

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

RESOURCE CONSERVATION AND RECOVERY ACT PERMIT

Facility Name and Location: Envirosafe Services of Ohio, Inc.
 876 Otter Creek Road
 Oregon, Ohio

Operator(s): Envirosafe Services of Ohio, Inc.

Owner(s): Envirosafe Services of Ohio, Inc.

U.S. EPA Identification Number: OHD 045 243 706

Effective Date: _____

Expiration Date: _____

Authorized Activities:

The United States Environmental Protection Agency (“U.S. EPA”) hereby issues the Federal portion of the Resource Conservation and Recovery Act (RCRA) Permit (hereinafter referred to as the “Permit”) to Envirosafe Services of Ohio, Inc., (hereinafter referred to as the “Permittee”) to regulate the management of hazardous waste at its facility located at 876 Otter Creek Road, Oregon, Ohio (hereinafter known as the “Facility”).

This permit is issued under the authority given to the U.S. EPA by the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, and the Hazardous and Solid Waste Amendments (HSWA) of 1984 (42 U.S.C. 6901 *et seq.*), collectively referred to as RCRA, and in accordance with regulations promulgated thereunder by the U.S. EPA and codified in Title 40 of the Code of Federal Regulations (40 CFR).

Section 3006 of RCRA (42 U.S.C. § 6926) authorizes the U.S. EPA to convey to a state government the authority to administer RCRA if the state’s program is equivalent to ensure that the health of the public is protected. The state authorization procedures are described in the regulations at 40 CFR Part 271. On June 30, 1989, the U.S. EPA initially authorized the Ohio Environmental Protection Agency (Ohio EPA) to administer the RCRA hazardous waste program. Since then the U.S. EPA has promulgated additional RCRA regulations. When Ohio EPA demonstrated it was able to adequately administer the new RCRA regulations, the U.S. EPA issued a subsequent authorization, adding the new regulations to Ohio EPA’s authorized RCRA program.

The U.S. EPA has not yet authorized the Ohio EPA to administer RCRA regulations at 40 CFR Part 264, Subpart BB, which cover air emissions from equipment leaks, 40 CFR Part 264, Subpart CC which cover air emissions from tanks and containers, 40 CFR Part 264, Subpart DD which cover containment buildings storing hazardous wastes, and some hazardous waste numbers listed at 40 CFR Part 261, Subpart D. Therefore, the U.S. EPA

is issuing this portion of the RCRA permit to cover operations at the Permittee’s facility which are subject to these regulations.

The Permittee’s complete RCRA permit is comprised of both this U.S. EPA permit, which covers the applicable federal RCRA conditions, and the RCRA permit issued by the Ohio EPA effective on _____, which covers RCRA regulations for which Ohio EPA is authorized. The complete RCRA permit authorizes the Permittee to manage hazardous waste in accordance with the terms and conditions of the permit. This permit consists of all the conditions contained herein, and all conditions incorporated by citation. The Permittee must comply with all terms and conditions contained in the permit.

This permit is based on the following assumptions: (1) the information submitted by the Permittee in the permit application dated April 20, 2000 and subsequent revisions (hereinafter referred to as the “application”) is accurate, and (2) the facility is configured, operated and maintained as specified in the application.

Any inaccuracies in the application may be grounds for the U.S. EPA to modify or revoke and reissue this permit in accordance with 40 CFR § 270.41, or terminate it in accordance with 40 CFR § 270.43; and for enforcement action under Section 3008 of RCRA. The Permittee must inform the U.S. EPA of any deviation from, or changes in, the information in the application that might affect the Permittee’s ability to comply with the applicable regulations or conditions of this permit.

Opportunity to Appeal:

Petitions for review must be submitted within 30 days after the U.S. EPA serves notice of the final permit decision. Any person who filed comments on the draft Permit or participated in the public hearing may petition the Environmental Appeals Board to review any condition of the Permit decision. Any person who failed to file comments or failed to participate in the public hearing on the draft Permit may file a petition for review only to the extent of the changes from the draft to the final Permit decision. The procedures for permit appeals are found in 40 CFR § 124.19.

Effective Date:

This Permit is effective as of _____ and will remain in effect until _____, unless revoked and reissued under 40 CFR § 270.41, terminated under 40 CFR § 270.43, or continued in accordance with 40 CFR § 270.51(a).

By: _____
Margaret M. Guerriero, Director
Waste, Pesticides and Toxics Division

Date: _____

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SECTION I—STANDARD PERMIT CONDITIONS**I.A EFFECT OF PERMIT**

The Permittee is hereby allowed to manage hazardous waste in accordance with this permit. Under this permit, the operation of units storing RCRA hazardous waste must comply with all terms and conditions in this permit. Other aspects of the storage, treatment, and disposal of RCRA hazardous wastes by the Permittee in containers, tanks, miscellaneous units, etc., are subject to the conditions in the RCRA permit issued by the Ohio EPA. Any hazardous waste activity which requires a RCRA permit and is not included in either the U.S. EPA or the Ohio EPA RCRA permit is prohibited.

Pursuant to 40 CFR § 270.4, compliance with the RCRA permit during its term constitutes compliance, for purposes of enforcement, with Subtitle C of RCRA, except for those RCRA requirements not included in the permit which become effective by statute, or are promulgated under subparts AA, BB, or CC of 40 CFR Part 265 limiting air emissions. This permit does not (1) convey any property rights or any exclusive privilege; (2) authorize any injury to persons or property, or invasion of other private rights; or (3) authorize any infringement of state or local law or regulations. Compliance with the terms of this permit does not constitute a defense to any order issued, or any action brought, under (1) Sections 3008, 3013, or 7003 of RCRA; (2) Sections 104, 106, or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. §§ 9601 *et seq.* (commonly known as CERCLA); or (3) any other law protecting public health or the environment from any imminent and substantial endangerment to human health, welfare, or the environment.

(40 CFR §§ 270.4 and 270.30(g))

I.B PERMIT ACTIONS

The U.S. EPA may modify or revoke and reissue this permit in accordance with 40 CFR § 270.41, or terminate it in accordance with 40 CFR § 270.43. Section 3005(c)(3) of RCRA provides that modification pursuant to 40 CFR § 270.41 may include any new terms and conditions the U.S. EPA determines are necessary to protect human health and the environment. The filing by the Permittee of a request for modification, revocation and reissuance, or termination of this permit, or a notification by the Permittee of planned changes or anticipated noncompliance will not stay the applicability or enforceability of any permit condition. (40 CFR § 270.30(f))

The Permittee may request a modification of this permit under the procedures specified in 40 CFR § 270.42. A class 1 modification is generally allowed without prior approval by the U.S. EPA except under certain conditions as described in 40 CFR § 270.42(a)(2). A Class 2 modification requires prior approval by the U. S. EPA as described in 40 CFR § 270.42(b). However, the Permittee may perform construction associated with a Class 2 permit modification request beginning 60 days after submission of the request unless the Director of the Waste, Pesticides and Toxics Division, U.S. EPA (Director) establishes a later date under 40 CFR § 270.42(b)(8). Procedures for a Class 3 modification are specified in 40 CFR § 270.42(c). The Permittee must not perform any construction associated with a Class 3 permit modification request until such modification request is granted and the modification becomes effective.

I.C SEVERABILITY

This Permit's provisions are severable; if any Permit provision, or the application of any Permit provision to any circumstance, is held invalid, such provision's application to other circumstances and the remainder of this Permit will not be affected. Invalidation of any statutory or regulatory provision on which any condition of this Permit is based does not affect the validity of any other statutory or regulatory basis for that condition. (40 CFR § 124.16(a))

I.D DEFINITIONS

The terms used in this Permit will have the same meaning as in 40 CFR Parts 124, 260 through 266, 268 and 270, unless this Permit specifically provides otherwise. Where neither the regulations nor the Permit define a term, the term's definition will be the standard dictionary definition or its generally accepted scientific or industrial meaning.

I.E DUTIES AND REQUIREMENTS**1.E.1 Duty to Comply**

The Permittee must comply with all conditions of this Permit, except to the extent and for the duration for which an emergency permit authorizes such noncompliance (see 40 CFR § 270.61). Any Permit noncompliance, except under the terms of an emergency permit, constitutes a violation of RCRA and will be grounds for enforcement action, permit termination, revocation and reissuance, modification, or denial of a new permit application. (40 CFR § 270.30(a))

1.E.2 Permit Expiration

Unless revoked or terminated, this permit and all conditions herein will be effective until _____. This permit and all conditions herein will remain in effect beyond the permit's expiration date only if the Permittee has submitted a timely, complete application for a new permit (40 CFR §§ 270.10 and 270.13 through 270.29), and, through no fault of the Permittee, the Director has not made a final determination regarding issuance of a new permit. (40 CFR §§ 270.50, 270.51)

1.E.3 Duty to Reapply

If the Permittee wishes to continue the activities regulated by this permit after its expiration date, the Permittee must submit a complete application for a new permit at least 180 days before this permit's expiration date, unless the Director grants permission for a later application submittal date. The Director will not grant permission to submit an application for a new permit later than this permit's expiration date. In reviewing any application for a new permit, the U.S. EPA will consider improvements in the state of control and measurement technology, and changes in applicable regulations. (40 CFR §§ 270.10(h) and 270.30(b))

1.E.4 Need to Halt or Reduce Activity Not a Defense

In an enforcement action, the Permittee is not entitled to a defense that it would have been necessary to halt or reduce the permitted activity to maintain compliance with this Permit. (40 CFR § 270.30(c))

I.E.5 Duty to Mitigate

In the event of noncompliance with this Permit, the Permittee must take all reasonable steps to minimize releases to the environment resulting from the noncompliance and must implement all reasonable measures to prevent significant adverse impacts on human health or the environment. (40 CFR § 270.30(d))

I.E.6 Proper Operation and Maintenance

The Permittee must always properly operate and maintain all facilities and treatment and control systems (and related appurtenances) that the Permittee installs or uses to comply with 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/quality control procedures. This provision requires the Permittee to operate back-up or auxiliary facilities or similar systems only when necessary to comply with this Permit. (40 CFR § 270.30(e))

I.E.7 Duty to Provide Information

Within a reasonable time, the Permittee must provide the Director any relevant information that the Director requests to determine whether there is cause to modify, revoke and reissue, or terminate this Permit, or to determine Permit compliance. The Permittee must also provide the Director, upon request, with copies of any records this Permit requires. The information the Permittee must maintain under this Permit is not subject to the Paperwork Reduction Act of 1980, 44 U.S.C. §§ 3501 *et seq.* (40 CFR §§ 264.74(a) and 270.30(h))

I.E.8 Inspection and Entry

Pursuant to 40 CFR § 270.30(i), upon the presentation of credentials and other legally required documents, the Permittee must allow the Director or an authorized representative to

I.E.8.a Enter the Permittee's premises at reasonable times where a regulated activity is located or conducted, or where records must be kept under the conditions of this Permit;

I.E.8.b Have access to and copy, at reasonable times, any records that the Permittee must keep under the conditions of this Permit;

I.E.8.c Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and

I.E.8.d Sample or monitor any substances or parameters at any location at reasonable times, to

assure Permit compliance or as RCRA otherwise authorizes.

Notwithstanding any provision of this Permit, the U.S. EPA retains the inspection and access authority which it has under RCRA and other applicable laws.

I.E.9 Monitoring and Records

I.E.9.a Samples and measurements taken for monitoring purposes must be representative of the monitored activity. The methods used to obtain a representative sample of treatment residue or other waste to be analyzed must be the appropriate methods from Appendix I of 40 CFR Part 261, or the methods specified in the waste analysis plan approved by Ohio EPA, or an equivalent method approved by the Director. Laboratory methods must be those specified in *Test Methods for Evaluating Solid Waste: Physical/Chemical Methods* (SW-846, latest edition), *Methods for Chemical Analysis of Water and Wastes* (EPA 600/4-79-020), or an equivalent method, as specified in the referenced waste analysis plan. (40 CFR § 270.30(j)(1))

I.E.9.b The Permittee must retain, at the facility, all records as specified in 40 CFR § 264.74.

I.E.9.c The Permittee must submit all monitoring results at the intervals specified in this Permit.

I.E.9.d The Permittee must retain all reports, records, or other documents, required by this Permit, and records of all data used to complete the application for this Permit, for a period of at least 3 years from the date of the reports, records, or other documents, unless a different period is specified in this Permit. The 3-year period may be extended by request of the Director at any time and is automatically extended during the course of any unresolved enforcement action regarding this facility. (40 CFR §§ 270.30(j) and 270.31)

I.E.10 Reporting Planned Changes

The Permittee must notify the Director as soon as possible of any planned physical alterations or additions to the permitted facility. (40 CFR § 270.30(1)(1))

I.E.11 Reporting Anticipated Noncompliance

The Permittee must notify the Director, in advance, of any planned changes in the permitted facility or activity that may result in Permit noncompliance. Advance notice will not constitute a defense for any noncompliance. (40 CFR § 270.30(1)(2))

I.E.12 Certification of Construction

For a new facility, the Permittee may not treat, store, or dispose of hazardous waste; and for a facility being modified, the Permittee may not treat, store, or dispose of hazardous waste in the modified portion of the facility except as provided in 40 CFR § 270.42, until:

I.E.12.a The Permittee has submitted to the Director certification attested to by a registered professional engineer that the facility has been constructed or modified in compliance with the permit; (40 CFR § 270.30(l)(2)(i)) and

I.E.12.b The U.S. EPA has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit. However, if within 15 days of the date of submission of the above letter the Permittee has not received notice from the U.S. EPA of intent to inspect, prior inspection is waived and the Permittee may commence treatment, storage, or disposal of hazardous waste in the new or modified portion of the facility. (40 CFR § 270.30(l)(2)(ii))

I.E.13 Transfer of Permits

This permit is not transferable to any person, except after notice to the Director. If the Permittee notifies the Director of a transfer of ownership or change of operator of the premises subject to this permit, under 40 CFR § 270.40, the Director may revoke and reissue or modify the permit to change the owner or operator's name and incorporate other RCRA requirements. Before transferring ownership or operation of the facility during its operating life, the Permittee must notify the new owner or operator in writing of the requirements of this permit and the requirements of 40 CFR Parts 264, 268, and 270. (40 CFR §§ 264.12(c), 270.30(l)(3), and 270.40(a))

I.E.14 Twenty-Four Hour Reporting

I.E.14.a The Permittee must report to the U.S. EPA, Region 5 office any noncompliance with this permit that may endanger human health or the environment. Any such information must be reported orally within 24 hours after the Permittee becomes aware of the circumstances, by contacting the Enforcement and Compliance Assurance Branch at (312) 886-0838. (40 CFR §§ 270.30(l)(6))

I.E.14.b The report must describe the occurrence of any of the following: (1) the release of any hazardous waste that may endanger public drinking water supplies; (2) a release or discharge of hazardous waste; or (3) a fire or explosion from the hazardous

waste management facility, that could threaten the environment or human health outside the facility. The Permittee must include the following information about the incident:

- (1) Name, title and telephone number of the person making the report;
- (2) Name, address and telephone number of the facility owner or operator;
- (3) Date, time and type of incident;
- (4) Location and cause of incident;
- (5) Identification and quantity of material(s) involved;
- (6) Extent of injuries, if any;
- (7) Assessment of actual or potential hazards to the environment and human health outside the facility, where applicable;
- (8) Description of any emergency action taken to minimize the threat to human health and the environment; and
- (9) Estimated quantity and disposition of recovered material that resulted from the incident.

I.E.14.c In addition to the oral notification required under Conditions I.E.14.a and I.E.14.b of this permit, the Permittee must submit to the Director a written report within 5 calendar days after it became aware of the circumstances. The written report must include, but is not limited to, the following:

- (1) Name, address and telephone number of the person reporting;
- (2) Incident description (noncompliance and/or release or discharge of hazardous waste), including cause, location, extent of injuries, if any, and an assessment of actual or

potential hazards to the environment and human health outside the facility, where applicable);

- (3) Period(s) in which the incident (noncompliance and/or release or discharge of hazardous waste) occurred, including exact dates and times;
- (4) Whether the incident's results continue to threaten human health and the environment, which will depend on whether the noncompliance has been corrected and/or the release or discharge of hazardous waste has been adequately cleaned up; and
- (5) If the noncompliance has not been corrected, the anticipated period for which it is expected to continue and the steps taken or planned to reduce, eliminate, and prevent the recurrence of the noncompliance.

The Director may waive the requirement that written notice be provided within 5 calendar days; however, the Permittee will then be required to submit a written report within 15 calendar days after the day on which the Permittee was required to provide the oral notice required by Condition I.E.14.a. This report must contain the information required by Condition I.E.14.b of this permit. (40 CFR § 270.30(1)(6))

I.E.15 Other Noncompliance

For all instances of noncompliance which do not endanger health or the environment and are not reported under Condition I.E.14 of this permit, the Permittee must include a description of such instances with the submittal of any other reports required by this permit. The reports must contain the information listed in Condition I.E.14. (40 CFR § 270.30(1)(10))

I.E.16 Other Information

I.E.16.a Whenever the Permittee becomes aware that it failed to submit or otherwise omitted any relevant facts in the Permit application or other submittal, or submitted incorrect information in the Permit application or other submittal, the Permittee must promptly notify the Director of any incorrect information or previously omitted information, submit the correct facts or information, and explain in writing the circumstances of the incomplete or inaccurate submittal. (40 CFR § 270.30(1)(11))

I.E.16.b All other requirements contained in 40 CFR 270.30 not specifically described in this Permit are incorporated into this Permit and the Permittee must comply with all those requirements.

I.F SIGNATORY REQUIREMENT

The Permittee must sign and certify all applications, reports, or information this Permit requires, or which are otherwise submitted to the Director, in accordance with 40 CFR § 270.11. (40 CFR § 270.30(k))

I.G REPORTS, NOTIFICATIONS AND SUBMITTALS TO THE DIRECTOR

Except as otherwise specified in this Permit, all reports, notifications, or other submittals that this Permit requires to be submitted to the Director should be delivered to the U.S. EPA, Region 5, at the following address:

United States Environmental Protection Agency
attn: RCRA Permitting
Waste Management Branch, DW-8J
Waste, Pesticides and Toxics Division
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

I.H CONFIDENTIAL INFORMATION

In accordance with 40 CFR Part 2 Subpart B, the Permittee may claim any information this Permit requires, or is otherwise submitted to the Director, as confidential. The Permittee must assert any such claim at the time of submittal in the manner prescribed on the application form or instructions, or, in the case of other submittals, by stamping the words "Confidential Business Information" on each page containing such information. If the Permittee made no claim at the time of submittal, the Director may make the information available to the public without further notice. If the Permittee asserts a claim, the information will be treated in accordance with the procedures in 40 CFR Part 2. (40 CFR § 270.12)

I.I DOCUMENTS TO BE MAINTAINED AT THE FACILITY

The Permittee must maintain at the facility, until closure is completed and certified by an independent registered professional engineer, the following documents and all amendments, revisions, and modifications to them.

I.I.1 Operating Record

The Permittee must maintain in the facility's operating record the documents required by this Permit, and by the applicable portions of 40 CFR §§ 264.1035, 264.1064, 264.1084, 264.1088, 264.1089 and 40 CFR § 264.73 (as they apply to the equipment used to comply with this Permit).

I.I.2 Permit on Site

The Permittee must keep this permit and any attachments on site, including all the documents required

to be maintained by this permit, and the Permittee must update it as necessary to incorporate any permit modifications under 40 CFR §§ 270.41 and 270.42.

I.J ATTACHMENTS AND DOCUMENTS INCORPORATED BY REFERENCE

All attachments and documents that this permit requires to be submitted, including all plans and schedules are, upon the Director's approval, incorporated by reference and become an enforceable part of this permit. Since required items are essential elements of this permit, failure to submit any of the required items or submission of inadequate or insufficient information may subject the Permittee to enforcement action under Section 3008 of RCRA. This may include fines, or permit suspension or revocation.

Any noncompliance with approved designs, plans and schedules is noncompliance with this permit. The Director may grant written requests for extensions of due dates for submittals required in this permit.

If the Director determines that actions beyond those provided for, or changes to what is stated herein, are warranted, the Director may modify this permit according to procedures in Condition I.B of this permit.

If any documents attached to this permit are found to conflict with any of the Conditions in this permit, the Conditions will take precedence.

I.K COORDINATION WITH THE CLEAN AIR ACT

The Permittee must fully comply with all applicable Clean Air Act and RCRA Permit limits. Where two or more operating limitations apply, the most stringent operating limitations take precedence.

I.L APPLICATION MODIFICATION

Within 90 days of permit issuance, the Permittee must submit a Class 1 permit modification, in accordance with 40 CFR § 270.42 to revise applicable portions of the application dated April 20, 2000 to be consistent with the requirements outlined in this permit.

SECTION II -- AIR EMISSION STANDARDS

II.A EQUIPMENT LEAKS

The Permittee shall not manage hazardous waste with organic concentration equal or greater than 10% by weight in any equipment that would be subject to 40 CFR Part 264, Subpart BB.

II.B CONTAINERS

II.B.1 Maximum Volatile Organic Content

The Permittee identified existing container storage areas H, K, M, and N (units) that manage hazardous waste which are subject to 40 CFR Part 264, Subpart I and are permitted units in the Permittee's Ohio EPA RCRA permit effective _____. All hazardous waste managed in these units shall contain an average volatile organic (VO) concentration of less than 500 parts per million by weight (ppmw).

II.B.2 Future Container Storage Areas

Container storage areas identified as G, I, and L are authorized in the Ohio EPA RCRA permit effective _____, but have not been constructed. If constructed, these container storage areas will be subject to 40 CFR § Subpart CC (Subpart CC) and shall comply with all applicable requirements. Prior to managing hazardous waste in these areas, the Permittee shall submit a request to the U.S. EPA to modify this permit pursuant to 40 CFR § 270.42 and the applicable item(s) in Appendix I of that section to add these areas to this permit and receive approval for the modification request from the U.S. EPA.

II.B.3 Container Storage Within the Containment Building

Container storage areas within the Stabilization/Containment Building (SCB) identified as B, C, D, E, and T are authorized in the Ohio EPA RCRA permit effective _____ as subject to 40 CFR Part 264, Subpart I (OAC 3745-55-70 through 78) and are therefore subject to Subpart CC. All hazardous waste managed in these units shall contain a VO concentration of less than 500 ppmw.

II.B.4 Waste Determination Procedure

For each hazardous waste placed in container storage areas, the Permittee shall determine the average VO concentration of the waste at the point of origination using the procedures specified in 40 CFR § 264.1083(a) using either direct measurement as specified in Condition II.B.4.a or by knowledge as specified in Condition II.B.4.b.

II.B.4.a If direct measurement is used to determine the VO concentration, the Permittee shall use the procedures specified in 40 CFR § 265.1084(a)(3).

II.B.4.b If knowledge is used to determine the VO concentration, the Permittee shall use the procedures specified in 40 CFR § 265.1084(a)(4).

II.B.5 New Waste Determination

The Permittee shall perform a new waste determination whenever changes to the source generating the waste stream are reasonably likely to cause the average VO concentration of the hazardous waste to increase to a level that is equal to or greater than 500 ppmw.

II.B.5.a If direct measurement is used to determine the VO concentration, the Permittee shall use the procedures specified in 40 CFR § 265.1084(a)(3).

II.B.5.b If knowledge is used to determine the VO concentration, the Permittee shall use the procedures specified in 40 CFR § 265.1084(a)(4).

II.C TANKS

II.C.1 Future Tanks

Tanks identified as S4 through S7 with capacity of 15,000 gallons each are authorized in the Ohio EPA RCRA permit effective _____, but have not been constructed. If constructed, these tanks will be subject to Subpart CC and shall comply with all applicable requirements. Prior to managing hazardous waste in these tanks, the Permittee shall submit a request to the U.S. EPA to modify this permit pursuant to 40 CFR § 270.42 and the applicable item(s) in Appendix I of that section to add these tanks to this permit and receive approval for the modification request from the U.S. EPA.

II.C.2 Clean Air Act Applicability

Tanks identified as S100, S200, S300, and S400 are authorized to store hazardous waste by the Ohio EPA RCRA permit effective _____. Pursuant to 40 CFR § 264.1080(b)(7), Subpart CC does not apply to these tanks.

II.D RECORD KEEPING REQUIREMENTS

The Permittee shall comply with the applicable record keeping requirements under 40 CFR 264.1089, regarding its tanks and containers.

II.E REPORTING REQUIREMENTS

The Permittee shall submit all noncompliance reports for Subpart CC required under 40 CFR § 264.1090 to the U.S. EPA at

Chief, Enforcement and Compliance Assurance Branch
United States Environmental Protection Agency
Waste, Pesticides and Toxics Division, DE-9J
77 West Jackson Blvd
Chicago, IL 60604-3590.

SECTION III–CONTAINMENT BUILDING STANDARDS

III.A DESIGN REQUIREMENTS

The SCB must comply with the following design standards as required by 40 CFR Part 264, Subpart DD. The SCB is a steel frame constructed building with a footprint of approximately 1.2 acres in addition to four containment pads on the exterior of the building. Each area of the building is generally dedicated to a specific treatment and/or handling operation and includes the micro/macroencapsulation area, sort floor area, debris crusher area, waste mixing area with the excavator bridge for mixing, container storage areas, unloading areas, scale area and campaign bin area where larger volumes are mixed. The interior floor's wearing surface is constructed of multiple floating concrete slabs with grout filling the joints between the slabs. The building interior is divided into 10 drainage areas, each of which slope to concrete catch basins (sumps) constructed in the floor. The four exterior containment pads have similar catch basins. The building was designed and constructed with underlying double liner systems beneath the floating slab with liquid collection, removal and leak detection components (collectively called the Containment Building Sump System or CBS). There are 14 separate areas within the Stabilization/Containment Building, each with their own CBS. Riser pipes extend from

these sumps to covered concrete sump boxes built into the floor. These sumps are used to determine if any liquid is present on the liners and to remove any liquid that may be on the primary or secondary liners. The CBS components include a primary liner which is a continuous 80 mil high density polyethylene (HDPE) liner covered with a minimum of six inches of pea gravel. Beneath the primary liner is the secondary liner which is also a continuous 80 mil HDPE liner topped with a drainage geonet. Underlying the secondary liner is a layer of recompacted clay that is a minimum of 3 feet thick.

Wastes are brought into the Stabilization/Containment Building via trucks, drums, containers, intermodal containers, gondola rail cars and rail hopper cars. Waste characteristics vary from fine, dusty wastes to soils and debris. For fugitive dust management, the building is equipped with Air Pollution Control Systems managing the building's ventilation as well as for dump hoods used for pneumatic unloading and truck unloading. Additionally, the mixing stations are equipped with a water spray system to minimize the generation of particulate emissions during the mixing process.

III.A.1 The SCB must be completely enclosed with a floor, walls, and a roof to prevent exposure to the elements (e.g., precipitation, wind, run-on), and assure containment of managed wastes.

III.A.2 The floor of the SCB and containment walls of the units inside the SCB, including the secondary containment system must be designed and constructed of materials of sufficient strength and thickness to support themselves, the waste contents, and any personnel and heavy equipment that operate within the building or unit and to prevent failure due to pressure gradient, settlement, compression, or uplift, physical contact with the hazardous wastes to which they are exposed; climatic conditions; and the stresses of daily operation, including the movement of heavy equipment within the building or unit and contact of such equipment with the containment walls of the units. The SCB and units must be designed so that it has sufficient structural strength to prevent collapse or other failure. All surfaces to be in contact with hazardous wastes must be chemically compatible with those wastes. The U.S. EPA will consider standards established by professional organizations recognized by the industry, such as the American Concrete Institute and the American Society of Testing Materials, in judging the structural integrity requirements of this condition.

If appropriate to the nature of the waste management operation to take place in the SCB, an exemption to the structural strength requirement may be made for light-weight doors and windows that provide an effective barrier against fugitive dust emissions in accordance with condition III.C.1.e; and the SCB is designed and operated in a fashion that assures that wastes will not actually come in contact with these openings. If a barrier is required to prevent contact with these openings, the barrier must prevent the release of fugitive dust or waste to the exterior of the building.

III.A.3 Incompatible hazardous wastes or treatment reagents must not be placed in the SCB, unit or its secondary containment system if they could cause the SCB, unit or secondary containment system to leak, corrode, or otherwise fail.

III.A.4 The SCB must have a primary barrier designed to withstand the movement of personnel, waste, and handling equipment in the SCB during the operating life of the building and appropriate for the physical and chemical characteristics of the waste to be managed.

III.B FREE LIQUIDS

If the SCB is used to manage hazardous wastes containing free liquids or treated with free liquids (the presence of which is determined by the paint filter test, a visual examination, or other appropriate means), the Permittee shall include:

III.B.1 A primary barrier designed and constructed of materials to prevent the migration of hazardous constituents into the barrier (e.g., a geomembrane covered by a concrete wear surface) and

III.B.2 A liquid collection and removal system to minimize the accumulation of liquid on the primary barrier of the SCB.

III.B.3 The primary barrier must be sloped to drain liquids to the associated collection system and liquids and waste must be collected and removed at the earliest practicable time to prevent the development of a hydraulic head on the containment system.

III.B.4 The secondary containment system including the secondary barrier must be designed and constructed to prevent migration of hazardous constituents into the barrier, and a leak detection system that is capable of detecting failure of the primary barrier and collecting accumulated hazardous wastes and liquids at the earliest practicable time to prevent hydraulic head on the containment system.

III.B.4.a The requirements of the leak detection component of the secondary containment system are satisfied by installation of a system that is, at a minimum constructed with a bottom slope of 1 percent or more and constructed of a granular drainage material with a hydraulic conductivity of 1×10^{-2} cm/sec or more and a thickness of 30.5 cm or more, or constructed of a synthetic or geonet drainage material with a transmissivity of 3×10^{-5} m²/sec or more.

III.B.4.b The Permittee shall design the building such that when treatment is to be conducted in the building, the area in which such treatment is conducted is designed to prevent the release of liquids, wet materials, or liquid aerosols to other portions of the building.

III.B.4.c The secondary containment system must be constructed of materials that are chemically resistant to the waste and liquids managed in the SCB and of sufficient strength and thickness to prevent collapse under the pressure exerted by overlaying materials and by any equipment used in the SCB. (SCBs can serve as secondary containment systems for tanks placed within the building under certain conditions. The SCB can serve as an external liner system for a tank, provided it meets the requirements of 40 CFR § 264.193(d)(1). In addition, the SCB must meet the requirements of 40 CFR § 264.193(b) and (c) to be considered an acceptable secondary containment system for a tank.)

III.B.5 Construction inspection of the SCB and building components shall be conducted at the completion of any construction or repair activity. The inspection shall include, but shall not be limited to, the controlled structural fill, clay and synthetic covers and liners, run-off sumps, leachate detection systems, concrete foundation pad, and associated epoxy coating. The inspections shall be conducted as

described and at the frequencies specified to conform with the approved construction specifications identified in the application, or any U.S. EPA approved modifications to the application.

III.B.6 The Permittee shall design, construct, operate, and maintain a run-on control system capable of preventing flow into the SCB and onto the outside containment pads onto the active portion of the building during peak discharge from a 25-year 24-hour storm.

III.B.7 The Permittee shall install a baghouse or an equivalent device on all air pollution control systems managing the building ventilation and on the dump hoods used for pneumatic unloading and truck unloading. Performance test results shall be available on-site in operating records. Performance evaluations shall be conducted on a yearly basis during the operating life of the SCB. Vents and ducts shall be inspected not less than annually to determine if any accumulation has occurred along the ducts. Records of these inspections shall be maintained on-site for the life of the facility.

III.C CONTAINMENT BUILDING OPERATING STANDARDS

III.C.1 The Permittee shall use controls and practices to ensure containment of the hazardous waste within the SCB and at a minimum comply with the following requirements.

III.C.1.a The Permittee shall maintain the primary barrier to be free of significant cracks, gaps, corrosion, or other deterioration that could cause hazardous waste to be released from the primary barrier. The Permittee shall maintain, keep records for, and operate a primary leachate collection and removal system to collect and remove liquids from the SCB, leachate created by the waste and, wash water used to clean the floor. A secondary leachate collection and detection system shall be installed immediately below the primary liner for the purpose of monitoring and removing any leachate that could pass through the concrete and the primary HDPE liner.

III.C.1.b The SCB floors, walls, and roof must be properly maintained at all times during operation to prevent exposure to the elements and ensure containment of managed waste. When breaches in containment are identified, operations in the affected portions of the SCB shall be halted until repairs are made. Documentation of the repairs shall be made by a qualified, registered professional engineer and a report shall be prepared within 14 days of the repair for submittal to the Director with a copy retained on-site in the facility operating record.

III.C.1.c The Permittee shall maintain the level of the stored/treated hazardous waste within the containment walls of the units inside the SCB, so that the height of any unit's containment wall is not exceeded. The Permittee shall not stabilize and/or treat debris or hazardous waste through the SCB at a rate in excess of 150 tons per hour, or 250,000 tons in any calendar year. The Permittee shall maintain written records documenting compliance of this condition in the operating log for the facility.

III.C.1.d The Permittee shall take all measures necessary to prevent the tracking of hazardous waste out of the SCB by personnel or by equipment used

in handling the waste, including trucks off-loading waste. When tracking is noted or when weather conditions cause condensation of water on the floor, which mixes with fugitive dust in the building, operations shall be halted until exit by equipment, personnel, or vehicles from the building can be conducted without tracking of hazardous waste out of the building. Appropriate decontamination equipment shall be available and operating prior to resumption of operations. An area must be designated to decontaminate equipment and any rinsate must be collected and properly managed; and

III.C.1.e The Permittee shall take measures to control fugitive dust emissions such that any openings (doors, windows, vents, cracks, etc.) exhibit no visible emissions (see 40 CFR Part 60, Appendix A, Method 22 - Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares). In addition, all associated particulate collection devices must be operated and maintained with sound air pollution control practices. This state of no visible emissions must be maintained effectively at all times during routine operating and maintenance conditions, including when vehicles and personnel are entering and exiting the SCB and during the unloading of pneumatic tank trucks.

III.C.1.f The Permittee must not place incompatible hazardous wastes or treatment reagents in the SCB, units or its secondary containment system if they could cause the SCB, units or secondary containment system to leak, corrode, or otherwise fail.

III.C.1.g The Permittee is allowed to operate two pneumatic truck unloading stations within the SCB. The design shall be based on the plans included in the Permittee's application.

(1) The Permittee shall undertake no more than 24 unloadings of pneumatic tank trucks per day in the SCB.

(2) The number of unloadings of pneumatic tank trucks permitted per day may be reduced if the Permittee is unable to prevent the release of hazardous wastes from the SCB, including tracking of hazardous waste out of the building by personnel, pneumatic tank trucks, or other waste handling equipment.

III.C.2 The Permittee is authorized to store a maximum of 515 cubic yards of hazardous waste at any given time in the SCB as detailed in the following table.

Storage Area	Description/ Location	Capacity, Cubic Yards	Type of Containment	Description of Waste
A1	Debris Sort Floor Storage and Treatment Area	270	Modified Tank	All Permitted Waste Numbers
A2	Campaign Bin Storage and Treatment Area	230	Modified Tank	All Permitted Waste Numbers
F	Oversized Material Storage Area Adjacent to Crusher	15	Modified Tank	All Permitted Waste Numbers

III.D OPERATION OF THE PRIMARY COLLECTION SYSTEM

The Permittee must collect and remove primary liquids and waste at the earliest practicable time to prevent hydraulic head on the primary containment system.

III.E OPERATION OF THE SECONDARY COLLECTION SYSTEM

III.E.1 Throughout the active life of the SCB, if the Permittee detects a condition that could lead to or has caused a release of hazardous waste, the Permittee must address the condition promptly, in accordance with the procedures in the Response Action Plan (RAP). These procedures shall be implemented as specified in the RAP if the Permittee exceeds an indicator leakage rate (ILR), an action leakage rate (ALR), or detects contaminants in the secondary collection system that may be released to the environment. The Permittee shall adhere to the following ILRs and ALRs as specified in the RAP.

SCB Sump (CBS) Area	ILR gallons per week	ALR gallons per week
1	65	100
2	10	20
3	15	40
4	10	20
5	50	90
6	2	4
7	2	4
8	20	40
9	10	20
10	2	4
11	15	25
12	10	18
13	2	4
14	45	70

III.F OPERATION, MAINTENANCE, AND RECORDKEEPING FOR THE DOUBLE LINER SYSTEM

III.F.1 The Permittee shall operate and maintain the leak detection system for the SCB so as to limit the accumulation of liquids. Each portion or sump in the SCB leak detection system shall be inspected weekly. The inspection records shall be maintained in the operating record of the building for the life of the facility.

III.F.2 The Permittee shall expeditiously remove or otherwise manage all accumulated run-on/run-off from collection and holding sumps associated with the run-off/run-on control system to maintain design capacity of the system. Each sump shall be inspected on a daily basis (operating day) and after storms (2 inches or more of rain in 8 hours) for the purpose of monitoring the accumulated water level. All water removed from the run-off collection system is to be treated as potentially contaminated fluid.

III.G OPERATION TO MINIMIZE WIND DISPERSAL FROM THE SCB

III.G.1 The SCB shall remain enclosed at all times. The truck unloading side of the building shall be equipped with a split curtain to control wind dispersal. The split screen shall be inspected, cleaned, repaired or replaced. The inspection shall be conducted daily, at a minimum. The inspection records shall be maintained in the operations record of the building for the life of the facility.

III.G.2 A conditioner/wetter may be applied to all dusty treatment reagents and waste materials used in the containment building to control fugitive dust emissions.

III.G.3 To control wind dispersal, materials stored/staged in the sort bin units and campaign bin stock pile areas may be wetted with clean, uncontaminated water to minimize dust from dry mixtures, wastes, or stabilized materials.

III.G.4 Operation of the SCB and the physical/ chemical stabilization processing area shall be halted during periods of severe or adverse weather conditions (i.e. high winds, tornado warning) that may affect safe operations, until weather conditions allow safe operation.

III.G.5 The SCB must be operated to ensure containment and prevent the tracking of waste materials from the SCB by personnel or equipment. The Permittee must inspect and decontaminate all equipment (including trucks off-loading waste) prior to leaving the SCB.

III.G.6 After each shipment of hazardous waste is received and has been placed in the SCB, the Permittee shall log information into the SCB's daily report including but not limited to the following:

- III.G.6.a** The number of containers
- III.G.6.b** Waste type and description
- III.G.6.c** Date received into the storage bay
- III.G.6.d** Location
- III.G.6.e** Date removed from the storage bay
- III.G.6.f** ESOI load number
- III.G.6.g** Generator name

III.H WASTE TREATMENT

Waste treated in the SCB shall meet the treatment standards and be processed in accordance with the technology specified in the 40 CFR Part 268. The Permittee shall document each SCB process used in the stabilization and debris processing operations log (as part of the facility operating record) on an operating day. The Permittee shall keep treatment records which shall include at a minimum the following information:

III.H.1 The quantity of each waste added or removed; waste code designation and analytical data quantitatively identifying constituents; any additional information, concerning waste compatibility and/or the processing of the waste, necessary for safe operation of the SCB,

III.H.2 The exact type, sequence, and/or combination of treatment methods designated for said waste,

III.H.3 Bench scale test data showing the composition of treatment reagents, waste material or filler materials added to the waste dosage rates of reagents, waste, contact time, operating parameters to be monitored, safety precautions and measures; final product analysis, and the rate of treatment of the final waste product.

III.H.4 The Permittee shall prepare, document and maintain on site for each stabilization batch conducted on site, data showing that dilution did not occur during treatment.

III.H.5 The Permittee shall use the stabilization/solidification additives referenced in section D-2d of the application. The Permittee shall notify the U.S. EPA of any additions made to this list and submit any relevant technical and analytical data supporting the effectiveness of the treatment additive.

III.H.6 The treatment/analytical report shall also contain Toxicity Characteristics Leachate Procedure test results, technology used, land ban requirements, California list requirements, or any other applicable regulatory requirements which the waste must meet prior to its final disposal.

III.I SEMI-ANNUAL ENGINEERING ASSESSMENTS

Engineering assessments of the container building walls, floors, and liner systems shall be made with photographic documentation of cracks and wear surfaces included in a written assessment by a qualified, registered professional engineer. The assessments shall be performed at 6 month intervals beginning 6 months after the effective date of this permit. The reports shall be sent to the Director within 30 days of the date of the physical inspection. A copy of the reports shall be retained in the operating record for the building.

III.J ENCAPSULATION TECHNOLOGY

III.J.1 The Permittee shall only perform encapsulation technology on waste that is based on visual inspection, primarily debris. Debris, as defined in 40 CFR § 268.2, is solid material exceeding 60 mm in particle size that is intended for disposal and is a manufactured object, plant or animal matter, or natural geologic material. However, the following are not debris: material for which a specific treatment standard is provided in 40 CFR Part 268, Subpart D, namely lead acid batteries, cadmium batteries, and radioactive lead solids; process residuals such as smelter slag and residues from the treatment of waste, wastewater sludges, or air emission residues; and intact containers of hazardous waste that are not ruptured and that retain at least 75% of their original volume.

III.J.1.a The Permittee shall not perform encapsulation technology on debris waste that is deliberately mixed with non-debris waste that has treatment standards.

III.J.1.b The Permittee shall not perform encapsulation treatment on any hazardous waste that is not authorized in the effective U.S. EPA or Ohio EPA RCRA permit.

III.J.1.c The Permittee is authorized to perform encapsulation treatment in accordance with Section D-2c of the application.

III.J.1.d The Permittee shall use only compatible materials to encapsulate waste. The Permittee shall not use materials that will react with or otherwise degrade when exposed to the waste.

III.J.1.e The Permittee shall perform a quality control check on all waste that undergoes encapsulation treatment. The quality control inspection shall be set forth in the Waste Analysis Plan for the Facility as specified in the application.

(1) The Permittee shall inspect a minimum number of microencapsulation boxes for each ESOI load number or Waste Stream Identification Number (WSID). The minimum number of boxes shall be determined by the larger of the cube root of the number of boxes or; 10 percent of the boxes. Finished boxes shall be inspected from top to bottom, directly exposing an area at least 6 inches wide and allowing more of the surface area to be viewed by pulling the cardboard away from the setup encapsulant/ cement.

(2) All waste that is microencapsulated in bulk must be sufficiently coated with the treatment reagents. This shall be verified by visual

inspection. All microencapsulated waste must be allowed to cure to meet the approved requirements.

(3) The Permittee shall only use storage and handling pallets that are larger than the containers used in the macroencapsulation.

(4) The Permittee shall use structural supports, when appropriate, around the macroencapsulation container to prevent rupture of the low density polyethylene (LDPE) liner. The macroencapsulation containers may not be overfilled to cause rupture of the LDPE liner.

(5) Each container used in the macroencapsulation process shall be inspected for damage to the liner. Containers with damaged liners shall be reprocessed.

III.K CLOSURE AND POST-CLOSURE CARE

III.K.1 At closure of a SCB, the Permittee must remove or decontaminate all waste residues, contaminated containment system components (liners, etc.) contaminated subsoils, and structures and equipment contaminated with waste and leachate, and manage them as hazardous waste unless 40 CFR § 261.3(d) applies. The closure plan, closure activities, cost estimates for closure, and financial responsibility for SCBs must meet all of the requirements specified in 40 CFR Part 264, Subparts G and H.

III.K.2 If, after removing or decontaminating all residues and making all reasonable efforts to effect removal or decontamination of contaminated components, subsoils, structures, and equipment as required in condition III.K.1, the Permittee finds that not all contaminated subsoils can be practicably removed or decontaminated, the Permittee must close the facility and perform post-closure care in accordance with the closure and post-closure requirements that apply to landfills (40 CFR § 264.310). In addition, for the purposes of closure, post-closure, and financial responsibility, such a SCB is then considered to be a landfill, and the Permittee must meet all of the requirements for landfills specified in 40 CFR Part 264, Subparts G and H.

SECTION IV–HAZARDOUS WASTE NUMBERS

The Permittee may manage hazardous waste with the following RCRA hazardous waste numbers listed at 40 CFR Part 261, Subpart D, in addition to those which the Ohio EPA has authorized in its RCRA permit.

F032
K169
K170

K171
K172

K174
K175

K176
K177