



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III

DRAFT PERMIT
FOR CORRECTIVE ACTION

ORBITAL ATK INC.
ELKTON, MARYLAND
EPA ID NO. MDD 003 067 121

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
DRAFT PERMIT
FOR CORRECTIVE ACTION;
PURSUANT TO THE RESOURCE CONSERVATION AND RECOVERY ACT
AS AMENDED BY THE HAZARDOUS AND SOLID WASTE
AMENDMENTS OF 1984**

Permittee: Orbital ATK, Inc.

Permit Number: MDD 003 067 121

Facility Location: Elkton, Maryland

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 et seq., and regulations promulgated thereunder and set forth at 40 C.F.R. Parts 260-271, has prepared this Draft Permit for Corrective Action (Draft Permit) for the facility owned and operated by Orbital ATK, Inc. and located at 55 Thiokol Road within Cecil County, Maryland (Facility).

Concurrently with this Draft Permit, EPA is soliciting comments on a Statement of Basis (SB) that proposes the remedy included in this Draft Permit. EPA will make a final decision on the proposed remedy and the Draft Permit after considering any information submitted during the forty-five (45) day public comment period. EPA will finalize the remedy in a Final Decision and Response to Comments (FDRTC). If no comments are received on the Draft Permit during the public comment period, the Final Corrective Action Permit will be signed and will become effective upon signature. Otherwise, the Final Permit will become effective thirty (30) days after service of notice of the final decision or upon conclusion of any appeals filed.

EPA proposes that the following provisions be included in a Final RCRA Corrective Action Permit for the Facility:

INTRODUCTION

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 Permit for Corrective Action (Corrective Action Permit or Permit) for the facility owned and operated by Orbital ATK, Inc. (hereinafter Permittee or Orbital ATK) located at 55

Thiokol Road within Cecil County, Maryland 21226 at 75° 51' 55" West Longitude and 39° 37' 00" North Latitude (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 which addresses the provisions of HSWA, and the Facility's Controlled Hazardous Substance Permit, MDD A-052 (Post-Closure Permit), issued by the Maryland Department of the Environment (MDE), which address the provisions of the Code of Maryland Regulations (COMAR) 26.13, for which the State 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. As of the date of issuance of this Permit, the State has not received authorization to administer the corrective action provisions of HSWA. This Permit, which addresses corrective action provisions of HSWA for which EPA is the implementing authority in Maryland, will be enforced by EPA. The Post-Closure Permit will be enforced by MDE, but EPA may also exercise its enforcement discretion if and when appropriate.

This Permit consists of the conditions contained herein (Parts I and II and Attachments A, and B) and the applicable federal regulations, including 40 C.F.R. Parts 260 through 264, Part 266, Part 268, Part 270, Part 273 and Part 124. The Permittee shall comply with all terms and conditions set forth in this Corrective Action Permit. Nothing in this Corrective Action 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, Sections 104 and 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.

This Permit is based on information provided to EPA by the Permittee and MDE. Section 3005(c)(3) of RCRA provides EPA the authority to review and amend the Permit at any time. Any inaccuracies found in the information submitted by the Permittee may be grounds for the termination, modification or revocation and reissuance of this permit (see 40 C.F.R. §§ 270.41, 270.42 and 270.43). The Permittee must inform EPA of any deviation from or changes in the submitted information that would affect the Permittee's ability to comply with the applicable statutes, regulations or Permit conditions.

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LIST OF ATTACHMENTS

The following Attachments are incorporated, in their entirety, by reference into this Permit. These incorporated attachments contain enforceable conditions of this Permit.

Attachment A: Final Decision and Response to Comments

PART I – STANDARD FACILITY CONDITIONS

A. PERMIT ACTIONS

This Corrective Action Permit may be modified, revoked and reissued, or terminated for cause as specified in 40 C.F.R. §§ 270.41, 270.42 and 270.43. The filing of a request for a permit modification, revocation and reissuance, or termination or the notification of planned changes or anticipated noncompliance on the part of Orbital ATK, does not stay the applicability or enforceability of any permit condition (40 C.F.R. § 270.30(f)). Review of any application for a permit renewal shall consider improvements in the state of control and measurement technology, as well as changes in applicability regulations and laws.

B. STANDARD DUTIES AND REQUIREMENTS

1. Duty to Comply

a. Orbital ATK shall comply with all conditions of this Corrective Action Permit and Post-Closure Permit attached hereto, except to the extent and for the duration such noncompliance is authorized by an emergency permit issued under 40 C.F.R. § 270.61 or the analogous provisions of the State's authorized hazardous waste management regulations. Any other permit noncompliance constitutes a violation of RCRA and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. (40 C.F.R. § 270.30(a))

2. Duty to Reapply

If the Permittee wishes to continue an activity regulated by this Permit after the expiration date of this Permit, the Permittee must apply for and obtain a new permit. (40 C.F.R. § 270.30(b))

3. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit. (40 C.F.R. § 270.30(c))

4. Duty to Mitigate

In the event of noncompliance with this Permit, the Permittee shall take all reasonable steps to minimize releases to the environment and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment. (40 C.F.R. § 270.30(d))

5. Duty to Properly Operate and Maintain

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit. (40 C.F.R. § 270.30(e))

6. Duty to Provide Information

Orbital ATK shall furnish, within the specified time, any relevant information which the EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this Corrective Action Permit. Orbital ATK shall also furnish to EPA, upon request, copies of records required to be kept by this Corrective Action Permit. (40 C.F.R. §§ 270.30(h) and 264.74(a))

7. Duty to Allow Inspection and Entry

Pursuant to 40 C.F.R. § 270.30(i), the Permittee shall allow the Regional Administrator, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
- d. Sample or monitor, at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by RCRA, any substances or parameters at any location.

8. Duty to Monitor and Record Results

Pursuant to 40 C.F.R. § 270.30(j), the Permittee shall comply with the following requirements:

- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. All sampling and analyses shall be of adequate quality, scientifically valid, of known precision and accuracy, and of acceptable completeness, representativeness and comparability. Laboratory analysis of each sample must be performed using an appropriate method for testing the parameter(s) of interest taking into account the sample matrix. The test methods found in the EPA publication Test Methods for Evaluating Solid Waste. Physical/Chemical Methods (SW-846), 3rd Edition, as updated, shall be used for: the Toxicity Characteristic analytes (40 C.F.R. § 261.24); the Free Liquids Test (Method 9095) used to determine if free liquid is a component of a waste as a specific requirement for bulk and containerized wastes (40 C.F.R. § 264.314(c)); and the chemical analysis of wastes for hazardous waste incineration permits. (40 C.F.R. § 270.62(b)(2)(i)(C))
- b. The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports and records required by this Permit, the certification required by 40 C.F.R. § 264.73(b)(9) and records of all data used to complete the application for this Permit for a period of at least three (3) years from the date of the sample, measurement, report, certification or application. This period may be extended by request of the Regional Administrator at any time and are automatically extended during the course of any unresolved enforcement action regarding this Facility. (40 C.F.R. § 264.74) The Permittee shall maintain records from all groundwater monitoring wells and associated groundwater surface elevations for the active life of the Facility, and for disposal facilities, for the post-closure care period as well. (40 C.F.R. § 270.30(j))
- c. Records of monitoring information shall specify:
 - (1) The date, exact place, and time of sampling or measurements;
 - (2) The individual(s) who performed the sampling or measurements;
 - (3) The date(s) analyses were performed;
 - (4) The individual(s) who performed the analyses;
 - (5) The analytical techniques or methods used; and
 - (6) The results of such analyses.

9. Duty to Submit Certified Documents

- a. Except for submissions for which the Permittee is asserting a business confidentiality claim pursuant to Paragraph 9.d. and e., below, 1 hardcopy and 1 electronic copy of all draft and final plans, reports, notifications or other

documents which are required by this Permit to be submitted to the Regional Administrator, shall be sent Certified Mail, Return Receipt Requested, overnight mail, or hand-carried to:

Office of Remediation (3LC20)
EPA Region III
1650 Arch Street
Philadelphia, Pennsylvania 19103

In addition, one copy of such submission shall be sent to:

Waste Management Administration
Hazardous Waste Program
Maryland Department of the Environment
1800 Washington Blvd.
Baltimore, MD 21230-1719
(410) 537 - 3344

- b. Each report, notification or other submission shall reference the Permittee's name, permit number and Facility address.
- c. All applications, reports or other information submitted to the Regional Administrator shall be signed and certified as described in 40 C.F.R. §§ 270.11 and 270.30(k).
- d. The Permittee may assert a business confidentiality claim covering all or part of any information submitted to EPA pursuant to this Permit in the manner described in 40 C.F.R. § 2.203(b). Any assertion of confidentiality shall be adequately substantiated by the Permittee when the assertion is made in accordance with 40 C.F.R. § 2.204(e)(4). Information subject to a confidentiality claim shall be disclosed only to the extent allowed by, and in accordance with, the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no such confidentiality claim accompanies the information when it is submitted to EPA, it may be made available to the public by EPA without further notice to the Permittee. The Permittee shall not assert any confidentiality claim with regard to any physical, sampling, monitoring, or analytical data.
- e. One hardcopy of all submissions for which the Permittee is asserting a business confidentiality claim pursuant to Paragraph 9.d, above, shall be sent Certified Mail, Return Receipt Requested, overnight mail, or hand-carried to:

Office of Remediation (3LC20)
EPA Region III
1650 Arch Street

Philadelphia, Pennsylvania 19103

10. Duty to Minimize Waste

The Permittee shall certify no less often than annually that the Permittee has a program in place to reduce the volume and toxicity of hazardous waste that the Permittee generates to the degree determined by the Permittee to be economically practicable; and the proposed method of treatment, storage or disposal is the practicable method currently available to the Permittee which minimizes the present and future threat to human health and the environment. The Permittee shall maintain each such certification of waste minimization at the Facility until closure of such Facility. (40 C.F.R. § 264.73(b)(9))

11. Reporting Requirements

a. Planned Changes

The Permittee shall give notice to the Regional Administrator, as soon as possible, of any planned physical alterations or additions to the Facility. (40 C.F.R. § 270.30(l)(1))

b. Anticipated Noncompliance

The Permittee shall give advance notice to the Regional Administrator of any planned changes in the Facility or activity which may result in noncompliance with permit requirements. (40 C.F.R. § 270.30(l)(2))

c. Monitoring Reports

Monitoring reports shall be reported at the intervals specified elsewhere in this Permit. (40 C.F.R. § 270.30(l)(4))

d. Noncompliance with Schedules for Interim and Final Requirements

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Permit shall be submitted no later than fourteen (14) days following each schedule date. (40 C.F.R. § 270.30(l)(5))

e. Twenty-four Hour Reporting

The Permittee shall report to the Regional Administrator any noncompliance which may endanger health or the environment within 24 hours from the time the Permittee becomes aware of the circumstances. The report shall contain the information listed in 40 C.F.R. § 270.30(l)(6).

f. Manifest Discrepancy Report

If a significant discrepancy in a manifest is discovered, the Permittee must attempt to reconcile the discrepancy. If not resolved within fifteen (15) days, the Permittee shall submit a letter report including a copy of the manifest, to the Regional Administrator. (40 C.F.R. § 270.30(1)(7))

g. Unmanifested Waste Report

The Permittee shall submit a report to the Regional Administrator within 15 days of receipt of unmanifested waste. (40 C.F.R. § 270.30(1)(8))

h. Biennial Report

The Permittee shall submit a biennial report covering Facility activities during odd numbered calendar years. (40 C.F.R. § 270.30(1)(9))

i. Other Noncompliance

The Permittee shall report all other instances of noncompliance not otherwise required to be reported above, at the time monitoring reports are submitted. The reports shall contain the information listed in 40 C.F.R. § 270.30(1)(6). (40 C.F.R. § 270.30(1)(10))

j. Failure to Submit Relevant and/or Accurate Information

Whenever the Permittee becomes aware that it failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Regional Administrator, the Permittee shall notify the Regional Administrator of such failure within seven (7) days of becoming aware of such deficiency or inaccuracy. The Permittee shall submit the correct or additional information to the Regional Administrator within fourteen (14) days of becoming aware of the deficiency or inaccuracy (40 C.F.R. § 270.30(1)(11)). Failure to submit the information required in this Permit or misrepresentation of any submitted information is grounds for termination of this Permit. (40 C.F.R. § 270.43)

C. APPROVAL OF SUBMISSIONS; INCORPORATION INTO PERMIT

All plans, reports, schedules, and other submissions required by the terms of this Corrective Action Permit are, upon approval by EPA, incorporated into this Corrective Action Permit. Any noncompliance with such approved schedules, plans, reports, or other submissions shall be deemed noncompliance with this Corrective Action Permit. In the event of unforeseen circumstances beyond the control of the Orbital ATK which could not be overcome by due diligence, Orbital ATK may request a change, subject to EPA approval, in the previously

approved plans, reports, schedules or other submissions. This request may result in a modification of the Corrective Action Permit.

D. MODIFICATION, REVOCATION AND REISSUANCE

1. This Permit may be modified, revoked and reissued, or terminated for cause. This Permit is based on information provided to EPA by the Permittee and MDE. Section 3005(c)(3) of RCRA provides EPA the authority to review and amend the Permit at any time. Any inaccuracies found in the information submitted by the Permittee may be grounds for the termination, modification or revocation and reissuance of this Permit (see 40 C.F.R. §§ 270.41, 270.42 and 270.43). The Permittee must inform EPA of any deviation from or changes in the submitted information that would affect the Permittee's ability to comply with the applicable statutes, regulations or permit conditions.

2. In the event that information becomes available to EPA identifying solid waste management units that require corrective measures, EPA will modify this Corrective Action Permit. This paragraph does not limit EPA's authority to otherwise modify this Corrective Action Permit in accordance with 40 C.F.R. Part 270, Subpart D.

E. TRANSFER OF PERMIT

This Corrective Action Permit is not transferable to any person, except after notice to EPA (40 C.F.R. § 270.30(l)(3)). This Corrective Action Permit may be transferred by Orbital ATK to a new owner or operator only if the Corrective Action Permit has been modified or revoked and reissued under 40 C.F.R. § 270.40(b) or 270.42(b)(2) to identify the new permittee and incorporate such other requirements as may be necessary under the appropriate Act. (40 C.F.R. § 270.40)

F. PROPERTY RIGHTS

This Corrective Action Permit does not convey any property rights of any sort, or any exclusive privilege. (40 C.F.R. § 270.30(g)).

G. PERMIT EXPIRATION AND CONTINUANCE

1. Pursuant to 40 C.F.R. § 270.50, this Permit shall be effective for a fixed term not to exceed ten years. Pursuant to 40 C.F.R. § 270.51, this Permit and all conditions herein will remain in effect beyond the Permit's expiration date if the Permittee has submitted a timely and complete application for a new permit (see 40 C.F.R. §§ 270.10 and 270.13 - 270.29) and, through no fault of the Permittee, the Director has not issued a new permit under 40 C.F.R. § 124.15 on or before the expiration date of this permit. In addition, each permit for a land disposal facility shall be reviewed by the Regional Administrator five years after the date of permit

issuance or reissuance and shall be modified as necessary, as provided in 40 C.F.R. § 270.41 (40 C.F.R. § 270.50(d)).

2. If the Permittee wishes to continue an activity regulated by this Permit after the expiration date of this Permit, the Permittee must submit a complete application for a new permit at least 180 days before this Permit expires, unless permission for a later date has been granted by the Regional Administrator (40 C.F.R. §§ 270.10(h) and 270.30(b)).

3. The corrective action obligations contained in this Permit shall continue regardless of whether the Permittee continues to operate or ceases operation and closes the Facility. The Permittee is obligated to complete Facility-wide corrective action under the conditions of a RCRA permit regardless of the operational status of the Facility. The Permittee must submit an application for a new permit at least one hundred eighty (180) days before this Permit expires pursuant to 40 C.F.R. § 270.10(h), unless the Permit has been modified to terminate the corrective action schedule of compliance and the Permittee has been released from the requirements for financial assurance for corrective action.

H. DUTY TO SUBMIT CERTIFIED DOCUMENTS

All reports or other information submitted to EPA shall be signed and certified as required by 40 C.F.R. §§ 270.11 and 270.30(k).

PART II – SPECIFIC FACILITY CONDITIONS

A. CORRECTIVE ACTION FOR CONTINUING RELEASES; PROTECTION OF HUMAN HEALTH AND THE ENVIRONMENT

1. Section 3004(u) of RCRA, 42 U.S.C. § 6924(u), and regulations codified at 40 C.F.R. § 264.101, provide that all permits issued after November 8, 1984 must require corrective action as necessary to protect human health and the environment for all releases of hazardous waste or hazardous constituents from any solid waste management unit (SWMU), regardless of when waste was placed in the unit.

2. Under Section 3004(v) of RCRA, 42 U.S.C. § 6924(v), and 40 C.F.R. § 264.101(c), EPA may require that corrective action at a permitted facility be taken beyond the facility boundary where necessary to protect human health and the environment, unless the owner or operator of the facility concerned demonstrates to the satisfaction of the EPA that, despite the owner or operator's best efforts, the owner or operator was unable to obtain the necessary permission to undertake such action.

3. Section 3005(c)(3) of RCRA, 42 U.S.C. § 6925(c)(3), and 40 C.F.R. § 270.32(b) provide that each Permit shall contain such terms and conditions as EPA determines necessary to protect human health and the environment.

B. REMEDY IMPLEMENTATION

Based on the Administrative Record, EPA selected a Final Remedy for the Facility in a Final Decision and Response to Comments (FDRTC), set forth in Attachment A and made a part hereof. The requirements of this Permit provide for the implementation of the Final Remedy described in the FDRTC.

Commencing on the effective date of this Permit Renewal and thereafter, the Permittee shall implement the Final Remedy selected by EPA and described in the FDRTC, as follows:

1. The Permittee shall implement the following components of the Final Remedy at the Facility:
 - a. **Monitored Natural Attenuation at TCE Area SWMU**
The Permittee will remediate groundwater at the TCE Area SWMU using monitored natural attenuation (MNA) until the Groundwater Cleanup Standards are achieved and maintained at the Facility in accordance with the CMI Workplan, as required in Paragraph B.4., below, or until EPA determines that an alternative remedy is necessary or appropriate to achieve and maintain the Groundwater Cleanup Standards for the Facility.
 - b. **Site-wide Groundwater Monitoring**
The Permittee will perform monitoring of a Facility-wide monitoring well network to assess the effectiveness of the Pesticide SWMU cover remedy, Beryllium SWMU remedy, A Area SWMU, and to ensure the stability and progress meeting Groundwater Cleanup Standards for the Facility in accordance with the CMI Workplan, as required in Paragraph B.4., below.
 - c. **Excavation and Capping**
The Permittee will excavate soil from the Ridge Area and Tar and Ash Area for consolidation beneath a low permeability cap to be located over the Burn Pit and Incineration Areas. As necessary soils from other areas at the ATK site may be placed under the cap. It is estimated that the cap will cover approximately 2 acres. All excavation and capping will be performed in accordance with the CMI Workplan, as required in Paragraph B.4., below.
3. Within 30 days of EPA approval of the CMI Workplan as required in Paragraph B.4., the Permittee shall provide assurances of financial responsibility for completing the final remedy as required by Section 3004(u) of RCRA, 42 U.S.C. § 6924(u).
4. Within 60 days of the effective day of this Permit, the Permittee shall submit to EPA, for review and approval, a CMI Workplan for the implementation of the Final Remedy selected in the FDRTC. The CMI Workplan shall include, but not be limited to, the following:
 - a. an implementation schedule for the consolidation and capping of contaminants at

- the Pesticide Area SWMU;
- b. a monitoring network and schedule to assess the effectiveness of MNA at the TCE Area SWMU, capping at the Pesticide Area SWMU, protectiveness of the Beryllium SWMU remedy, and progress at the A-Area SWMU;
- c. site-wide monitoring well sampling plan to be used as a mechanism to determine when Groundwater Cleanup Standards have been reached; and
- d. an Institutional Control (IC) section to establish, document, and report the methods that will be used to implement and monitor compliance of the requirements set forth in subparagraphs i. through iv. immediately below and ensure that they remain in place and effective and run with the land.
 - i. Prohibit residential land use (defined as single family homes, multiple family dwellings, schools, day care centers, child care centers, apartment buildings, dormitories, other residential-style facilities, hospitals, and in-patient health care facilities);
 - ii. Prohibit the potable use of untreated groundwater from beneath the entire Facility. Site groundwater may be used for potable uses pursuant to MDE Water Supply Permit (PWSID 1070052);
 - iii. Restrict subsurface soil excavation at the A Area SWMU, Pesticide SWMU and Beryllium SWMU except in conformance with an appropriate soil management plan including health and safety plan;
 - iv. At a minimum, provide coordinate surveys for applicable property use restrictions that meet the following requirements:
 - 1. Define the boundary of each use restriction as a polygon; and
 - 2. Establish the longitude and latitude of each polygon vertex as follows:
 - o Decimal degrees format;
 - o At least seven decimal places;
 - o Negative sign for west longitude; and WGS 1984 datum.

C. EMERGENCY RESPONSE; RELEASE REPORTING

1. In the event Permittee identifies a newly discovered SWMU or new releases of hazardous waste and/or hazardous constituents at or from the Facility not previously identified, or discovers an immediate or potential threat to human health and/or the environment at the Facility, Permittee shall notify the EPA Project Coordinator orally within forty-eight (48) hours of discovery and notify EPA in writing within three (3) calendar days of such discovery summarizing the potential for the migration or release of hazardous wastes, solid wastes and/or hazardous constituents at and/or from the Facility and the immediacy and magnitude of the potential threat(s) to human health and/or the environment, as applicable. Upon written request of EPA, Permittee shall submit to EPA for approval an Interim Measures (IM) Workplan in accordance with the IM Scope of Work (see Permit Condition II.D) that identifies interim measures which will mitigate the migration or release of hazardous wastes, solid wastes and/or

hazardous constituents at and/or from the Facility and mitigate any threat to human health and/or the environment. If EPA determines that immediate action is required, the EPA Project Coordinator may orally authorize Permittee to act prior to EPA's receipt of the IM Workplan.

2. If EPA identifies a newly discovered SWMU or new releases of hazardous waste and/or hazardous constituents at or from the Facility not previously identified, or discovers an immediate or potential threat to human health and/or the environment at the Facility, EPA will notify Permittee in writing. Within ten (10) days of receiving EPA's written notification, Permittee shall submit to EPA for approval an IM Workplan in accordance with the IM Scope of Work, that identifies interim measures which will mitigate the migration or release of hazardous wastes, solid wastes and/or hazardous constituents at and/or from the Facility and mitigate any threat to human health and/or the environment. If EPA determines that immediate action is required, the EPA Project Coordinator may orally require Permittee to act prior to Permittee's receipt of EPA's written notification.

3. All IM Workplans shall ensure that the interim measures are designed to mitigate the migration or release of hazardous wastes, solid wastes and/or hazardous constituents at and/or from the Facility and mitigate any immediate or potential threat(s) to human health and/or the environment, and should be consistent with the objectives of, and contribute to the performance of the Final Remedy set forth in the FDRTC or any additional remedy which may be required at the Facility.

4. Each IM Workplan shall include the following sections as appropriate and approved by EPA: Interim Measures Objectives, Public Involvement Plan, Data Collection Quality Assurance, Data Management, Waste Management Plan, Design Plans and Specifications, Operation and Maintenance, Project Schedule, Interim Measures Construction Quality Assurance, and Reporting Requirements.

5. Concurrent with submission of an IM Workplan, Permittee shall submit to EPA an IM Health and Safety Plan.

D. GUIDANCE DOCUMENTS

All work to be performed at the Facility pursuant to this Permit shall be in general accordance with applicable EPA RCRA corrective action guidance available at:
<https://www.epa.gov/hwcorrectiveactionsites/corrective-action-resources-specific-epas-region-3>

E. RECORDKEEPING

Upon completion of closure of any current or future SWMU, the Permittee shall maintain in the Facility operating record, documentation of the closure measures taken.

F. ACCESS FOR CORRECTIVE ACTION OVERSIGHT

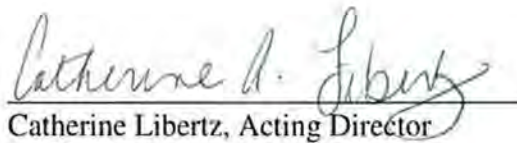
EPA and its authorized representatives shall have access to the Facility at all reasonable times for the purpose of monitoring compliance with the provisions of this Corrective Action Permit. Orbital ATK shall use best efforts to obtain access to property beyond the boundaries of the Facility, if needed, for: (1) itself and any contractor of Orbital ATK for the purpose complying with the provisions of this Corrective Action Permit and (2) EPA and its authorized representatives for the purpose of monitoring compliance with the provisions of this Corrective Action Permit. Best efforts shall include, but not be limited to, agreement to reasonable conditions for access and/or the payment of reasonable fees.

G. EFFECTIVE DATE

This Corrective Action Permit is effective on May ____, 2017 and shall remain in effect until May ____, 2027 unless revoked and reissued, modified, or terminated in accordance with 40 C.F.R. §§ 270.41, 270.42 and 270.43 or continued in accordance with 40 C.F.R. § 270.51(a).

H. SIGNATURE

Date: 3-22-17


Catherine Libertz, Acting Director
Land and Chemicals Division
U.S. Environmental Protection Agency, Region III

Attachment A