

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
DRAFT PERMIT
FOR HAZARDOUS WASTE FACILITY POST-CLOSURE**

I. INTRODUCTION

Permittee: National Standard LLC
Facility: Mount Joy Impoundment
Permit Number: EPA ID No. PAR 000 514 182
Facility Location: 1000 East Main Street, Mount Joy, Pennsylvania

The United States Environmental Protection Agency (EPA) under the authority of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (RCRA) and the Hazardous and Solid Waste Amendments of 1984 (HSWA), 42 U.S.C. §§ 6901-6992k, and regulations promulgated thereunder and set forth at 40 C.F.R. Parts 260-271, has prepared this draft permit for National Standard LLC (Permittee) for its Mount Joy Impoundment facility located on 1.4 acres in Mount Joy Borough, Lancaster County, Pennsylvania (Facility). EPA has determined that protection of human health and the environment has been achieved at the Facility and will continue to be achieved as long as the necessary operation, maintenance, monitoring and groundwater extraction activities are performed as required by the Facility's RCRA Post-Closure Permit, No. PAR 000 541 182, issued by the Pennsylvania Department of Environmental Protection (PADEP) to the Permittee; and land and groundwater uses are restricted in order to minimize the potential for human exposure to contamination and protect the integrity of the groundwater monitoring system, landfill cap, and groundwater extraction system.

In conjunction with this draft permit, EPA is issuing a Statement of Basis that describes EPA's proposed remedy at the Facility and describes corrective measures performed to date. The draft permit and Statement of Basis will be jointly available for public review and comment for forty-five (45) calendar days. EPA will address all significant comments submitted in response to the draft permit and Statement of Basis. EPA will make a final remedy decision and issue a Final Decision and Response to Comments and a final permit after information submitted during the public comment period has been considered.

II. DRAFT PERMIT

EPA proposes the following as the Final RCRA Corrective Action Permit for the Facility:

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A. CORRECTIVE ACTION

Section 3004(u) of RCRA, 42 U.S.C. § 6924(u), requires corrective action for all releases of hazardous waste or constituents from any solid waste management unit (SWMU) for all permitted treatment, storage, or disposal facilities, regardless of the time the waste was placed in the unit. While the EPA has granted the Commonwealth of Pennsylvania (the Commonwealth) authorization to operate a state hazardous waste program in lieu of the federal program, pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), the Commonwealth has not received authorization for the Corrective Action Program. EPA is, therefore, issuing this permit (hereafter EPA Permit) so that the Permittee can satisfy its Corrective Action requirements at the Facility.

The complete RCRA permit for purposes of 3005(c) of RCRA, 42 U.S.C. § 6925(c), consists of two portions: this Corrective Action Permit, issued by EPA and which addresses the provisions of HSWA, and the Facility's RCRA Post-Closure Permit, No. PAR 000 514 182, issued by the Pennsylvania Department of Environmental Protection (PADEP), which addresses the provisions of Title 25 of the Pennsylvania Code, for which the Commonwealth has received authorization under Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), to administer and enforce in lieu of the federal hazardous waste management program under RCRA.

EPA has determined that protection of human health and the environment has been achieved at the Facility and will continue to be achieved at the Facility within the meaning of Section 3004(u) of RCRA as long as the necessary operation, maintenance, monitoring and groundwater extraction activities are performed as required by the Facility's RCRA Post-Closure Permit, No. PAR 000 541 182, issued by the Pennsylvania Department of Environmental Protection (PADEP) to the Permittee; and land and groundwater uses are restricted in order to minimize the potential for human exposure to contamination and protect the integrity of the

groundwater monitoring system, landfill cap, and groundwater extraction system. To satisfy the Permittee's RCRA Section 3004(u) Corrective Action obligations at the Facility, this EPA Permit incorporates, and provides for the implementation of, all the provisions of the PADEP Permit and all attachments thereto. The PADEP Permit is hereby incorporated into this EPA Permit by reference and made a part hereof as Attachments A.

Any inaccuracies found in the information submitted by the Permittee in connection with this permit may be grounds for the termination, modification, or revocation and reissuance of this permit, and potential enforcement action (see 40 C.F.R. §§ 270.41, 270.42 and 270.43). The Permittee must inform EPA immediately of any deviation from, or changes in, the information which would affect the Permittee's ability to comply with applicable statutes, regulations, and/or permit conditions.

The Permittee shall comply with all terms and conditions set forth in this permit, including the attachments hereto. Additionally, the Permittee shall comply with all applicable federally enforceable hazardous waste regulations. Nothing in this permit shall limit EPA's authority to undertake, or require any person to undertake, response action or corrective action under any law, including, but not limited to, Section 104 or 106 of CERCLA, 42 U.S.C. §§ 9604 and 9606, and Section 7003 of RCRA, 42 U.S.C. § 6973. Nor shall any permit condition relieve the Permittee of any obligations under any law, including, but not limited to, Section 103 of CERCLA, 42 U.S.C. § 9603 to report releases of hazardous wastes, constituents, or substances to, at, or from the Facility.

B. EFFECTIVE DATE

This EPA Permit is effective as of _____, and shall remain in effect through _____, unless revoked and reissued (per 40 C.F.R. § 270.41), terminated (in accordance with 40 C.F.R. § 270.43), or continued (in accordance with 40 C.F.R. § 270.51(a)).

C. SIGNATURE

John A. Armstead, Director
Land and Chemicals Division
U.S. Environmental Protection Agency, Region III

Date: _____

Attachment A: Commonwealth of Pennsylvania
Department of Environmental Protection
Permit for Post-Closure
National Standard LLC Mount Joy Impoundment
PAR 000 514 182
April 25, 2008, as modified