

Steps in the Hazardous Waste Permit Reissuance Process

Step 1: Starting the Process

About one year before a permit expires, DEQ sends a letter to the facility (“call-in” letter) as a reminder that the permit will expire and that the renewal application is due six months before the permit expiration date. As long as the facility submits the application and fee by the due date, the current permit remains in effect. The call-in letter also suggests a pre-application meeting to provide the necessary information to help ensure that a complete and thorough application is submitted.

Step 2: Receipt and Review of the Application

Depending on the type of application, once DEQ receives the permit application, notice of the receipt is provided to the facility mailing list. The application is then reviewed to make sure it contains all the information required by the regulations. This phase is termed the completeness review. The goal is to conduct the initial completeness review within 30 days of receipt of the application. Once the application is determined to be administratively complete, DEQ will conduct a technical review of the application. During the technical review, the design and operation of the facility are evaluated to determine if the facility meets the technical requirements of the regulations and can be operated in a manner that protects human health and the environment. Sometimes the completeness and technical reviews may be combined.

Step 3: Revisions, Revisions, Revisions

After each review of the application, DEQ may issue a “notice of deficiency” (NOD) to the applicant. NODs request that the applicant provide any missing information. During the application review and revision process, DEQ may issue several NODs. Each time DEQ receives a response from the applicant, it reviews the information and, if necessary, issues another NOD until the application is complete. Usually the applicant is given 30 to 45 days to respond to an NOD, depending on the comments. Given the complex and technical nature of the information, the review and revision process may take one to two years or more.

Step 4: Drafting the Permit for Public Review

When the revisions are complete, DEQ makes a preliminary decision about whether to issue or deny the permit. If DEQ decides that the application is complete and meets appropriate standards, the agency prepares a draft permit containing the conditions under which the facility can operate. DEQ announces its decision by sending a letter to everyone on the public notice mailing list, placing a notice in a local paper, and broadcasting it over the radio. It also issues a fact sheet to explain the decision. Once the notice is issued, the public has 45 days to comment on the proposed permit. Citizens also may request a public

hearing by contacting DEQ, which may also hold a hearing at its own discretion. The agency must give a 30-day public notice before the hearing.

Step 5: The Result – A Final Permit Decision

After carefully considering all public comments, DEQ determines if any changes to the draft permit are warranted. DEQ must issue a "response to public comments," specifying any changes made to the draft permit. DEQ then issues a final decision. Each person who commented on the draft permit receives a copy of the response to public comments and notice of the final decision.

How Can the Public Participate?

Members of the public have valid concerns about hazardous waste management. They and other interested parties can contribute valuable information and ideas that improve the quality of DEQ decisions and permit applications. DEQ believes that public participation is a vital component of the permitting process. The public comment and response period and public hearings are instances where citizens can engage applicants and regulators in a dialogue. DEQ also encourages additional public participation activities where they will be helpful.

DEQ recognizes that some of the most important public participation activities happen outside the formal permitting process. Citizens can contact environmental, public interest, civic and community groups and become involved in their activities. The permit holder or applicant may also create informal opportunities for public input and dialogue.

The permitting process gives citizens a number of opportunities to express their ideas and concerns. For the Radford Army Ammunition Plant in particular, here are several steps you can take to ensure that your voice is heard:

- Bookmark the Radford Army Ammunition Plant page on the DEQ website. Here you will find the latest information regarding the permitting process at the facility, as well as copies of pertinent information including the permit application, NODs, and other permit-related correspondence and fact sheets.
- Know whom to call at DEQ. This person's name is on the website, fact sheets and other printed materials.
- Ask to have your name put on the facility mailing list for notices, fact sheets and other documents distributed by the agency. Sign up for the RSS news feed for the facility and receive timely updates on the permit application status and progress.
- Do your own research by talking to local officials, contacting research or industry organizations, reading permitting agency materials, and interacting with interested groups in the community. Review permit materials as they become available on the RAAP web page.
- Understand the applicable legal and regulatory authority and what issues can be addressed as part of the permitting action.

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- Submit written comments that are clear, concise and well-documented. Target specific issues and cite specific provisions. DEQ must consider all significant written comments submitted during a formal comment period and respond appropriately. To be most effective, comments should be relevant to specific information in the proposed permit.
- Participate in public hearings and other meetings. Provide testimony that supports your position. All comments should be based on factual information and supported by applicable regulations, guidance documents, and technical references.
- If any material needs further explanation, or if you need to clear up some details about the facility or the permitting process, contact the permit writer. You also may want to call the facility to meet with the staff or to request a tour or other information.

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Renewal Requirements for Application for Reissuance of Hazardous Waste Incinerator Permit

Application Deadline May 2012

Task	Month	Review period (# of days)
DEQ Initial Completeness Review and Technical Review (1st CR AND TR and TR)	October 2014	30
BAE request for 90 day extension for 1 st CR AND TR response	October 2014	1
DEQ approves 90 day extension request for 1 st CR AND TR response	October 2014	1
BAE request for 30 day extension for 1 st CR AND TR response	January 2015	1
DEQ approves 30 day extension request for 1 st CR AND TR response	January 2015	1
BAE response to 1 st CR AND TR received	March 2015	30
2 nd CR AND TR, Notice of Deficiency	March 2015	30
BAE request for 30 day extension for 2 nd CR AND TR response	April 2015	1
DEQ approves 30 day extension request for 2 nd CR AND TR response	April 2015	1
BAE response to 2 nd CR AND TR	May 2015	30
Revised 2 nd CR AND TR, Notice of Deficiency	May 2015	30
BAE response to revised 2 nd CR AND TR	June 2015	30
BAE request for 60 and 90 day extension for revised 2 nd CR AND TR response items	July 2015	1
DEQ approves 60 and 90 day extension request for revised 2 nd CR AND TR response items	July 2015	1
Revised 2 nd CR AND TR, Notice of Deficiency – Revised to reflect 2 nd CR AND TR responses received	August 2015	30
BAE request 60 day extension request for revised 2 nd CR AND TR response items	September 2015	1
DEQ approves 60 day extension request for specific revised 2 nd CR AND TR response items	September 2015	1
Revised 2 nd CR AND TR, Notice of Deficiency	September 2015	30
3 rd CR AND TR, Notice of Deficiency	October 2015	30
BAE response to revised 2 nd CR AND TR.	October 2015	30
BAE request 40 day extension request for 3 rd CR AND TR response items	November 2015	1
DEQ approves 40 day extension request for 3 rd CR AND TR response items	November 2015	1

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BAE response to revised 3 rd CR AND TR	November 2015	30
4 th CR AND TR, Notice of Deficiency	December 2015	30
Revised 4 th CR AND TR, Notice of Deficiency	December 2015	30
BAE response to 4 th CR AND TR	December 2015	30
BAE request 30 day extension request for Revised 4 th CR AND TR response items	January 2016	1
DEQ approves 30 day extension request for Revised 4 th CR AND TR response items	January 2016	30
<i>BAE response to revised 4th CR AND TR</i>	<i>February 2016</i>	<i>30</i>
<i>5th CR AND TR, Notice of Deficiency</i>	<i>February 2016</i>	<i>30</i>
BAE request 30 day extension request for 5 th CR AND TR response items	March 2016	1
DEQ approves 30 day extension request for 5 th CR AND TR response items	March 2016	30
<i>Revised 5th CR AND TR, Notice of Deficiency</i>	<i>April 2016</i>	<i>30</i>
<i>BAE Response to 5th CR AND TR</i>	<i>May 2016</i>	<i>60</i>
BAE request 45 day extension request for Revised 5 th CR AND TR response items	May 2016	1
DEQ approves 45 day extension request for Revised 5 th CR AND TR response items	June 2016	45
BAE request 29 day extension request for Revised 5 th CR AND TR response items	June 2016	1
DEQ approves 29 day extension request for Revised 5 th CR AND TR response items	June 2016	29
<i>6th CR AND TR, Notice of Deficiency</i>	<i>July 2016</i>	<i>30</i>
<i>Revised 6th CR AND TR, Notice of Deficiency – Comments Resolved</i>	<i>July 2016</i>	
<i>BAE Response to Revised 6th CR AND TR – All Remaining Comments Resolved</i>	<i>August 2016</i>	<i>30</i>
<i>Risk Assessment Protocol and Report Still Outstanding, Submission Paused Until OBG Risk Assessment Protocol Finalized</i>	<i>December 2017</i>	
<i>1st Technical Review NOD for Draft Risk Assessment Report</i>	<i>February 2018</i>	<i>30</i>
<i>Draft Risk Assessment Report Due</i>	<i>March 2018</i>	<i>60</i>
<i>2nd Technical Review NOD for Draft Risk Assessment Report – Report Finalized</i>	<i>April 2018</i>	
<i>Application deemed technically complete</i>	<i>April 2018</i>	<i>60</i>
<i>Draft permit and fact sheet prepared</i>	<i>June 2018</i>	<i>30</i>
<i>Public notice published in newspaper</i>	<i>July 2018</i>	<i>1</i>

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<i>Public comment period</i>	<i>July 2018</i>	<i>60</i>
<i>Public hearing</i>	<i>August 2018</i>	<i>1</i>
<i>Final permit determination, response to comments sent</i>	<i>October 2018</i>	<i>1</i>