

# **New York State RCRA-C Permit Process**

Applicant holds informal preapplication meeting with the public before applicant submits permit application for a new hazardous waste facility or for a permit renewal to DEC.



Applicant submits permit application to DEC which includes a description of the facility; how the facility will be designed, constructed, maintained and operated to be protective of human health and the environment; how emergencies and spills will be handled; how the facility will clean up and finance any environmental contamination; and how the facility will close and clean up once it is no longer operational.



The DEC announces the receipt of the application, makes it available for public review and comment, and reviews the application to verify completeness.



If the application is incomplete, DEC issues a notice(s) of incomplete application (NIA) until the application is complete.

When the application is complete, DEC makes a preliminary decision to issue or deny the permit.



If decision is to deny permit, DEC prepares a draft permit denial.

If decision is to issue permit, DEC issues a draft permit containing design and operating conditions.



DEC announces decision and issues a fact sheet explaining decision. Once notice is issued, the public has 45 days to comment on the draft permit.



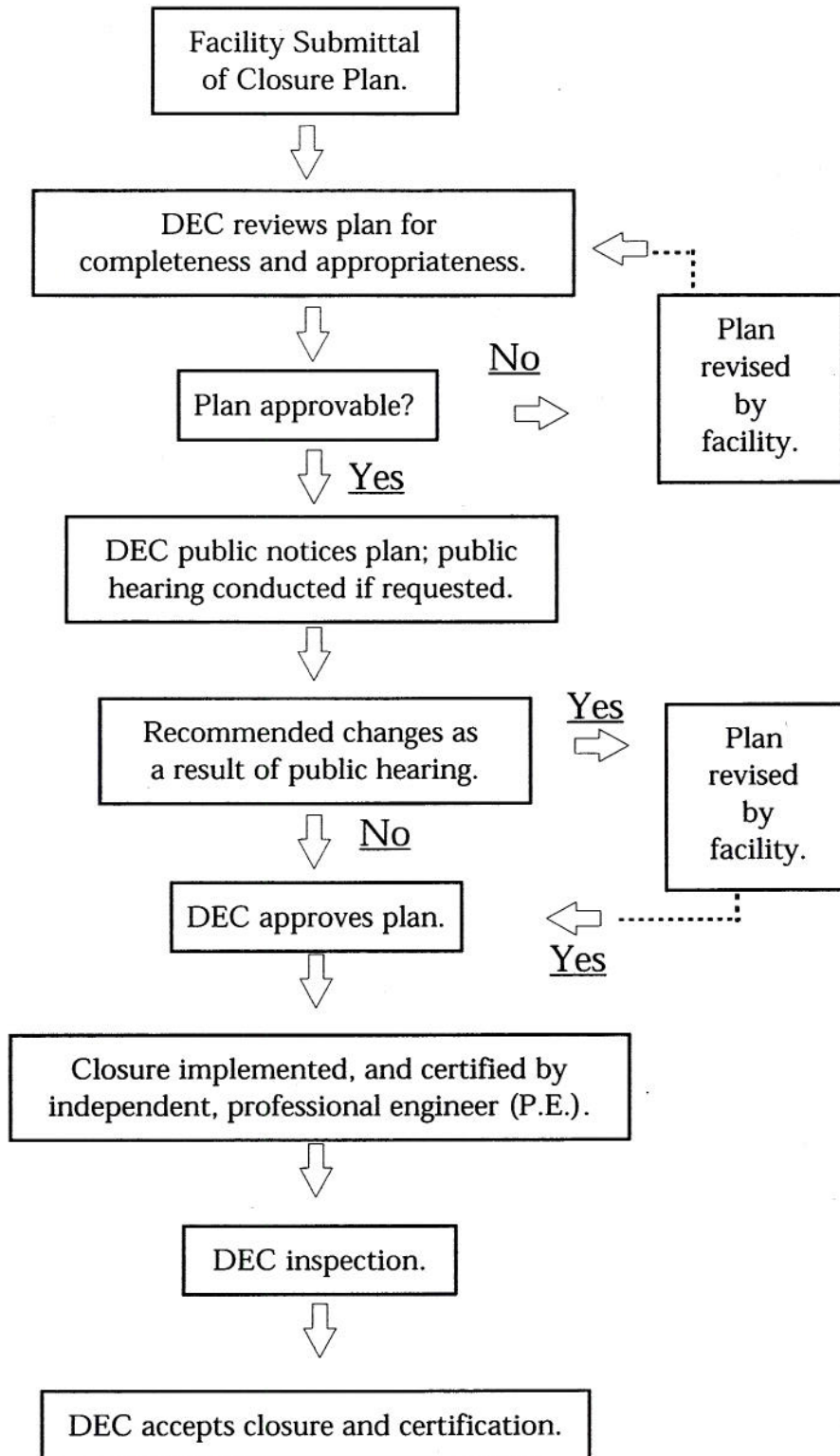
Citizens or applicant may request a public hearing or DEC may hold a hearing subsequent to a 30-day public notice. Citizens or applicant also have the right to contest the tentative decision or specific permit conditions in an adjudicatory hearing.



After reviewing public comments, DEC reconsiders draft permit or draft permit denial and issues a response to public comments. DEC then issues the final permit or final denial. If an adjudicatory hearing is required, it is held and the commissioner makes a final determination based on the hearing record and the hearing officer's report.

**Note: This process is consistent with and supplements the State Environmental Quality Review Act.**

# RCRA-C Closure Process



Note: The above is the process for facilities that do not have a Part 373 permit. Permitted facilities must close in accordance with the closure plan included in their Part 373 permit.

# ***New York State RCRA-C Corrective Action Process***

