after it is accepted at the facility, a visual inspection is required on or before the date the container is accepted and at least once a year thereafter. Repairs of defects must be completed within 5 days or the contents of the container must be transferred to a container that is in compliance with the subpart CC standards. If a non-DOT container larger than 0.46 m³ (119 gallons) is used with Container Level 1 controls, records of the procedure used to determine that the container is not managing hazardous waste “in light material service” must be maintained. The subpart CC standards contain special recordkeeping and inspection requirements for Level 3 containers and their associated closed-vent systems, enclosures, and control devices.

Miscellaneous Units

Certain miscellaneous (subpart X) units may also be subject to subparts AA, BB, and CC if those units managing the hazardous waste are similar to tanks, containers, and surface impoundments. The appropriate air emission controls would be implemented through the issuance or modification of a permit.

Differences Between Permitted and Interim Status Facilities

The only difference between the air emission standards for permitted facilities, interim-status facilities, and large-quantity generators (<90-day storage) is the reporting requirement. There are no specific reporting requirements for interim-status facilities or generators. However, for permitted facilities, the following situations should be reported to the Regional Administrator:

1. A waste management unit reported to be exempt from the subpart CC regulations that is no longer complying with the standard that exempted the unit.
2. A tank using Tank Level 1 air emission controls that is no longer complying with Level 1 control requirements.
3. A control device that has continuously operated in noncompliance with the applicable standards for a period of 24 hours or longer in any 6-month period.

Inspection and Monitoring Requirements

Owners or operators are required to inspect and monitor air emission control equipment used to comply with subpart CC in accordance with the applicable requirements specified in §265.1085 through §265.1088. Requirements vary by type of waste management unit and control device

used. The owner or operator must develop and implement a written plan and schedule to perform the required inspection and monitoring and inspection records must be maintained in the facility records for at least a period of three years from the date of inspection.