

SECTION I—STANDARD PERMIT CONDITIONS

I.A EFFECT OF PERMIT

You are hereby allowed to manage hazardous waste at Vertellus Agriculture & Nutrition Specialties LLC (formerly known as Reilly Industries, Inc.) (“facility”) in accordance with this permit. Under this permit, the treatment of RCRA hazardous waste must comply with all BIF standards and all other terms and conditions in this permit. (Other aspects of the storage of RCRA hazardous wastes in containers, tanks, etc., are subject to the conditions in the State-issued portion of the RCRA permit.)

Subject to 40 CFR § 270.4, compliance with the RCRA permit during its term generally constitutes compliance, for purposes of enforcement, with Subtitle C of RCRA.

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(a), 3008(h), 3013, or 7003 of RCRA; (2) Sections 104, 106(a), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 USC §§ 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

I.B.1 Permit Review, Modification, Revocation and Reissuance, and Termination

The U.S. EPA may review, modify, or revoke and reissue this permit, or terminate it for cause, as specified in 40 CFR § 270.41, § 270.42, and § 270.43. The U.S. EPA may also review and modify this permit, consistent with 40 CFR § 270.41, to include any terms and conditions it determines are necessary to protect human health and the environment under Section 3005(c)(3) of RCRA. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance on your part will not stay the applicability or enforceability of any permit condition. (40 CFR § 270.30(f))

You must not perform any construction associated with a Class 3 permit modification request until such modification request is granted and the modification becomes effective. You may perform construction associated with a Class 2 permit modification request beginning 60 days after submission of the request unless the Director establishes a later date. (40 CFR §§ 270.42(b)(8) and 270.42(c))

I.B.2 Permit Renewal

This permit may be renewed as specified in 40 CFR § 270.30(b) and Section I.E.2 of this permit. In reviewing any application for a permit renewal, the U.S. EPA will consider improvements in the state of control and measurement technology, and changes in applicable regulations. (40 CFR § 270.30(b) and RCRA Section 3005(c)(3))

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

You must comply with all conditions of this permit, except to the extent and for the duration for which an emergency permit authorizes such noncompliance (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, or modification; or denial of a permit renewal application. (40 CFR § 270.30(a))

1.E.2 Duty to Reapply

If you wish to continue an activity this permit regulates after its expiration date, you must apply for and obtain a new permit. You must submit a complete application for a new permit at least 180 days before the permit expires, unless the Director grants permission for a later date. The Director will not grant permission to submit the complete application for a new permit later than the permit's expiration date. (40 CFR § 270.10(h) and § 270.30(b))

I.E.3 Permit Expiration

Unless revoked or terminated, this permit and all conditions herein will be effective for 5 years from this permit's effective date. This permit and all conditions herein will remain in effect beyond the permit's expiration date if you have submitted a timely, complete application (40 CFR § 270.10 and §§ 270.13 through 270.29), and, through no fault of your own, the Director has not made a final determination regarding permit reissuance. (40 CFR §§ 270.50 and 270.51)

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

In an enforcement action, you are 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, you 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

You must always properly operate and maintain all facilities and treatment and control systems (and related appurtenances) that you install or use 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 you 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

You must provide the Director, within a reasonable time, 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. You must also provide the Director, upon request, with copies of any records this permit requires. The information you must maintain under this permit is not subject to the Paperwork Reduction Act of 1995, 44 USC §§ 3501 *et seq.* (40 CFR §§ 264.74(a) and 270.30(h))

I.E.8 Inspection and Entry

Upon the presentation of credentials and other legally required documents, you must allow the Director or an authorized representative to:

I.E.8.a Enter at reasonable times upon your premises 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 you 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 at any location at reasonable times, to assure permit compliance or as RCRA otherwise authorizes.

Notwithstanding any provision of this permit, U.S. EPA retains the inspection and access authority which it has under RCRA and other applicable laws. (40 CFR § 270.30(i))

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 the feed streams, treatment residues, or other hazardous wastes 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 (WAP) which is Section C of the Part B Permit Renewal Application, 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 WAP. (40 CFR § 270.30(j)(1))

I.E.9.b You must retain, at the facility, records of all monitoring information as specified in 40 CFR § 264.74.

I.E.9.c You must submit all monitoring results at the intervals specified in this permit.

I.E.9.d You 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. Except as provided in 40 CFR 264.73 and 266.102(e)(10), all operating records, monitoring data, and waste analysis data produced to comply with Section III of this permit shall be retained at the facility until closure of the facility. These periods 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 §§ 264.73, 266.102(e)(10), 270.30(j), and 270.31)

I.E.10 Reporting Planned Changes

You 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

You 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

You must not operate any RCRA air emission control devices completed after the effective date of this permit until you have submitted to the Director, by certified mail or hand-delivery, a letter signed both by your authorized representative and by a registered professional engineer. That letter must state that the portions of the facility covered by this permit have been constructed in compliance with the applicable conditions of this permit. In addition, you must not operate the permitted control devices until either:

I.E.12a. The Director or his/her representative has inspected those portions of the facility and finds them in compliance with the conditions of the permit; or

I.E.12b. The Director waives the inspection.

(40 CFR § 270.30(1)(2))

I.E.13 Transfer of Permits

This permit is not transferable to any person, except after notice to the Director. Under 40 CFR § 270.40, the Director may require permit modification, or revocation and reissuance to change the Permittee's name and incorporate other RCRA requirements. Before transferring ownership or operation of the facility during its operating life, you

must notify the new owner or operator in writing of the requirements of 40 CFR Parts 264, 266, 268, and 270, and must provide a copy of the RCRA permit to the new owner or operator. (40 CFR §§ 264.12(c), 270.30(1)(3), and 270.40(a))

I.E.14 Twenty-Four Hour Reporting

I.E.14.a You must report to the Director any noncompliance with this permit that may endanger human health or the environment. Any such information must be promptly reported orally, but no later than 24 hours after you become aware of the circumstances.

I.E.14.b The report must include the following (40 CFR §§ 270.30(1)(6) and 270.33): (1) Information concerning release of any hazardous waste that may endanger public drinking water supplies; (2) Information of a release or discharge of hazardous waste; or (3) Information of a fire or explosion from the hazardous waste management facility, that could threaten the environment or human health outside the facility. You must include the following information:

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

I.E.14.c In addition to the oral notification required under Sections I.E.14.a

and I.E.14.b of this permit, a written report must also be provided within 5 calendar days after you become 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, you will then be required to submit a written report within 15 calendar days of the day on which you must provide oral notice, in accordance with Sections I.E.14.a and I.E.14.b of this permit. (40 CFR § 270.30(1)(6)) (40 CFR § 270.30(h))

I.E.15 Other Noncompliance

You must report all instances of noncompliance not reported under Section I.E.14 of this permit, when any other reports this permit requires are submitted. The reports must contain the information listed in Section I.E.14 of this permit.
(40 CFR § 270.30(1)(10))

I.E.16 Other Information

I.E.16.a Whenever you become aware that you failed to submit or otherwise omitted any relevant facts in the Part B Permit Renewal Application or other

submittal, or submitted incorrect information in the Part B Permit Renewal Application or other submittal, you 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(l)(11)) (40 CFR § 270.30(h))

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 you must comply with all those requirements.

I.F SIGNATORY REQUIREMENT

You 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 sent or given to the Director should be sent by certified mail or express mail, or hand-delivered to the U.S. Environmental Protection Agency Region 5, Waste Management Branch, at the following address:

Waste Management Branch, DW-8J
Waste, Pesticides and Toxics Division
U.S. EPA Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

I.H CONFIDENTIAL INFORMATION

In accordance with 40 CFR Part 2, Subpart B, you may claim any information this permit requires, or otherwise submitted to the Director, as confidential. You 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 you made no claim at the time of submittal, the Director may make the information available to the public without further notice. If you assert 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

As specified in Conditions I.I.1, I.I.2, and I.I.3, you must maintain at the facility the following documents and all amendments, revisions, and modifications to them.

I.I.1 Operating Record

You must maintain in the facility's operating record the documents required by this permit, and by the applicable portions of 40 CFR § 266.102, § 264.13, and § 264.73 (as they apply to the equipment used to comply with this permit).

I.I.2 Notifications

You must maintain notifications from generators that are required by 40 CFR § 268.7 to accompany an incoming shipment of hazardous wastes subject to 40 CFR Part 268, Subpart C, that specify treatment standards, as required by 40 CFR §§ 264.73, 268.7, and this permit.

I.I.3 Copy of Permit

You must keep a copy of this permit on site, and you must update it as necessary to incorporate any official permit modifications.

I.J ATTACHMENTS AND DOCUMENTS INCORPORATED BY REFERENCE

I.J.1 All attachments and documents that this permit requires to be submitted, if any, including all plans and schedules are, upon the Director's approval, incorporated into this permit 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 you to enforcement action under Section 3008 of RCRA. This may include fines, or permit suspension or revocation.

I.J.2 This permit also includes the documents attached hereto, all documents cross-referenced in these documents, and the applicable regulations contained in 40 CFR Parts 124, 260, 261, 262, 264, 266, 268, and 270, and applicable provisions of RCRA, all of which are incorporated herein by reference.

I.J.3 Any inconsistency or deviation from the approved designs, plans and schedules is a permit noncompliance. The Director may grant written requests for extensions of due dates for submittals required in this permit.

I.J.4 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 Section I.B of this permit.

I.J.5 If any documents attached to this permit are found to conflict with any of the conditions in this permit, the condition will take precedence.

I.K COORDINATION WITH THE CLEAN AIR ACT

You must fully comply with all applicable Clean Air Act (CAA) and RCRA permit limits. Where two or more operating limitations apply, the most stringent operating limitations take precedence.

SECTION II—GENERAL FACILITY CONDITIONS

You must comply with the following conditions to the extent that they apply to the 70K Boiler, the 30K Boiler, and the 28K Boiler units.

II.A DESIGN AND OPERATION OF FACILITY

You must maintain and operate the boilers in a manner that minimizes the possibility of a fire, explosion, or any unplanned, sudden or non-sudden release of hazardous waste or hazardous constituents to air, soil, or surface water that could threaten human health or the environment (40 CFR § 264.31). The boiler units must be configured, operated and maintained in accordance with the engineering drawings and specifications in the Trial Burn Plans and the Part B Permit Renewal Application.

II.B TREATMENT OF OFF-SITE HAZARDOUS WASTE

You are authorized to treat hazardous waste from off-site sources in the boilers. In order to treat off-site generated hazardous waste in the boilers, you shall first be allowed by the State RCRA Permit to receive and store the off-site hazardous waste.

II.C SPECIFIC WASTE PROHIBITIONS

You must comply with all applicable requirements of 40 CFR Part 268. No on- or off-site generated hazardous waste shall be burned in the boilers unless it is specified in the Part A Application which is Attachment I of this permit.

II.D GENERAL WASTE ANALYSIS

You must follow the waste analysis procedures required by 40 CFR § 264.13, as described in the WAP which is Section C of the Part B Permit Renewal Application (40 CFR § 264.13). For any minor changes of the WAP, including the Standard Operating Procedures (SOPs), you shall notify the U.S. EPA. For any significant changes of the WAP, including the SOPs, which might impact the results of the sampling and analysis of the feed streams, you shall request an appropriate permit modification from the U.S. EPA.

You must conduct sampling and analysis to ensure that the hazardous waste treated in the boiler units is within the physical and chemical composition limits specified in this permit.

II.E SECURITY PROCEDURES

You must comply with the security provisions of 40 CFR § 264.14(b) and (c) as described in Section F, Procedures to Prevent Hazards, of the Part B Permit Renewal Application.

II.F GENERAL INSPECTION REQUIREMENTS

II.F.1 Inspection Schedule

You must inspect the facility regularly in accordance with the inspection schedule described in Section F, Procedures to Prevent Hazards, of the Part B Permit Renewal Application. (40 CFR § 264.15(b))

II.F.2 Inspection Remedies

You must remedy any deterioration or malfunction of equipment or structures discovered during an inspection, in accordance with 40 CFR § 264.15(c).

II.F.3 Inspection Records

You must record all inspections in the inspection log or summary, in accordance with 40 CFR § 264.15(d), and keep them as part of the operating record, in accordance with 40 CFR § 264.73(b)(5) and Section I.I of this permit.

II.G PERSONNEL TRAINING

II.G.1 Training Requirements

You must ensure that all personnel who handle hazardous waste are trained in hazardous waste management, safety procedures and emergency procedures, as applicable to their job description, in accordance with 40 CFR § 264.16, and that they follow the outlines and procedures in Section H, Personnel Training for Boiler Operations, of the Part B

Permit Renewal Application.

II.G.2 Training Schedule

Facility personnel must successfully complete the hazardous waste training described in Section II.G.1 of this permit within six months after the date of their employment or assignment to a facility, or to a new position at a facility, whichever is later. Employees must not work in unsupervised positions until they have completed the training identified in Section II.G.1 of this permit. (40 CFR § 264.16(b))

II.G.3 Training Records

You must maintain a copy of the personnel training documents and records, in accordance with 40 CFR § 264.16(d) and (e) and Section I.I of this permit.

II.H GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTES

You must comply with 40 CFR § 264.17(a) when handling ignitable, reactive, or incompatible wastes.

II.I PREPAREDNESS AND PREVENTION

You must comply with all applicable preparedness and prevention requirements, in accordance with 40 CFR Part 264, Subpart C, including those in the following conditions:

II.I.1 Required Equipment

At a minimum, you must maintain at the facility the equipment required in 40 CFR § 264.32 and § 264.52(e), and specified in Section F, Procedures to Prevent Hazards and Section G, Contingency Plan for Boiler Operations, of the Part B Permit Renewal Application.

II.I.2 Testing and Maintenance of Equipment

You must test and maintain the equipment referred to in Section II.I.1 of this permit, in accordance with the inspection schedules that are included as Sections F and G of the Part B Permit Renewal Application. (40 CFR §§ 264.15(b)(1) and 264.33)

II.I.3 Arrangements with Local Authorities

You must attempt to develop and maintain preparedness and prevention arrangements with state and local authorities, as 40 CFR § 264.37 requires. If state or local authorities decline to enter into such arrangements, you must document this refusal in the operating record maintained under Section I.I of this permit (40 CFR § 264.37(b)).

II.J CONTINGENCY PLAN

You must comply with all applicable requirements in 40 CFR Part 264, Subpart D, including the following conditions:

II.J.1 Implementation of Contingency Plan

You must immediately carry out the provisions of the Contingency Plan included as Section G of the Part B Permit Renewal Application, and follow the emergency procedures described by 40 CFR § 264.56 whenever there is a fire, explosion or release of hazardous waste or hazardous waste constituents that could threaten human health or the environment. (40 CFR § 264.51(b))

II.J.2 Copies of Contingency Plan

You must provide a copy of the Contingency Plan, Section G of the Part B Permit Renewal Application and all revisions to the local police departments, fire departments, hospitals, and state and local emergency response teams that may be asked to provide emergency services. (40 CFR § 264.53(b))

II.J.3 Amendments to Contingency Plan

You must review, and immediately amend if necessary, the Contingency Plan for Boiler Operations, Section G of the Part B Permit Renewal Application, in accordance with 40 CFR § 264.54.

II.K RECORD KEEPING AND REPORTING

In addition to the record keeping and reporting requirements specified elsewhere in this permit, you must comply with those in the following conditions:

II.K.1 Operating Record

You must maintain a written or electronic operating record at the facility, in accordance with 40 CFR §§ 264.73 and 266.102(e)(8).

II.K.2 Manifest Records

You must comply with the 40 CFR §§ 264.71, 264.72 and 270.30(1)(7)'s manifest and manifest discrepancy record keeping and reporting requirements. You must not accept any unmanifested hazardous waste (as defined by 40 CFR §§ 264.76 and 270.30(1)(8)).

II.K.3 Biennial Report

You must, by March 1 of each even-numbered year, submit to the Director, a biennial report covering each of the permitted hazardous waste management units' activities, in accordance with 40 CFR § 264.75.

II.K.4 Other Reports

You must submit to the Director any additional reports specified in 40 CFR § 264.77.

II.K.5 Waste Minimization

For hazardous wastes you generate at your facility, if you generate in excess of 200 pounds of hazardous waste during a calendar year, in the following year you must implement a waste minimization program, unless the Director directs otherwise:

For each year that your facility generates 200 pounds or more of hazardous waste, you must, by March 1 of the following year, submit to the Director a certification in accordance with 40 CFR § 264.73(b)(9), and signed in accordance with 40 CFR § 270.11 and Section I.F of this permit, that you have a program in place to reduce the volume and toxicity of hazardous waste generated to the degree that you determine is economically practicable. The waste minimization program may include the following:

II.K.5.a Any written policy or statement that outlines goals, objectives, and/or methods for source reduction and recycling of hazardous waste generated at the facility;

II.K.5.b Any employee training or incentive programs designed to identify and implement source reduction and recycling opportunities;

II.K.5.c Any source reduction and/or recycling measures implemented in the last 5 years or planned for the near future;

II.K.5.d An itemized list of the dollar amounts of capital expenditures (plant and equipment) and operating costs devoted to source reduction and recycling of hazardous waste generated at the facility;

II.K.5.e Factors that have prevented implementation of source reduction and/or recycling of waste generated at the facility;

II.K.5.f Sources of information on source reduction and/or recycling received at the facility (for example, local government, trade associations, or suppliers);

II.K.5.g An investigation of additional waste minimization efforts that could be implemented at the facility. This investigation must analyze the potential for reducing the quantity and toxicity of each hazardous waste stream generated at the facility through production reformulation, recycling and all other appropriate means. The analysis must assess the technical feasibility, cost and potential waste reduction for each option;

II.K.5.h A flow chart or matrix detailing all hazardous wastes you produce by quantity, type, and building or area; and

II.K.5.i A demonstration of the need to use those processes which produce a particular hazardous waste due to a lack of alternative processes or available technology that would produce less hazardous waste.

You must include the following information in the operating record: 1) the annual certification; 2) a written description of efforts undertaken during the year to reduce the volume and toxicity of waste generated; and 3) a written description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years. These documents must be available at the facility at all times for U.S. EPA, the State, local agencies, or their duly authorized representatives' inspection.

II.L GENERAL CLOSURE REQUIREMENTS

With respect to the boiler units, you must comply with all applicable requirements in 40 CFR Part 264, Subpart G, Closure and Post-Closure, including those in the following conditions:

II.L.1 Performance Standard

You must close the boiler units in accordance with 40 CFR §§ 264.111, and 266.102(e)(11), and in accordance with the Closure Requirements for Boilers submitted in your Part B Permit Renewal Application.

II.L.2 Amendment to Closure Plan

Whenever necessary, you must amend the Closure Requirements for Boilers in Section I of the Part B Permit Renewal Application, in accordance with 40 CFR § 264.112(c). When necessary you must submit a written notification or request to the Director for a permit modification to amend the Closure Requirements for Boilers, Section I of the Part B Permit Renewal Application in accordance with 40 CFR § 264.112(c).

II.L.3 Notification of Closure

You must notify the Director in writing at least 45 days before the date on which you expect to begin partial or final closure of boiler units at your facility.
(40 CFR § 264.112(d))

II.L.4 Time Allowed for Closure

After treating the final hazardous waste volume in any of the boiler units at your facility, you must treat and remove from those units all hazardous waste and must complete closure activities in accordance with 40 CFR § 264.113 and the schedule specified in the Closure Requirements for Boilers in Section I of the Part B Permit Renewal Application.

II.L.5 Disposal or Decontamination of Equipment, Structures and Soils

You must decontaminate and/or dispose of all contaminated equipment, structures and soils, as 40 CFR § 264.114 requires, and in accordance with the Closure Requirements for Boilers in Section I of the Part B Permit Renewal Application.

II.L.6 Certification of Closure

You must provide a certification statement for each hazardous waste management unit when that hazardous waste management unit has been closed in accordance with the Closure Requirements for Boilers in Section I of the Part B Permit Renewal Application. An independent registered professional engineer must sign the certification in accordance with 40 CFR § 270.11 and other applicable conditions of this permit. (40 CFR § 264.115)

II.M COST ESTIMATE FOR FACILITY CLOSURE

II.M.1 Adjustment for Inflation

You must adjust the closure cost estimate for inflation pursuant to the schedule specified

in 40 CFR § 264.142(b).

II.M.2 Revision due to Changes in Closure Plan

You must revise the closure cost estimates within 30 days after receiving the Director's approval whenever there is a change in the facility's Closure Requirement for Boilers, Section I of the Part B Permit Renewal Application, if that change increases closure costs (40 CFR § 264.142(c)).

II.M.3 Copy at Facility

You must keep at the facility the latest closure cost estimates, as 40 CFR § 264.142(d) and Section I.I of this permit requires.

II.N FINANCIAL ASSURANCE FOR FACILITY CLOSURE

You must demonstrate continuous compliance with 40 CFR §§ 264.143 and 264.146 by documenting financial assurance, as 40 CFR § 264.151 requires, in at least the amount of the cost estimate that Section II.M of this permit requires. Under 40 CFR § 264.143, the Director or the Commissioner of the Indiana Department of Environmental Management (IDEM) must approve any changes in financial assurance mechanisms.

You must adjust the financial assurance documents, as necessary, to account for any adjustments to the closure cost estimate in Section II.M.1 of this permit pursuant to the schedules contained in 40 CFR § 264.143.

II.O LIABILITY REQUIREMENTS

You must demonstrate continuous compliance with 40 CFR § 264.147(a)'s requirement of obtaining and maintaining liability insurance coverage for sudden accidents in the amount of at least \$1 million per occurrence, with an annual aggregate of at least \$2 million, exclusive of legal defense costs.

II.P INCAPACITY OF OWNERS OR OPERATORS, GUARANTORS OR FINANCIAL INSTITUTIONS

You must comply with 40 CFR § 264.148, regarding voluntary or involuntary bankruptcy, whenever necessary.

SECTION III—OPERATING REQUIREMENTS FOR BOILER UNITS BURNING HAZARDOUS WASTE

This Section addresses the operation of your three boilers. The three boilers are designated as the 70K Boiler, the 30K Boiler, and the 28K Boiler. Permit conditions for the 70K Boiler and the 30K Boiler were established based on the trial burn conducted in October 1999, May 2000, and October 2005. Permit conditions established for the 28K Boiler were demonstrated by compliance with the performance standards of the 30K Boiler and by utilizing the option contained in 40 CFR § 270.22(a)(6) (data in lieu of testing).

Boiler 70K is a Model MCF4-64 water-tube boiler manufactured by the Murray Iron Works Company. The boiler is rated at a maximum thermal input of 91.8 million British thermal units per hour (Btu/hr) and is rated at 70,000 pounds of steam per hour at a pressure of 300 pounds per square inch gauge (psig). The 30K Boiler and 28K Boiler are both Babcock and Wilcox type F water-tube boilers. The 30K boiler is rated at a maximum thermal input of 39.3 million Btu/hr, and the 28K Boiler is rated at 36.8 million Btu/hr. Steam production for the 30K Boiler is 30,000 pounds per hour (lb/hr) at a pressure of 250 psig, and the 28K Boiler is 28,000 lb/hr at a pressure of 250 psig. The three boilers do not have air pollution control devices.

You have satisfied the following emission standards for obtaining a permit under the Federal regulations found at 40 CFR § 266.102, § 266.104, § 266.105, § 266.106, § 266.107; and 40 CFR § 270.22 and § 270.66. The regulations include the following emissions standards:

1. Standards to control organic emissions;
2. Standards to control particulate matter (PM);
3. Standards to control metals emissions; and
4. Standards to control hydrogen chloride and chlorine gas emissions.

The above standards, as they specifically pertain to the boiler system, are set forth in Section III of this permit. Modifications of the boiler system, including its ancillary equipment, shall require a permit modification pursuant to 40 CFR § 270.42. If modifications are approved, the operating requirements and limitations of this condition shall be modified to incorporate revisions necessary to comply with 40 CFR § 266.102.

You must comply with 40 CFR § 266.102 in order to burn hazardous waste in the boilers.

III.A DESIGN

III.A.1 Compliance with Engineering Design Plans and Specifications

III.A.1.a You are authorized to manage hazardous waste in the three boilers designated as the 70K, 30K, and 28K boilers in accordance with the engineering design plans and specifications contained in the trial burn plans and the demonstration of similarity.

III.A.1.b You must operate the hazardous waste combustion units in a manner which minimizes the possibility of a fire, explosion, or any unplanned, sudden or non-sudden release of hazardous waste constituents to air, soil or surface water that might threaten human health or the environment. (40 CFR § 264.31)

III.A.2 Modifications

Modifications to the design plans and specifications will be allowed only in accordance with Section I.E.10 of this permit. Modifications which might affect the facility's handling of hazardous waste or emissions from the combustion of hazardous waste will be allowed only in accordance with Section I.B.1 of this permit.

III.B INSPECTION

III.B.1 Requirements

III.B.1.a You must visually inspect, on a daily basis, the boilers and associated equipment (pumps, valves, pipes and other ancillary equipment), when they contain or manage hazardous waste, to identify leaks, spills, fugitive emissions and signs of tampering.

III.B.1.b You must test the automatic waste feed cutoff (AWFCO) system and associated alarms for each boiler at least once every calendar month when hazardous waste is burned to verify operability. The monthly test period is selected to minimize process instability due to AWFCOs, and because de-facto tests are accomplished when an AWFCO occurs during normal operation. The AWFCO mechanism testing must involve a different operating parameter each month such that during a given calendar year, all AWFCO parameters, specified in Section III.G.1.h of this permit have been evaluated.

III.B.2 Records

III.B.2.a Written or electronic inspection records must be part of the operating record for this permit. At a minimum, the record must consist of information on the inspection log forms included in the Part B Permit Renewal Application. The inspection record must be completed within 2 days of the inspection, and be available at the facility at all times for U.S.EPA, the State, local agencies, or duly authorized representatives' inspection. (40 CFR §§264.73(b)(5) and 266.102(e)(8))

III.B.2.b A written or electronic record of the AWFCO system tests must be part of the operating record for this permit and available at the facility at all times for U.S. EPA, the State, local agencies, or duly authorized representatives' inspection.

III.B.2.c You must record and maintain, in the operating record for this permit, all inspection data compiled under this permit.

III.C MAINTENANCE

III.C.1 Requirements

III.C.1.a You must maintain the boilers, continuous emission monitoring system (CEMS), and other monitoring instruments in accordance with the design plans and specifications, and preventive maintenance procedures, contained in the trial burn plans and the demonstration of similarity, and in a manner that minimizes the possibility of a fire, explosion, or any unplanned, sudden or non-sudden release of hazardous waste constituents to air, soil, or surface water that might threaten human health or the environment. (40 CFR §§ 264.31 and 264.33)

III.C.1.b The CEMS must be maintained according to the following schedule: (1) at least daily, a calibration check of the instrument; (2) at least daily, a system audit; (3) at least quarterly, a calibration error test; and (4) at least annually, a performance specification test.

III.C.1.c You must maintain a written preventive maintenance schedule, consistent with Section III.C.1.a of this permit. This schedule must be available at the facility at all times for U.S. EPA, the State, local agencies, or their duly authorized representatives' inspection.

III.C.2 Records

III.C.2.a You must maintain a written record of all preventive maintenance and repairs performed on the boilers, CEMS, and other monitoring instruments. At a minimum, the record must include the following information: (1) the date the problem was discovered (if not routine preventative maintenance); (2) the piece of equipment or instrumentation repaired or maintained including part number or other appropriate descriptive identifier; (3) the type of maintenance or repair; (4) the date maintenance or repair was completed; (5) the name of person(s) conducting the maintenance or repair; (6) any data associated with any calibration and testing; and (7) the date the unit was placed back into service. The maintenance and repair record must be completed within 2 days of the date the unit was placed back into service. This record must be documented in the operating record for this permit and be available at the facility at all times for U.S. EPA, the State, local agencies, or their duly authorized representatives' inspection.

III.C.2.b You must record and maintain, in the operating record, all

maintenance data in accordance with Section I.I of this permit.

III.D MONITORING AND RECORDING

III.D.1 Requirements

III.D.1.a You must maintain, calibrate, and operate instruments that continuously monitor and record the operating conditions specified in this permit. The continuous monitoring equipment must be operated in accordance with the procedures specified in the trial burn plans and the demonstration of similarity. (40 CFR § 266.102(e)(8))

III.D.1.b For purposes of this permit, the following terms shall have the meanings stated herein.

A “continuous monitor” shall be defined as one which continuously samples the regulated parameter without interruption, evaluates the detector response at least once every 15 seconds, computes and records a 1-minute average value for the parameter, and, where required by this permit, uses the 1-minute average values to calculate an hourly rolling average (HRA) for the parameter.

An “instantaneous value” shall be defined as the arithmetic mean of a minimum of one valid detector response value obtained within a 15-second period.

A “1-minute average value” shall be defined as the arithmetic mean of a minimum of four valid detector response values obtained within a 60-second period.

An “hourly rolling average” or “HRA” shall be defined as the arithmetic mean of the 60 most recent 1-minute average values recorded by the continuous monitoring system.

A “continuously record” shall mean that at least 95 percent of the values of each operating limit required to be monitored by this permit, in any 60-minute period during which hazardous waste is introduced into the boiler, shall be accurately recorded in the Permittee’s operating record.

An “AWFCO” is an automatic waste feed cut-off system which has to be activated, to automatically and completely cut off the hazardous waste feed, when the operating condition specified in Section III.G.1.h of this permit is not met.

III.D.1.c You must continuously monitor and record all required data specified in Section III.G.1.h of this permit with the exception of instantaneous carbon monoxide which is only required to be continuously monitored. All monitors

must record data in units corresponding to the limits specified in the operating Section III.G.1.h of this permit, unless otherwise specified. The facility may record the steam production rates with units of klb/hr.

III.D.1.d Except as otherwise specified in Sections III.D.1.d.1 and III.D.1.d.2 of this permit, hazardous waste may only be introduced while the monitoring equipment required in this permit is operating properly and is properly connected to the boiler's AWFCO system.

III.D.1.d.1 Hazardous waste may continue to be introduced into the boiler(s) during daily CEMS calibration check periods for up to 20 minutes for each calibration performed.

III.D.1.d.2 During the quarterly calibration error test and annual performance specification test, hazardous waste may be burned in the boilers except when an analyzer does not monitor or record, as applicable, the stack gas concentration for periods of time in excess of 20 minutes.

III.D.2 Carbon Monoxide Emission Monitoring

III.D.2.a Except during instrument calibration periods as specified in Section III.D.1.d of this permit, during periods when hazardous waste is not being burned (not including the short-term automatic waste feed cutoff period), and during periods of boiler shutdown for repairs and/or maintenance, you shall continuously monitor carbon monoxide and oxygen concentrations in the flue gas monitored by CEMS at each boiler. In the event that more than 5% of the values of carbon monoxide or oxygen in any 60-minute period are not accurately recorded in the operating record, or are recorded as missing or invalid data in the operating record for the boiler, you shall immediately initiate an AWFCO, and shall cease burning hazardous waste in the boiler. All monitors shall record data in units corresponding to the limits specified in the operating conditions set out in Section III.G.1.h of this permit, unless otherwise specified in the permit.

III.D.2.b Carbon monoxide and oxygen shall be continuously monitored in conformance with "Performance Specifications for Continuous Emission Monitoring of Carbon Monoxide and Oxygen for Incinerators, Boilers, and Industrial Furnaces Burning Hazardous Waste" in 40 CFR Part 266, Appendix IX, Section 2.1.

III.D.2.c In the event of replacement or reconfiguration of the following components of the carbon monoxide or oxygen CEMS, you shall complete “Performance Specification Test Procedures” on the CEMS in question within 45 days of such replacement or reconfiguration:

- (1) Gas Collection System
- (2) The analytical portion (detector or sensor) of the carbon monoxide or oxygen CEMS

In the event of replacement of data recording/processing hardware and software, you shall conduct and record validation tests sufficient to document that these components are recording and processing data accurately. Records of such testing shall be retained in the operating record.

III.D.2.d For purposes of this permit, CEMS component replacement shall mean replacement of components of a different size or type, except for gas analyzers, for which it shall mean replacement with a different make or model analyzer. You shall conduct a successful calibration error test prior to using a CEMS that has been replaced or reconfigured for purposes of complying with this permit.

In the event that a gas analyzer of the same make and model is substituted into the CEMS, you shall complete a successful calibration error test before using the analyzer for purposes of complying with this permit.

Replacement, as defined in this Section, or reconfiguration of the components specified in this Section, shall require a permit modification in accordance with 40 CFR §270.42(a)(2). In the case where the manufacturer causes the component to meet the definition of replacement, this permit shall be modified pursuant to the requirements of 40 CFR § 270.42(a)(1).

III.D.3 Records

III.D.3.a You must record and maintain, in the operating record for this permit, all monitoring data compiled under this permit. At a minimum, the record must include the following information: (1) a summary of all monitoring conducted; (2) the piece of equipment, instrumentation, or sampling methods used for monitoring purposes; (3) the type of monitoring; (4) the name of person(s) responsible for completing the monitoring activities or for inspection and calibration of the monitoring device; (5) any other information associated with the monitoring activities; and (6) any subsequent activity conducted as a result of the monitoring data. Continuous monitoring information must be updated in the record every 5 days. Other monitoring information should be entered into the

operating record within 5 days following the monitoring activities' completion. (40 CFR §§ 264.73 and 266.102(e)(10))

III.D.3.b Calibration records must be maintained in accordance with Section I.E.9 of this permit.

III.E PERFORMANCE STANDARDS

III.E.1 Requirements

You must comply with the performance standards specified in this permit when you burn hazardous waste in any of the boilers. Since the 30K and 28K boilers are similarly designed, you may demonstrate compliance with the performance standards by utilizing the option contained in 40 CFR § 270.22(a)(6) (data in lieu of testing). (Note: You are not required, under this condition, to demonstrate continuous compliance with these standards. Compliance was demonstrated during the 1999/2000/2005 trial burns and will be verified during the trial burn set forth in Section III.L of this permit and applicable future emissions testing to be conducted in accordance with requirements set forth in this permit.)

III.E.1.a Each boiler must achieve a destruction and removal efficiency (DRE) of 99.99 percent for the selected principal organic hazardous constituent(s) (POHC). The DRE must be demonstrated during future trial burn testing by using the method specified in 40 CFR § 266.104(a) and Section III.L of this permit.

III.E.1.b You shall control combined hydrogen chloride (HCl) and chlorine emissions from the boiler such that the rates of emissions from the stack are no greater than 0.03 pounds per hour (lb/hr) of HCl and 0.03 lb/hr of chlorine for 70K Boiler, 0.03 lb/hr of HCl and 0.02 lb/hr of chlorine for 30K Boiler, and 0.03 lb/hr of HCl and 0.02 lb/hr of chlorine for 28K Boiler, as required by 40 CFR § 266.102(e)(5)(ii)(A).

III.E.1.c The emissions of PM from each boiler must not exceed 0.08 grains per dry standard cubic foot (gr/dscf) of stack gas, corrected to 7 percent by volume of oxygen, in accordance with the formula specified in 40 CFR § 266.105.

III.E.1.d The emissions of hexavalent chromium must be no greater than 2.30 grams per hour (g/hr) for 70K Boiler, 1.90 g/hr for 30K Boiler, and 0.922 g/hr for 28K Boiler, as required by 40 CFR § 266.102(e)(4)(ii)(A).

III.E.2 Records

You must inform the U.S. EPA of any deviation from the performance standards

specified above which is determined during any emission test conducted by the facility.

III.F LIMITATIONS ON HAZARDOUS WASTE FEED STREAMS

III.F.1 Feed Stream Limitations

III.F.1.a Hazardous waste must not be fed into the boiler unless the device is operating within the conditions specified in Section III.G.1 of this permit.

III.F.1.b Whenever hazardous waste is being fed to the boilers, you must control fugitive emissions from the combustion zone of that unit by maintaining the combustion chamber in a completely sealed state and conducting routine inspections to detect any leaks that may occur. (40 CFR § 266.102(e)(7)(i))

III.F.1.c You can operate the three boilers in seven different operating modes as specified below:

- Mode A: Burning hazardous waste in all three boilers simultaneously
- Mode B: Burning hazardous waste in Boiler 70K and 30K only.
- Mode C: Burning hazardous waste in Boiler 70K and 28K only
- Mode D: Burning hazardous waste in Boiler 30K and 28K only
- Mode E: Burning hazardous waste in Boiler 70K only
- Mode F: Burning hazardous waste in Boiler 30K only
- Mode G: Burning hazardous waste in Boiler 28K only

For each operating mode specified above, you must comply with the following feed rate limits of PM, chloride and ten BIF metals in the hazardous waste feed stream. These limits shall be monitored on a HRA basis as defined in 40 CFR § 266.102(e)(6)(i)(B):

Table III.F.1-a
 Compound-Specific Feed Rate Limit
 Operation Mode A, B, C, and D

Mode/Boiler Compound/Feed Rate	Mode A	Mode B	Mode C	Mode D
PM	70K: 4,926 g/hr 30K: 3,045 g/hr 28K: 2,954 g/hr	70K: 4,926 g/hr 30K: 3,045 g/hr	70K: 4,926 g/hr 28K: 2,954 g/hr	30K: 3,045 g/hr 28K: 2,954 g/hr
Chloride	70K: 4,300 g/hr 30K: 2,625 g/hr	70K: 4,300 g/hr 30K: 2,625 g/hr	70K: 4,300 g/hr	30K: 2,625 g/hr

	28K: 2,550 g/hr		28K: 2,550 g/hr	28K: 2,550 g/hr
Antimony	70K: 31.86 g/hr 30K: 18.86 g/hr 28K: 18.25 g/hr	70K: 47.88 g/hr 30K: 28.26 g/hr	70K: 47.88 g/hr 28K: 28.26 g/hr	30K: 33.91 g/hr 28K: 33.91 g/hr
Arsenic	70K: 6.80 g/hr 30K: 4.03 g/hr 28K: 3.89 g/hr	70K: 11.16 g/hr 30K: 6.48 g/hr	70K: 11.16 g/hr 28K: 6.41 g/hr	30K: 4.32 g/hr 28K: 4.32 g/hr
Barium	70K: 8.50 g/hr 30K: 5.00 g/hr 28K: 4.86 g/hr	70K: 84.96 g/hr 30K: 50.04 g/hr	70K: 84.96 g/hr 28K: 50.04 g/hr	30K: 50.04 g/hr 28K: 50.04 g/hr
Beryllium	70K: 1.02 g/hr 30K: 0.60 g/hr 28K: 0.58 g/hr	70K: 1.02 g/hr 30K: 0.60 g/hr	70K: 1.02 g/hr 28K: 0.58 g/hr	30K: 0.60 g/hr 28K: 0.58 g/hr
Cadmium	70K: 4.25 g/hr 30K: 2.51 g/hr 28K: 2.43 g/hr	70K: 6.37 g/hr 30K: 3.78 g/hr	70K: 6.37 g/hr 28K: 3.04 g/hr	30K: 2.51 g/hr 28K: 2.43 g/hr
Total Chromium	70K: 9.40 g/hr 30K: 7.76 g/hr 28K: 3.76 g/hr	70K: 10.74 g/hr 30K: 8.82 g/hr	70K: 10.74 g/hr 28K: 8.82 g/hr	30K: 9.63 g/hr 28K: 9.63 g/hr
Lead	70K: 35.64 g/hr 30K: 21.06 g/hr 28K: 20.41 g/hr	70K: 47.52 g/hr 30K: 28.08 g/hr	70K: 47.52 g/hr 28K: 28.08 g/hr	30K: 35.10 g/hr 28K: 35.10 g/hr
Mercury	70K: 0.27 g/hr 30K: 0.16 g/hr 28K: 0.15 g/hr	70K: 0.33 g/hr 30K: 0.20 g/hr	70K: 0.33 g/hr 28K: 0.20 g/hr	30K: 0.33 g/hr 28K: 0.33 g/hr
Silver	70K: 14.69 g/hr 30K: 8.68 g/hr 28K: 8.42 g/hr	70K: 22.03 g/hr 30K: 13.03 g/hr	70K: 22.03 g/hr 28K: 13.03 g/hr	30K: 14.98 g/hr 28K: 14.98 g/hr
Thallium	70K: 0.85 g/hr 30K: 0.50 g/hr 28K: 0.49 g/hr	70K: 1.27 g/hr 30K: 0.75 g/hr	70K: 1.27 g/hr 28K: 0.75 g/hr	30K: 0.86 g/hr 28K: 0.86 g/hr

Table III.F.1-b
Compound-Specific Feed Rate Limit
Operation Mode E, F, and G

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Mode/Boiler/ Compound/Feed Rate	Mode E	Mode F	Mode G
PM	70K: 4,926 g/hr	30K: 3,045 g/hr	28K: 2,954 g/hr
Chloride	70K: 4,300 g/hr	30K: 2,625 g/hr	28K: 2,550 g/hr
Antimony	70K: 89.28 g/hr	30K: 67.68 g/hr	28K: 67.68 g/hr
Arsenic	70K: 20.52 g/hr	30K: 11.34 g/hr	28K: 10.80 g/hr
Barium	70K: 84.96 g/hr	30K: 100.08 g/hr	28K: 100.08 g/hr
Beryllium	70K: 3.06 g/hr	30K: 1.20 g/hr	28K: 1.20 g/hr
Cadmium	70K: 21.24 g/hr	30K: 5.00 g/hr	28K: 5.00 g/hr
Total Chromium	70K: 16.68 g/hr	30K: 11.24 g/hr	28K: 11.10 g/hr
Lead	70K: 91.44 g/hr	30K: 70.20 g/hr	28K: 70.20 g/hr
Mercury	70K: 0.48 g/hr	30K: 0.67 g/hr	28K: 0.67 g/hr
Silver	70K: 38.52 g/hr	30K: 29.95 g/hr	28K: 29.95 g/hr
Thallium	70K: 2.21 g/hr	30K: 1.73 g/hr	28K: 1.73 g/hr

III.F.1.d The compound-specific feed rate limits specified in Tables III.F.1-a and III.F.1-b, above, can be monitored by knowing the concentrations of the hazardous waste feedstream for each constituent and by monitoring and recording the hazardous waste feed rate for each boiler in each operating mode. It is not necessary to continuously record the feed rates of each constituent specified in Tables III.F.1-a and III.F.1-b, above. You shall prepare a daily summary log. The daily summary log shall include, but not be limited to: 1) the concentration of each BIF constituent specified in Table III.F.1-a, above, for the hazardous waste burned in the boiler(s); 2) the compound-specific feed rate limit for each boiler in each operating mode specified in Tables III.F.1-a and III.F.1-b, above; 3) the corresponding hazardous waste feed rate criteria to comply with the constituent-specific feed rate limit for each BIF constituent; 4) the lowest hazardous waste feed rate required by the hazardous waste feed rate criteria; 5) the AWFCO value of the hazardous waste feed rate set by the facility; 6) the maximum hazardous waste feed rate that occurred during the day (on a HRA basis); and 7) the AWFCO status for the day. If AWFCO is activated, then you shall include all of the exceedences above the permitted hazardous waste feed rate limit in the daily summary log. You can store the daily summary log in the electronic format without generating a daily printed summary log. However, you

have to evaluate the daily summary log at each day to determine the compliance status of the regulated parameters. The daily evaluation can be performed either by manually reviewing the daily summary log or by receiving a warning signal generated by the computer system if any of the operating parameters exceeded the permit limit.

III.F.1.e You must maintain the daily summary log at the facility and it must be available at all times for U.S. EPA, the State, local agencies, or their duly authorized representatives' inspection.

III.F.1.f You shall comply with the annual feed rate limits for the compounds specified below (yearly total from all three boilers regardless of the operating mode):

<u>Compound</u>	<u>Annual Feed Limit</u>
Antimony	48,284 grams per year
Arsenic	35,039 grams per year
Cadmium	21,513 grams per year
Lead	53,261 grams per year
Mercury	1,948 grams per year

III.F.1.g You must record in the operating record the annual total feed of the compounds specified in Section III.F.1.f of this permit, from all three boilers. Starting from the effective date of this federal RCRA permit, at each anniversary date, you shall calculate the yearly total feed of antimony, arsenic, cadmium, lead, and mercury for all three boilers. You must maintain the annual total feed data at the facility and it must be available at all times for U.S. EPA, the State, local agencies, or their duly authorized representatives' inspection.

III.G OPERATING CONDITIONS AND AUTOMATIC WASTE FEED CUT-OFF

III.G.1 Requirements

III.G.1.a Hazardous wastes shall not be introduced into the boiler unless the operating conditions in Section III.G.1.h of this permit, for each boiler are being met, all of the instruments required to verify compliance with such conditions are functioning properly, and the parameters measured by the instruments are being recorded as required by this permit. You shall cease feeding hazardous waste to the boiler when either the hazardous waste feed or any operating conditions exceed limits designated in Section III of this permit.

III.G.1.b While burning hazardous wastes, each boiler shall be operated with the AWFCO system, as described in the trial burn plan, functioning so that

hazardous waste feed is automatically and completely cut off when any hazardous waste feed or operating condition specified in Section III.G.1.h of this permit is not met.

III.G.1.c The minimum combustion chamber temperature specified in Section III.G.1.h of this permit for each boiler, shall be maintained at all times while hazardous waste or hazardous waste residues remain in the combustion chamber, as required by 40 CFR § 266.102(e)(7)(ii)(A).

III.G.1.d All operating conditions for which limits are established in this permit shall continue to be monitored during the cut-off, and the hazardous waste feed shall not be restarted until the boiler is operating under all conditions specified in Section III.G.1.h of this permit.

III.G.1.e You shall cease burning hazardous waste when changes in combustion properties, or feed rates of the hazardous waste, other fuels, or changes in the design or operating conditions of the boiler deviate from the limit specified in this permit, as required by 40 CFR § 266.102(e)(7)(iii).

III.G.1.f You shall not inject a containerized or non-pumpable hazardous waste into the boiler.

III.G.1.g Whenever hazardous waste is being fed to the boilers, you must operate forced draft fans properly to induce appropriate combustion gas velocity.

III.G.1.h The following conditions of operation for each boiler shall be met at all times when hazardous waste is being introduced into the boiler. These conditions shall be met at each boiler during all operating modes specified in Section III.F.1.c of this permit:

- (1) The pumpable hazardous waste feed rate monitored as specified in Permit Section III.D.1 of this permit, shall not exceed 3,719 lb/hr for 70K Boiler, 2,272 lb/hr for 30K Boiler, and 2,204 lb/hr for 28K Boiler, on an HRA basis, as defined in 40 CFR § 266.102(e)(6)(i)(B) and Section III.D.1.b of this permit.
- (2) The combustion chamber gas temperature monitored as specified in Permit Section III.D.1 of this permit, shall not be more than 1,739 degree Fahrenheit (°F) for 70K Boiler, 1,859 °F for 30K Boiler, and 1,803 °F for 28K Boiler, on an HRA basis, as defined in 40 CFR § 266.102(e)(6)(i)(B) and Section III.D.1.b of this permit.
- (3) The combustion chamber gas temperature monitored as specified in

Section III.D.1 of this permit, shall not be less than 1,241 °F for 70K Boiler, 1,303 °F for 30K Boiler, and 1,264 °F for 28K Boiler, on an HRA basis, as defined in 40 CFR § 266.102(e)(6)(i)(B) and Section III.D.1.b of this permit.

(4) The production rate shall not exceed 70,820 lb/hr for 70K Boiler, 34,810 lb/hr for 30K Boiler, and 33,770 lb/hr for 28K Boiler of steam on an HRA basis, as defined in 40 CFR § 266.102(e)(6)(i)(B) and Section III.D.1.b of this permit.

(5) The production rate shall not be less than 24,490 lb/hr for 70K Boiler, 14,270 lb/hr for 30K Boiler, and 13,840 lb/hr for 28K Boiler of steam on an HRA basis, as defined in 40 CFR § 266.102(e)(6)(i)(B) and Section III.D.1.b of this permit.

(6) The HRA concentration, as defined in 40 CFR § 266.102(e)(6)(i)(B) and Section III.D.1.b of this permit, of carbon monoxide, monitored as specified in Permit Section III.D.1 of this permit, shall not exceed 100 parts per million by volume (ppmv), corrected to 7 percent oxygen on a dry basis. The carbon monoxide, monitored as specified in Permit Section III.D.1 of this permit, shall also not exceed 3,000 ppmv, corrected to 7 percent oxygen on a dry basis, on an instantaneous basis, as defined in 40 CFR § 266.102(e)(6)(i)(A) and Section III.D.1.b of this permit. You shall not inject hazardous waste into the boiler for an hour after the AWFCO system is activated due to the exceedence of the carbon monoxide instantaneous limit.

(7) The total hazardous waste feed, on an annual basis, shall not be more than 26,063,000 pounds for 70K Boiler, 15,922,000 pounds for 30K Boiler, and 15,446,000 pounds for 28K Boiler as calculated pursuant to Section III.G.2.c of this permit.

Table III.G.1.h
Operating Conditions
Automatic Waste Feed Cut-Off Set Points

Operating Parameter	Operating Conditions	Monitoring/ Recording/ AWFCO Basis	Response to Deviations from Condition
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Maximum Hazardous Waste Feed Rate	70K Boiler: 3,719 lb/hr 30K Boiler: 2,272 lb/hr 28K Boiler: 2,204 lb/hr	HRA	Immediate AWFCO
Maximum Combustion Chamber Temperature	70K Boiler: 1,739 °F 30K Boiler: 1,859 °F 28K Boiler: 1,803 °F	HRA	Immediate AWFCO
Minimum Combustion Chamber Temperature	70K Boiler: 1,241 °F 30K Boiler: 1,303 °F 28K Boiler: 1,264 °F	HRA	Immediate AWFCO
Maximum Steam Production Rate	70K Boiler: 70,820 lb/hr 30K Boiler: 34,810 lb/hr 28K Boiler: 33,770 lb/hr	HRA	Immediate AWFCO
Minimum Steam Production Rate	70K Boiler: 24,490 lb/hr 30K Boiler: 14,270 lb/hr 28K Boiler: 13,840 lb/hr	HRA	Immediate AWFCO
Maximum Carbon Monoxide Emission	70K Boiler: 100 ppmv 30K Boiler: 100 ppmv 28K Boiler: 100 ppmv	HRA	Immediate AWFCO
Maximum Carbon Monoxide Emission	70K Boiler: 3,000 ppmv 30K Boiler: 3,000 ppmv 28K Boiler: 3,000 ppmv	Instantaneous	Immediate AWFCO

III.G.1.i In the event that the operating conditions set out in III.G.1.h.(1) through (6), above, are not met at any time when hazardous waste or hazardous residues are present in the boiler, an AWFCO shall be activated immediately (i.e., within a minute), and you shall cease burning hazardous waste in the boiler until such time as the operating conditions specified for the boiler are again being met. Table III.G.1.h is a listing of the AWFCOs required by Section III.G.1.h.(1) through (6) of this permit describing the parameters and limits that shall activate the AWFCO mechanism. You shall monitor the operating parameters, specified in Table III.G.1.h, during the cut off, and the hazardous waste feed shall not be restarted until the levels of those parameters comply with the permit limits, as defined in 40 CFR § 266.102(e)(7)(ii)(C).

III.G.1.j You must continuously monitor and record the operating parameters specified in Section III.G.1.h.(1)-(6) of this permit, on a HRA basis. In addition, you shall continuously monitor carbon monoxide on a instantaneous basis. You are also required to continuously monitor and record oxygen in the flue gas on a HRA basis. All monitors must record data in units corresponding to the limits specified in Table III.G.1.h.

III.G.1.k In the event the AWFCO system malfunctions, you must immediately cease feeding hazardous waste to the combustion chamber.

III.G.1.l You shall not burn in the boilers the following hazardous waste listed for dioxin or hazardous waste derived from any of these wastes: F020, F021, F022, F023, F026, and F027.

III.G.1.m You shall not burn hazardous waste containing polychlorinated biphenyls (PCBs) at concentrations greater than or equal to 50 ppm.

III.G.1.n You shall not burn radioactive or nuclear hazardous waste.

III.G.1.o You shall not burn hazardous waste considered medical waste.

III.G.1.p You must not dilute the prohibited inorganic metal-bearing hazardous wastes (listed in Appendix XI of 40 CFR Part 268), unless the hazardous waste can be demonstrated to comply with one or more of the criteria specified in 40 CFR § 268.3(c), to prepare fuel for the boilers.

III.G.1.q You must not directly transfer hazardous waste from tank-truck, rail-car, or any other moving vehicle to the boiler.

III.G.2 Records

III.G.2.a You must record, in the operating record for this permit, the date and time of all automatic waste feed cut-off events for which permitted operating limits are exceeded. The records must also include the automatic waste feed cut-off's known or suspected cause, the triggering parameters, the corrective actions taken, the event's duration, and the date and time of waste feed restart following the automatic waste feed cut-off. Cut-offs occurring due to conservative cut-off settings where permitted operating limits are not exceeded need not be recorded in the operating record.

III.G.2.b You must record, in the operating record for this permit, all automatic waste feed cut-off system failures, including the failure's date and time, a description of the failure, its root cause, and corrective actions taken.

III.G.2.c You must record in the operating record the annual total feed of the hazardous waste for each boiler. Starting from the effective date of this federal RCRA permit, at each anniversary date, you shall calculate the total hazardous waste feed for each boiler. You must maintain the annual total hazardous waste feed data at the facility and it must be available at all times for U.S. EPA, the State, local agencies, or their duly authorized representatives' inspection.

III.H REPORTS

In addition to the reporting requirements specified in Section II.K of this permit, you must comply with the following requirements:

III.H.1 Quarterly Reports

You shall maintain a quarterly report which describes the number of AWFCOs and their causes within the current reporting period. If the conditions specified in the Sections III.E, F, and G of this permit are exceeded during the reporting period, you shall record the dates and parameters of such exceedences, the cause, and the remediation effort in the required quarterly report. Quarterly reports must be available at the facility throughout this permit's effective term for U.S. EPA, the State, local agencies, or their duly authorized representatives' inspection.

III.H.2 Trial Burn Failure

If you determine, on the basis of the analytical results of a trial burn and before submitting the trial burn results, that the boilers failed to achieve any of the performance standards specified in Section III.E.1.a, III.E.1.b, III.E.1.c, or III.E.1.d of this permit, you must notify the Director within 24 hours of making the determination.

Upon the Director's request, you must modify or restrict facility operations or cease feeding hazardous waste to the boilers to address a trial burn failure.

III.I REGULATION OF RESIDUES

You must remove ash and/or residues from the boilers periodically. The removed ash and residues (i.e., bricks) shall be stored in containers that meet Federal and State standards and be disposed of off-site at a hazardous waste disposal or treatment facility. All records pertaining to the generation and disposal of the ash and residues shall be retained at the site. (40 CFR § 266.112)

III.J HAZARDOUS WASTE AND OTHER FEED STREAM ANALYSIS

You shall conduct sampling and analysis as described in the WAP which is Section C of the Part B Permit Renewal Application, to ensure that the hazardous waste and other fuel fired into the boilers are within the physical and chemical composition limits specified in the permit. Changes to the sampling and analysis procedures described in the WAP, shall require a permit modification as required by 40 CFR § 270.42.

III.K. COMPLIANCE WITH REGULATIONS

For the purposes of permit enforcement, compliance with the operating requirements specified in this permit shall be regarded as compliance with 40 CFR § 266.102. However, any evidence that indicates that compliance with these permit conditions is insufficient to ensure compliance with the requirements of 40 CFR § 266.102 shall constitute "information" which may justify modification or revocation and re-issuance of a permit under 40 CFR § 270.41.

III.L TRIAL BURN

Unless the Director specifies otherwise, at least 12 months before the expiration date of this permit, you must conduct a trial burn. You must comply with the requirements specified in the following conditions related to this trial burn.

III.L.1 Trial Burn Plan Submittal

At least 12 months before conducting the trial burn, you must revise and resubmit the trial burn plan to the Director for approval in accordance with 40 CFR § 270.42. The revised trial burn plan must include all applicable U.S. EPA approved test methods and procedures in effect at the time of the re-submittal. Modifications to trial burn requirements may be proposed in the revised trial burn plan. However, the trial burn test must be designed to collect all data needed to: (1) ensure conformance to the requirements of § 266.104 through § 266.107; and (2) ensure conformance to operating conditions required under 40 CFR § 266.102 and established during the 1999, 2000, and 2005 trial burns. You may under 40 CFR § 270.22(a)(6) upon approval conduct a trial burn for either the 30K or 28K Boiler and utilize data in lieu of testing for the other similarly designed unit.

III.L.2 Conformity to the Trial Burn Plan

During the trial burn phase, you must operate and monitor the boiler(s) as specified in the approved trial burn plan (40 CFR §§ 266.102(d) and 270.66(b)(2)). You are allowed to exceed the limits of the feed rate specified in Tables III.F.1-a and III.F.1-b, and the limits of the operating parameters specified in Section III.G.1.h of this permit, except carbon monoxide limits of this permit, during the trial burn or other emission test required by the State or local agencies. However, the frequency and quantity of such exceedences should be specified in the trial burn plan and other emission test plan which must be approved by the U.S. EPA if the testing parameter deviates from the permitted limit.

III.L.3 Trial Burn POHCs

The trial burn POHCs for which DREs must be determined shall be specified in the trial burn plan. (40 CFR §§ 266.104 and 270.66(b)(2))

III.L.4 Trial Burn Determinations

During the trial burn, or as soon after the trial burn as practicable, you must make the determinations required under 40 CFR § 270.66.

III.L.5 Submittals and Certifications of Trial Burn Data

Upon completion of the trial burn, you must submit, to the Director, a certification, as specified in 40 CFR § 270.66(d)(4), that the trial burn has been performed in accordance with the approved trial burn plan. You must also submit, to the Director, a copy of all data collected during the trial burn and the results of the determinations required under this permit within 90 days of the completion of the trial burn. All submittals must be certified in accordance with 40 CFR § 270.66(d).

III.L.6 Risk Assessment Requirements

A risk assessment was conducted prior to the issuance of this permit. You shall update as necessary a risk assessment, for both human (direct and indirect) and ecological risk assessments, in conjunction with the required trial burn to be conducted prior to the expiration date of this federal RCRA permit.

III.M POST-TRIAL BURN

During the post-trial burn phase, you must comply with all permit conditions specified under this permit.

III.M.1 Report

You must comply with all the reporting requirements of Section III, including Section III.H of this permit.

SECTION IV—COMPLIANCE SCHEDULE

<u>Activity</u>	<u>Due Date</u>
<u>Reporting</u> Biennial Report	March 1 of each even numbered year