



## Overview of the Permitting Process

### Controlled Hazardous Substance (CHS) Facility Permits

Maryland's hazardous waste regulations require, with certain exceptions, a person to obtain a CHS facility permit if the person is engaged in one or more of the following activities:

- hazardous waste treatment
- storage of hazardous waste for periods of time longer than 90 days
- disposal of hazardous waste in a land disposal unit
- maintaining a facility to permanently contain hazardous waste
- receipt of in-transit waste from off-site for transfer between vehicles and/or storage up to 10 days.

The following is a summary of the sequential permitting process that the Maryland Department of the Environment (the "Department") follows in evaluating applications for CHS facility permits, as required by the Environment Article of the Annotated Code of Maryland:

1. The Department receives an application for a CHS permit. It publishes a notice at the applicant's expense in an appropriate newspaper in two consecutive weeks informing the public of the receipt of the application, and the availability of the application material for public review. The notice also offers an opportunity for anyone to request an informational meeting on the permit application.
2. An informational meeting is held if requested by the public or if the Department, at its discretion, deems that a meeting would be beneficial. The Department will publish a notice at the applicant's expense announcing the informational meeting, if it was not included in the earlier notice of application. The Department requires the applicant to attend the meeting otherwise the permit may be denied.
3. Following a detailed evaluation of the permit application, the Department prepares a tentative determination. This will include a proposal to issue or deny the permit and an explanation of the proposed action. If the tentative determination is to issue the permit, a draft permit is prepared.
4. The Department issues a notice at the applicant's expense informing the public of the tentative determination, allowing citizens 45 days to provide comments or to request a public hearing. The Department may, at its discretion, schedule a public hearing at this stage and include an announcement of it in this public notice. The public hearing provides a means for citizens to comment on the tentative determination in a public forum. Alternatively, persons may choose to submit their comments in writing to the Department before the end of the comment period. As a matter of policy, the Department requires the applicant to attend the hearing or the permit may be denied.

5. The Department prepares a final determination if comments opposing the tentative determination are received during the public comment period or the public hearing, or if the Department intends to make a final determination that is substantively different from the tentative determination. Otherwise, the publicized tentative determination becomes a final decision. The notice of final determination is advertised twice – once per week in two consecutive weeks. The final determination will include information on appeal procedures.