

APPENDIX I TO § 270.42—CLASSIFICATION OF PERMIT MODIFICATION—Continued

Modifications	Class
<b>Note:</b> See § 270.42(g) for modification procedures to be used for the management of newly listed or identified wastes	
7. Shakedown and trial burn:	
a. Modification of the trial burn plan or any of the permit conditions applicable during the shakedown period for determining operational readiness after construction, the trial burn period, or the period immediately following the trial burn .....	2
b. Authorization of up to an additional 720 hours of waste burning during the shakedown period for determining operational readiness after construction, with the prior approval of the Director .....	11
c. Changes in the operating requirements set in the permit for conducting a trial burn, provided the change is minor and has received the prior approval of the Director .....	11
d. Changes in the ranges of the operating requirements set in the permit to reflect the results of the trial burn, provided the change is minor and has received the prior approval of the Director .....	11
8. Substitution of an alternative type of nonhazardous waste fuel that is not specified in the permit .....	1
9. Technology Changes Needed to meet Standards under 40 CFR part 63 (Subpart EEE—National Emission Standards for Hazardous Air Pollutants From Hazardous Waste Combustors), provided the procedures of § 270.42(j) are followed .....	11
M. Containment Buildings.	
1. Modification or addition of containment building units:	
a. Resulting in greater than 25% increase in the facility's containment building storage or treatment capacity .....	3
b. Resulting in up to 25% increase in the facility's containment building storage or treatment capacity .....	2
2. Modification of a containment building unit or secondary containment system without increasing the capacity of the unit .....	2
3. Replacement of a containment building with a containment building that meets the same design standards provided:	
a. The unit capacity is not increased .....	1
b. The replacement containment building meets the same conditions in the permit .....	1
4. Modification of a containment building management practice .....	2
5. Storage or treatment of different wastes in containment buildings:	
a. That require additional or different management practices .....	3
b. That do not require additional or different management practices .....	2
N. Corrective Action:	
1. Approval of a corrective action management unit pursuant to § 264.552 .....	3
2. Approval of a temporary unit or time extension for a temporary unit pursuant to § 264.553 .....	2
3. Approval of a staging pile or staging pile operating term extension pursuant to § 264.554 .....	2

<sup>1</sup> Class 1 modifications requiring prior Agency approval.

[53 FR 37936, Sept. 28, 1988, as amended at 53 FR 37939, Sept. 28, 1988; 53 FR 41649, Oct. 24, 1988; 54 FR 9607, Mar. 7, 1989; 54 FR 33398, Aug. 14, 1989; 55 FR 22719, June 1, 1990; 56 FR 3928, Jan. 31, 1991; 56 FR 32692, July 17, 1991; 56 FR 7237, Feb. 21, 1991; 56 FR 32692, July 17, 1991; 57 FR 3496, Jan. 29, 1992; 57 FR 37281, Aug. 18, 1992; 58 FR 8685, Feb. 16, 1993; 58 FR 29886, May 24, 1993; 62 FR 6656, Feb. 12, 1997; 63 FR 33829, June 19, 1998; 63 FR 65941, Nov. 30, 1998; 64 FR 53077, Sept. 30, 1999]

**§ 270.43 Termination of permits.**

(a) The following are causes for terminating a permit during its term, or for denying a permit renewal application:

- (1) Noncompliance by the permittee with any condition of the permit;
  - (2) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time; or
  - (3) A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination.
- (b) The Director shall follow the applicable procedures in part 124 or part 22, as appropriate or State procedures

in terminating any permit under this section.

[48 FR 14228, Apr. 1, 1983, as amended at 65 FR 30913, May 15, 2000]

**Subpart E—Expiration and Continuation of Permits**

**§ 270.50 Duration of permits.**

- (a) RCRA permits shall be effective for a fixed term not to exceed 10 years.
- (b) Except as provided in § 270.51, the term of a permit shall not be extended by modification beyond the maximum duration specified in this section.
- (c) The Director may issue any permit for a duration that is less than the full allowable term under this section.
- (d) Each permit for a land disposal facility shall be reviewed by the Director