Content

Title：	Permit Management Regulations for Public or Private Waste Clearance and Disposal Organizations Ch
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Content：	Chapter 1 General Principles
	Article 1 These Regulations are determined pursuant to Article 42 of the Waste Disposal Act (herein referred to as the Act).
	Article 2 The term “public or private waste clearance and disposal organizations” used in these Regulations refers to the following two types of public or private organizations that engage in waste clearance and disposal: I. Waste clearance organizations (hereinafter referred to as clearance organizations) are organizations that clear waste under commission for disposal overseas or at disposal sites and plants designated by the said commissioning party. II. Waste disposal organizations (hereinafter referred to as disposal organizations) are organizations that dispose of waste under commission. The term waste clearance and disposal technicians (hereinafter referred to as clearance and disposal technicians) used in these Regulations refers to professional technical personnel who have obtained a clearance and disposal technician qualification certificate, are placed at clearance, disposal organizations, and engage in waste clearance and disposal operations. The term issuing authority used in these Regulations refers to the special municipality, county or city competent authority or an agency commissioned by the central competent authority that issues permits to public and private waste clearance and disposal organizations in Article 41, Paragraph 1 of the Act.

Article 3	Clearance organizations that have obtained a waste clearance permit (hereinafter referred to as clearance permit) from the issuing authority may begin to clear waste under commission. Disposal organizations that have obtained a waste disposal permit (hereinafter referred to as disposal permit) from the issuing authority may begin to dispose of waste under commission. Before establishing a waste disposal site or plant, disposal permit applicants shall apply through the approval documents for the establishment of such sites or plants (herein referred to as establishment approval documents) from the issuing authority. But existing plants or waste disposal facilities may apply for disposal permits after conducting trial operation. Besides those that do not need to apply for factory establishment registration according to law, the existing plants mentioned in the preceding paragraph means before applying for disposal permits, they must have already obtained factory registration in accordance with relevant provisions, and have the same products, and also have a factory that is in actual operation.
Chapter 2 Permits	
Article 4	Those that apply for clearance permits shall apply to the issuing authority at the location of the organization. Those that apply for establishment approval documents or disposal permits shall apply to the issuing authority at the location of the disposal site or plant.
Article 5	After receiving the application of the preceding article, the issuing authority shall make a decision through a review concerning its approval or rejection within 60 days. When necessary, the review deadline may be extended by up to 60 days. However, the time period for the applicant to provide additional information per the review agency’s request shall be deducted. The applicant shall provide the additional and corrected information. If the information is not provided within the time frame requested by the issuing authority, or although the information is provided, but still incomplete, another deadline will be allotted. If the information is still incomplete or cannot be provided, the issuing authority may reject the application. Sanctions or other administrative actions shall be taken by the issuing authority upon the result of having heard all statements and investigated both the facts and evidences. The issuing authority shall determine the authenticity of the facts according to reasoning and the rules of experience, and inform the parties of its decision and reasoning.

Article 6	Regulations on the classification of the clearance organizations and hiring of professional technical personnel are as follows: I. Grade A organizations: Engage in the clearance of general waste, general industrial waste, and hazardous industrial waste. They shall hire two full-time clearance technicians of Grade B or above, of whom at least one is a Grade A clearance technician. II. Grade B organizations: Engage in the clearance of general waste and general industrial waste. They shall hire one full-time clearance technician of Grade B or above. Those with an approved maximum amount surpassing 5,000 metric tons per month shall hire two full-time clearance technicians of Grade B or above. III. Grade C organizations: Engage in the clearance of less than 900 metric tons of general waste and general industrial waste per month. They shall hire one full-time clearance technician of Grade C or above. Regulations on the classification of disposal organizations and hiring of professional technical personnel are as follows. I. Grade A Organizations: Engage in the disposal of general waste, general industrial waste, and hazardous industrial waste. They shall hire two full-time disposal technicians of Grade B or above, of whom at least one is a Grade A disposal technician. II. Grade B organizations: Engage in the disposal of general waste and general industrial waste. They shall hire one full-time disposal technician of Grade B or above. Those with an approved maximum amount surpassing 5,000 metric tons per month shall hire two full-time disposal technicians of Grade B or above. The required clearance technician in Paragraph 1 may be substituted by a disposal technician of the same grade. If at the same address both a clearance organization and a disposal organization are established, and the person in charge is the same, the hired disposal technician shall, simultaneously, engage in clearance operations.
Article 7	The positions of clearance or disposal technicians at clearance or disposal organizations shall be filled with technicians that have obtained a technician qualification certificate issued by the central competent authority.
Article 8	Those applying for the issuance of a clearance permit shall submit the following documents: I. Application form. II. Registration approval verification documents from a government agency. III. Personal identification document of the statutory responsible person. IV. Qualification certificates, insurance policy datasheet (detailed) of labor insurance coverage, employee identification and written permission to check labor insurance data for clearance or disposal technicians. V. Waste clearance equipment identification list and documentary proof of tool purchase (not applicable to organizations using ships or aircraft). VI. Storage site and transfer station land ownership title, land registration information, land parcel list, and establishment plan. If the land is not self-owned, attach the landowner’s or the management agency’s letter of consent to the use of the land (not applicable to organizations without storage sites or transfer stations). VII. The operating information of the taxiing, storage, and transshipment of clearance vehicles. VIII. Autonomic affidavit (shown in Attachment 1). IX. Certified documents of paid-up capital reached five million (5,000,000) New Taiwan Dollars and above, except the Grade C organizations at Subparagraph 3, paragraph 1, article 6. X. Other documents designated by the issuing authority.

Article 9	Applying for the establishment approval documents for disposal organizations shall submit the following documents: I. Application form. II. Registration approval verification documents from a government agency III. Personal identification document of the statutory responsible person. IV. Waste disposal site land ownership title, land registration information and land parcel list. If the land is not self-owned, attach the landowner’s or the management agency’s letter of consent to the use of the land V. Project planning statement. VI. Pollution control plan. VII. Waste treatment process (includes the treatment and emissions of the pollutants produced), equipments, and operating instructions. VIII. The planning of settings (including time, weight, vehicle no., vehicle records and preservation methods of drivers, and operations that ensure that modification records of later modifications are kept) of waste scale-weighing equipment (including weighbridge, electronic scales, hanging pounds, or other scales) at vehicle site entrances. Those that are unable to set scale equipment within the site may replace with a scale equipment of a neighboring same affiliated company or by a third-party notarized weighing unit to carry out the weighing. IX. Closed circuit television recording system (hereinafter referred to as recording system) configuration plan, the setting requirements of different types of control recording systems are shown in Attachment 2. X. Application cases that have passed the environmental impact assessment review shall list out the content and review conclusions of waste treatment and relevant pollution control from the final version. XI. Autonomic affidavit (shown in Attachment 1). XII. Other documents designated by the issuing authority.

Article 10	Those having obtained establishment approval documents from the issuing authority, shall, after having completed establishment or having met the proviso in Paragraph 3, Article 3, before applying for a disposal permit, send the trial operation plan to the issuing authority for review and approval, and, upon approval, conduct testing in accordance with the content in the approved plan. The trial operation plan from the preceding paragraph shall include the following contents: I. Method, procedures, and steps of trial operation. II. Waste types, sources, amount, and waste clearance and transportation plan during trial operation. III. Mass balance calculation methods. IV. Sampling, monitoring, and quality management plan. V. Emergency response measures. VI. Autonomic affidavit (shown in Attachment 1). The approved trial operation period of the previous paragraph shall not exceed 100 days. If the trial applicant are unable to complete trial operation in accordance with the trial operation plan before the approved trial operation deadline, an application for extension may be filed with the reviewing agency before the expiry of the approved trial operation deadline. There shall be limited to 2 applications for extension and the total period of trial operation period, including the originally approved trial operation period, shall not exceed 190 days, unless otherwise approved by the issuing authority. If an application for extension of trial operation period is filed 15 days before its expiry and if the approval or denial of the extension cannot be granted before the expiry of the trial operation period due to the reviewing agency’s review, the trial applicant may continue trial operation in accordance with the trial operation plan during the period after the expiry of the trial operation period until the time when the extension is approved or denied. If the application for extension is not filed 15 days before the expiry of the trial operation period, the trial applicant shall stop trial operation if the reviewing agency does not grant an approval or denial on the extension upon the expiry of the trial operation period. If trial operation is not complied by the trial applicant, the issuing authority should suspend the trial operation and notify the deadline for improvement. There shall be limited to 1 applications for improvements. If the improvement plan is not proposed or completed by the deadline, the reviewing agency shall abolish the approved trial operation.

Article 11	Those applying for the issuance of a disposal permit shall submit the following documents: I. Application form. II. Registration approval verification documents from a government agency. III. Personal identification document of the statutory responsible person. IV.Qualification certificates, insurance policy datasheet (detailed) of labor insurance coverage, employee identification and written permission to check labor insurance data for disposal technicians. V.Establishment approval documents. Those applying in accordance with the proviso in Paragraph 3, Article 3 shall submit the following documents: (1)Waste disposal site land ownership title, land registration information and land parcel list. If the land is not self-owned, attach the landowner’s or the management agency’s letter of consent to the use of the land (2)Pollution control plan. (3)Waste treatment process (includes the treatment and emissions of the pollutants produced), equipments, and operating instructions. (4)The planning of settings of waste scale-weighing equipment. Those that are unable to set scale equipment within the site may replace with a scale equipment of a neighboring same affiliated company or by a third-party notarized weighing unit to carry out the weighing. (5)Recording system configuration plan. VI. Environmental management and regular monitoring reports during facility construction period. However, when the case involves an existing factory or waste disposal facility in the proviso in Paragraph 3, Article 3, or involves a mobile waste disposal facility, regular monitoring reports from the facility construction period are not required. VII. A trial operation report that includes the sources, operations, records and statistics, and mass balance. Those applying for trial operation for industrial hazardous waste shall submit all relevant analysis results for the post-treatment derivative waste. VIII. Acceptable waste receiving quality criteria. IX. A quality control plan for receiving waste and producing recycled products, which includes analysis items, methods, frequency and quantities. X. An operation management record plan which includes vehicle access, receiving and delivering of material, operation, control and monitoring at storage and disposal facilities. XI.Verification documents showing consent by the enforcement authority, disposal organization, or government-approved waste disposal site or plant to dispose the waste generated by them. XII.Relevant construction permit or usage permit. XIII. Disposal plan for waste that has not yet been disposed of when unable to carry out disposal operations. XIV. Autonomic affidavit (shown in Attachment 1). XV. Industrial waste that use final treatment method shall submit a post-closure restoration plan. XVI. Other documents designated by the issuing authority.
Article 12	For the application cases that have passed the environmental impact assessment review in accordance with regulations, the issuing authority may review the part not reviewed by the environmental impact assessment only in respect of its establishment approval documents or permit application and shall incorporate the conclusions of waste disposal and relevant pollution control in the environmental impact assessment review into the permit conditions.

Article 13	Items to be recorded for clearance permits are shown in Attachment 3. Items to be recorded for disposal permits are shown in Attachment 4.
Article 14	The validity period of the approval or permit for the establishment approval documents shall not exceed five years. The disposal permit, which is issued for the first time shall not be valid for more than 3 years. Those organizations that want to continue to conduct operations after the permit expires shall apply for an extension within 6 to 8 months prior to its expiry. The validity period of each extension shall be in accordance with the regulations in the preceding paragraph. However, the extension of establishment approval documents is limited to once. After receiving the application of the preceding paragraph, the issuing authority shall make a decision concerning its approval or rejection within 60 days. Under special circumstances, the review period may be extended by a maximum of 60 days. However, the time period for the applicant to provide additional information per the review agency’s request shall be deducted. If the application document fails to meet the regulations, or the additional and corrected information cannot be provided within the time frame requested by the issuing authority, or although the information is provided, but still incomplete, another deadline will be allotted. If the information is still incomplete or cannot be provided, the issuing authority shall reject the application before the permit expires. For those applying for an extension within 6 to 8 months before the permit expires, the issuing authority shall make a decision concerning its approval or rejection before the permit expires. When the issuing authority still hasn’t made a decision concerning the permit, the applicant shall still operate in accordance with the original permit from the time the permit expires until a decision is made by the issuing authority concerning the extension. For those applying for an extension before the permit expires, but after the 6 to 8 month period, the applicant shall stop receiving waste and waste disposal when the issuing authority still hasn’t made a decision concerning the extension by then. For those who haven’t applied for an extension before the permit expires, the permit shall become null and void as of the expiration date. For those wishing to continue conducting operations, they shall reapply for a permit.

Article 15	Those applying for the extension of establishment approval documents of disposal organizations shall submit the following documents: I.Application form. II.Registration approval verification documents from a government agency. III.Personal identification document of the statutory responsible person. IV.Original issued establishment approval document. V.Reasons for extension. VI.Autonomic affidavit (shown in Attachment 1). VII.Other documents designated by the issuing authority. Those applying for the extension of clearance or disposal permits shall submit the following documents: I.Application form. II.Registration approval verification documents from a government agency. III.Personal identification document of the statutory responsible person. IV.Original issued permit. V.Qualification certificates, insurance policy datasheet (detailed) of labor insurance coverage, employee identification and written permission to check labor insurance data for clearance or disposal technicians. VI.Licensing items of original clearance or disposal permit documents. VII.Improvements in operating conditions and illegal facts within the permitted period. VIII. The latest stationary pollution source analysis results or water pollution prevention measures testing results and other related quality control and operation management record. If there is no stationary pollution source or water pollution prevention measures, quality control and operation management record shall be provided if the incoming material quantity per unit time can reach 80% of the disposal facility capacity, at least 6 months prior to application for extension. However, those applying for clearance permit extension or landfill is adopted as the primary disposal method can be exempted. IX.Verification documents showing consent by the enforcement authority, disposal organization, or government-approved waste disposal site or plant to dispose the waste generated by them (those applying for clearance permits are not required). X.Analysis results for derivative wastes generated by hazardous industrial waste treatment for every 6 months. However, clearance organizations or those who do not handle hazardous industrial waste can be exempted. XI.For those who are members of trade association as required to join by Commercial Group Act or Industrial Groups Act, should provide member certificate documents. XII.Autonomic affidavit (shown in Attachment 1). XIII. Other documents designated by the issuing authority.

Article 16	Modifications of establishment approval documents or permit documents shall be handled according to the following regulations: I.If among the recorded items on the establishment approval documents or permits, the organization name or address, the name, address, or personal identification document number of the statutory responsible person is modified, the permit-holder shall submit a filled-out modification registration application form within 30 days after the modification along with the relevant verification documents to register the modification. II.When replacing disposal equipments or adding necessary auxiliary apparatuses, and the case does not involve the processes, waste types, quantities, and main equipments or apparatuses on the original permit, the organization shall report the information to the issuing authority for future reference. When necessary, the issuing authority may require trial operation before accepting the case for future reference. III.Other content modifications of establishment approval documents and permit documents that have already been reviewed and approved shall be handled according to the originally approved content before the modification, and modification registration application form and modified items shall be submitted to the issuing authority. The issuing authority may review and approve the modified parts. If any of the modifications in the preceding paragraph necessitates a change of the issuing authority, the application shall be filed with the original issuing authority, which will then transfer the application to the new issuing authority for processing in accordance with the designated procedures. When establishment approval documents and/or permit documents are modified, their deadlines shall be limited based on the original approved deadlines. If the classifications of clearance or disposal organizations are modified, they shall reapply.
Article 16-1	The application, modification, and extension of clearance, disposing permission of clearance permit, disposal permit, and disposal establishment approval documents shall be submitted application by network. However, the application has been consented by the issuing authority, paper-based written reports may be submitted in lieu thereof.
Chapter 3 Management	
Article 17	Before moving disposal facilities disposal organizations with moveable waste disposal facilities shall ask in writing permission from the special municipality, county, or city competent authority of the disposal facilities' location before and after moving and submit the reviewed and approved application documents as well as the pollution control plan. After gaining permission the facilities may be moved.

Article 18	Except those whom the proviso to Paragraph 1, Article 41 of this Act exempts from submission of public or private waste clearance and disposal organization permission documents, the clearance or disposal organization shall be handled in accordance with this Act, its related regulations, and the content of the application form which has passed review. Besides the consent reported by the issuing authority, clearance and disposal organizations shall perform the clearance and disposal themselves. The total amount of the actual monthly clearance and disposal volume of the organizations in the foregoing paragraph may exceed the permitted maximum for the said waste quantity by an allowable difference of 10 percent. The commission of waste clearance shall be operated by registered vehicles in permission documents of the clearance organization. However, the clearance can be complied by registered vehicles of other clearance organization with the approval of the issuing authority.
Article 19	For the disposal organizations that output recycled products and derivative wastes, and when their storage capacity surpasses the cumulative quantity of output during the last six month, they shall temporarily stop accepting waste. However, those that have received consent from the issuing authority shall not be subject to this restriction.
Article 20	Clearance, disposal or cleaning organizations engaging in waste clearance and disposal services shall establish contracts in advance with commissioning parties, and shall preserve such contracts for three years for inspection by the competent authority. This restriction shall not apply, however, when an organization has been commissioned to clear and dispose of waste produced as a result of a natural disaster or emergency incident. A contract in the foregoing paragraph shall include an attached photocopy of a valid permit and state the following items: I.Waste type, code, characteristics, and quantity. II.Clearance or disposal tools, equipment, methods, frequency, and relevant sites. III.The contract period. IV.The final disposal location for waste from the disposal or clearance organization and the quantity of waste. V.Response measures if the organization cannot perform the contract for some reason or some other unforeseen incident occurs. VI.All associated matters assisted by commissioning parties in accordance with Paragraph 2, Article 30 of this Act. However, the commissioning parties not belonging to enterprise can be exempted. VII.Other items designated by the special municipality, county, or city competent authority

Article 21	Clearance or disposal organizations shall report their operating records in accordance with the online transmission method announced in Subparagraph 2, Paragraph 1, Article 31 of this Act. Disposal organizations shall prepare daily quality control records and operating management records in accordance with the approved documents outlined by Subparagraph 9, Article 9 and Article 10 of this Act. These records shall be signed audits by professional technicians monthly. Clearance organizations shall keep the relevant records of the preceding paragraph at the locations that the issuing authority permits. Disposal organizations shall keep the relevant records of the preceding paragraph at the sites or plants registered on their permits. Clearance or disposal organizations shall keep the general waste and general industrial waste clearance or treatment records for 5 years, hazardous industrial waste for 7 years. The disposal organizations shall accommodate the competent authority or its contracted authority to have the access to review the recorded images. Additionally, when the recording system of disposal organizations breaks down or is unable to clearly show the contents, they shall report this to the issuing authority immediately and shall complete the repair within seven days. If the repair cannot be completed within 7 days, they shall submit a written report to the issuing authority for approval, and complete the repair in accordance within the period approved by the issuing authority.
Article 21-1	The disposal organizations with the approval to operate shall publish its disposal fee schedule on the Management of Waste Clearance and Disposal Information System. Same applies when there is adjustment to the fee.
Article 22	(delete)
Article 23	Clearance, disposal or clean-up organizations shall mark the organization name, contact telephone number and permit number in a prominent place on its equipment, machinery and tools, facilities or disposal sites or plants.
Article 24	If the disposal organizations that are approved to operate produce recycled products, they shall conduct in accordance with the following regulations: I.Recycled products shall be labeled with the scope of use. II.Keep all the relevant records and certificates for following regulations： (1)Detailed record on retailed flow, customer, quantity and usage from recycled products. (2) If the recycled products were not sold directly to the end users, the competent authority shall request a record on the flow and quantity of the recycled products sold to the end users through other organizations. (3) The disposal organizations shall keep two of the above mentioned records or certificates at the site or plant which is registered on the permit, and keep all the relevant records and certificates for 3 years. If necessary, the competent authority could request the disposal organizations to submit all relevant records and certificates. III. The usage and quality of recycled products should meet the following regulations： (1)The usages for the following purposes should meet the regulations of location, customers and quality standards of recycled products for specific engineering purposes (As Appendix 5) A. As the material of controlled low strength material (CLSM). B. As the material of brick. C. As the material of cement products for Jersey barrier or curb. D. For other construction usages designated by the issuing authority. (2) For the usages except for foregoing item, the quality

	standards should be issued by the issuing authority in the following order. A.National standards. B. Standards of central authority and the central industry competent authority. C. Outline specifications for Public Construction. D. Standards of industry associations E. Other standards issued by the issuing authority for construction usages. IV.The recycled product shall be inspected regularly to meet the quality of sampling testing and quality control planning listed in the permit documents. V.The online submission shall be conducted as follows: A.Proceed to the Industrial Waste Report and Management System before the 10th of each month to submit data related to recycled products, including types of waste, quantity used, name of recycled products, scope of use, amount of production, products flow, quantity and inventory count by the end of the previous month. B. The enterprises pursuant to Article 31, Paragraph 1, Subparagraph 2 of this act that receiving specific recycled products pursuant to item1, Subparagraph 3 of this paragraph, should proceed to the Industrial Waste Report and Management System before the 10th of each month to submit data related to recycled products before the 10th of each month to submit data related to recycled products, including products final destination flow, amount, and final destination location. C.If data cannot be submitted online before the 10th of each month due to the malfunctioning of hardware or software, a report shall be filed to the special municipality, county or city competent authority via fax within 1 day. Online submission shall be conducted within 1 day after the repair is completed. VI.Recycled products that fail to meet the quality standards pursuant to Subparagraph 3 shall be redisposed or reuse in accordance with Article 28 or Article 39 of this law. If there are other regulations for the management method of recycled products, it shall be directly according to the management method and not restricted by the provisions of the preceding paragraph.
Article 25	When clearance or disposal technicians hired by clearance, disposal or clean-up organizations are unable to carry out their work or resign, the said organizations shall conduct in accordance with the following: I.The designating Representative shall report to the issuing authority for reference within 15 days. Grade A disposal organizations shall designate a disposal technicians who has obtained a certificate in conformity of the same grade or above. II.The said organizations shall hire within 90 days another person that meets qualification regulations to take over the position. But Grade A clearance and disposal technicians who are in charge of hazardous industrial waste clearance and disposal work shall be replaced within 30 days. When additional technicians are hired the said organizations shall report to the issuing authority within 15 days for future reference. Clearance and disposal technicians may also themselves report to the issuing authority.
Article 26	The clearance or disposal organizations that cease waste clearance and disposal work by themselves, or did not apply for extension before the permit expires shall report to the issuing authority for permit cancellation. Organizations that temporarily suspend business for more than one month shall report the suspension of operations to the issuing authority within 15 days after the one month period ends.

Article 27	If one of the following circumstances applies to clearance or disposal organizations that engage in waste clearance and disposal operations, the issuing authority may cancel or revoke their permits: I.When an organization knowingly lists false information in its permit application documents or reporting documents, reports false information or keeps false records of its operations. II.When an organization has lost its ability to conduct operations. III.When an organization fails to handle and complete improvements by the expiration of the deadline in accordance with Article 6, Article 7, and from Article 16 to the preceding article. IV.When an organization fails to handle and complete improvements by the expiration of the deadline in accordance with the content of the application documents and the licensing items. V.When an organization has committed other violations of these Regulations that the competent authority has determined to be severe circumstances. Clearance or disposal organizations that had their permits revoked or cancelled may not reapply for the said permit under the same or similar organization name and the same tax ID number for five years. Their statutory responsible person may not reapply as statutory responsible person for a clearance or disposal organization for five years. Clearance or disposal organizations that had their permits revoked or cancelled may not again engage in waste clearance and disposal operations from the day on which they receive written notification of such penalty. But those that are already engaging in clearance and disposal and have not yet completed operations shall proceed in accordance with instructions from the special municipality, county, or city competent authority; the clearance or disposal organizations shall bear all necessary expenses.
Chapter 4 Supplementary Provisions	
Article 28	(delete)
Article 29	When relevant documents specified in these Regulations are in a foreign language, the organization must attach a Chinese translation certified by an overseas embassy or representative office or by a domestic notary public.
Article 30	Issuing authorities that have been commissioned by the central competent authority shall, when issuing permits or establishment approval documents, send a copy to the special municipality, county, or city competent authority where the said clearance organization or disposal site or plant is located. Regarding the regulations in Chapter 3 on the documents that need to be permitted, approved, kept for reference, sent in as copy, or submitted, clearance or disposal organizations that had their permits or establishment approval documents issued by an authority commissioned by the central competent authority shall send these documents separately both to the issuing authority and the special municipality, county, or city competent authority where the said clearance organization or disposal site or plant is located.
Article 31	(delete)
Article 31-1	(delete)
Article 31-2	Disposal organizations shall submit a post-closure restoration plan with the paragraph 2, article 41-3 of Methods and Facilities Standards for the Storage, Clearance and Disposal of Industrial Waste within the prescribed time limit. The application shall be approved by the issuing authority and included in the disposal permit document.
Article 32	These Regulations shall take effect on the date of promulgation.