

SECTION I—STANDARD PERMIT CONDITIONS

I.A EFFECT OF PERMIT

You are hereby allowed to manage hazardous waste at the Environmental Enterprises, Inc. (“facility”) in accordance with this permit. Under this permit, the operation of units managing RCRA hazardous waste must comply with all terms and conditions in this permit. Other aspects of the storage of RCRA hazardous wastes in tanks and containers are subject to the conditions in the State 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 except for those requirements not included in the permit which: (1) become effective by statute; (2) are promulgated under 40 CFR Part 268 restricting the placement of hazardous waste in or on the land; (3) are promulgated under 40 CFR Part 264 regarding leak detection systems; or (4) promulgated under subparts AA, BB, or CC of 40 CFR Part 265 limiting air emissions. (40 CFR § 270.4)

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. (40 CFR §§ 270.4 and 270.30(g))

I.B PERMIT ACTIONS

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

The 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 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 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 EPA except under certain conditions as described in 40 CFR § 270.42(a)(2). A class 2 modification requires prior approval by U. S. EPA as described in 40 CFR §270.42(b). However, 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 under 40 CFR § 270.42(b)(8). Procedures for a class 3 modification are specified in 40 CFR § 270.42(c). 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. (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 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))

I.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 approximately 10 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, 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, hazardous wastes, or other wastes, gases or materials to be analyzed must be the appropriate methods from Appendix I of 40 CFR Part 261, or the methods specified in the Waste Characteristics section which is Section C of the Part B Permit 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 Waste Characteristics section. (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 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

You must notify the Director as soon as possible of any planned physical alterations or additions to the permitted facility. (40 CFR § 270.30(l)(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(l)(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: (40 CFR § 270.30(l)(2))

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

I.E.13 Transfer of Permits

This permit is not transferable to any person, except as specified in 40 CFR § 270.40. Under 40 CFR § 270.40, the Director may require permit modification, or revocation and reissuance to change your 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(l)(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(l)(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) and 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(l)(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 A or Part B Permit Application or other submittal, or submitted incorrect information in the Part A or Part B Permit 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) and 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 Environmental Protection Agency Region 5, RCRA Branch, at the following address:

RCRA Branch, LR-8J
Land and Chemicals Division
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

You must maintain at the facility, until closure is completed and certified, 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 §§ 264.1035, 264.1064, 264.1089, 264.13, and 264.73 (as they apply to your facility and to the units and 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 -- AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS (40 CFR PART 264 SUBPART BB)

II.A EQUIPMENT LEAKS

II.A.1 Applicable Equipment

You must comply with all applicable requirements of 40 CFR § 264.1050 through 40 CFR § 264.1065, regarding air emission standards for equipment leaks. The equipment to which these requirements are applicable (hereinafter referred to as applicable equipment) is specified in 40 § CFR 264.1050 et seq. Applicable equipment generally includes equipment (i) that is listed in 40 § CFR Part 264, Subpart BB and (ii) that contains or contacts hazardous waste with organic concentrations of at least 10 percent by weight that is managed in one of the units described in 40 CFR 264.1050(b). This permit does not allow you to use any applicable equipment other than pumps, open-ended valves or lines, or closed vent systems and control devices. For purposes of this permit, all applicable equipment that contains or contacts hazardous waste processed at this facility is considered to be “in light liquid service” as defined in 40 CFR § 264.1031.

II.A.2 Pumps in Light Liquid Service (40 CFR § 264.1052)

II.A.2.a Each pump in light liquid service must be monitored monthly to detect leaks by the methods specified in 40 CFR § 264.1063(b), except: any pump that is (1) equipped with dual mechanical seal system satisfying the requirements of 40 CFR 264.1052(d), (2) designated, as described in 40 CFR § 264.1064(g)(2), for no detectable emissions, as indicated by an instrument reading of less than 500 parts per million (ppm) above background, and meeting the requirements of 40 CFR § 264.1052(e), or (3) equipped with a closed vent system complying with the requirements of 40 CFR § 264.1052(f).

II.A.2.b Each pump shall be checked by visual inspection each calendar week for seal leaks.

II.A.2.c A leak is detected if: (1) an instrument reading of 10,000 ppm or greater is measured, or (2) there is an indication of liquid dripping from the pump seal.

II.A.2.d When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in 40 CFR § 264.1059 - Standards: Delay of repair. The first attempt at repair must be made no later than 5 calendar days after each leak is detected.

II.A.3 Open-ended Valves or Lines (40 CFR § 264.1056)

II.A.2.a Each open-ended valve or line must be equipped with a: (1) cap, (2) blind flange, (3) plug, or (4) second valve, which seals the open end at all times except during operations requiring hazardous waste stream flow through the open-ended valve or line.

II.A.2.b When a double block and bleed system is used, the bleed valve or line may remain open during operations that require venting the line between the block valves but shall seal the open end at all other times.

II.A.4 Delay of Repair (40 CFR § 264.1059)

II.A.4.a Delay of repair of equipment for which leaks have been detected will be allowed if: (1) the repair is technically infeasible without a hazardous waste management unit shutdown (in such case, repair of this equipment shall occur before the end of the next hazardous waste management unit shutdown); or (2) the equipment is isolated from the hazardous waste management unit and does not continue to contain or contact hazardous waste with organic concentrations at least 10 % by weight.

II.A.4.b Delay of repair for valves will be allowed if: (1) emissions of purged material resulting from immediate repair are greater than the emissions likely to result from delay of repair; and (2) when repair procedures are effected, the purged material is collected and destroyed or recovered in a control device complying with 40 CFR § 264.1060.

II.A.4.c Delay of repair for pumps will be allowed if: (1) repair requires the use of a dual mechanical seal system that includes a barrier fluid system; and (2) repair is completed as soon as practicable, but not later than 6 months after the leak was detected.

II.A.4.d Delay of repair beyond a hazardous waste management unit shutdown will be allowed for a valve only if it meets the provisions of 40 CFR § 264.1059(e).

II.A.5 Closed-Vent Systems and Control Devices (40 CFR § 264.1060)

Closed-vent systems and control devices that are subject to the provisions of 40 CFR Part 264, Subpart BB (40 CFR §§ 264.1050 through 264.1065) shall comply with the provisions of 40 CFR §§ 264.1033 and 264.1060.

II.B TEST METHODS AND PROCEDURES (40 CFR § 264.1063)

The leak test methods and procedures must be as specified in 40 CFR § 264.1063.

**II.C RECORDKEEPING AND REPORTING REQUIREMENTS
(40 CFR §§ 264.1064 and 264.1065)**

You must comply with the recordkeeping and reporting requirements of 40 CFR § 264.1064 and 264.1065.

**SECTION III – AIR EMISSION STANDARDS FOR CONTAINERS, TANKS, AND
SUBPART X UNIT (40 CFR PART 264 SUBPART)**

You are permitted by the State RCRA Permit to store hazardous wastes in four tanks (T #1, T #2, T #3, and T #4) which are located at the main building. The total capacity of these tanks is 12,050 gallons (T #1: 4,000 gallons, T #2: 1,500 gallons, T #3: 6,000 gallons, and T #4: 550 gallons). All of these four tanks contain aqueous metal bearing hazardous waste. You indicated that all hazardous waste entering these tanks has an average volatile organic (VO) concentration less than 500 parts per million by weight (ppmw) at the point of waste origination. Under 40 CFR § 264.1082(c)(1), tanks for which all hazardous waste entering the unit has an average VO concentration at the point of waste origination of less than 500 ppmw are exempt from the requirements in 40 CFR §§ 264.1084

through 264.1087. Such tanks remain subject, however, to the requirements of 40 CFR §§ 264.1089 and 264.1090.

Hazardous waste is also stored in containers in the permitted containers storage area located at annex and main buildings. The maximum capacity of these container storage areas is 96,000 gallons.

You must comply with all applicable requirements of 40 CFR § 264.1080 through 40 CFR § 264.1090, regarding air emission standards for containers and tanks managing hazardous waste. All tanks not exempt from 40 CFR §§ 264.1084 through 264.1087 based on the provisions of 40 CFR § 264.1082(c)(1) must be managed using the applicable standards at 40 CFR § 264.1084, 40 CFR § 264.1086, and 40 § CFR 264.1087.

You must not conduct waste stabilization process, as defined in 40 CFR § 265.1081, in containers and tanks.

For purpose of this permit, all containers that contain hazardous waste processed at this facility are considered to be “in light material service” as defined in 40 CFR § 265.1081.

III.A CONTAINER LEVEL 1 STANDARDS

You must manage the containers with a design capacity greater than 0.1 m³ (26.4 gallons) and less than or equal to 0.46 m³ (121 gallons) with Container Level 1 standards as described at 40 CFR § 264.1086(c). When managing hazardous waste in Level 1 containers, you must comply with the following requirements:

III.A.1 A Level 1 container must:

- (a) meet the applicable Department of Transportation (DOT) regulations as specified in 40 CFR § 264.1086(f),
- (b) be equipped with a cover and closure devices with an acceptable tightness and construction materials in accordance with 40 CFR § 264.1086(c)(1)(ii), or
- (c) be an open-top container with organic vapor suppressing barrier to prevent hazardous waste from being exposed to the atmosphere as specified in 40 CFR § 264.1086(c)(1)(iii).

Containers that do not meet DOT regulation specified in 40 CFR § 264.1086(f) must be equipped with covers and enclosures suitable for the physical and chemical characteristics of hazardous waste in containers, for maintaining container integrity throughout the life of the container, and for the environments

under which the containers are placed in the storage facility. Any chemical used for vapor suppression must not generate heat and/or fume and must be compatible with the hazardous waste in the container. Vapor suppression chemicals must maintain an acceptable and stable barrier between the barrier and the hazardous waste, thus preventing the release of volatile organics into the environment. The barrier shall not chemically react to the hazardous waste.
(40 CFR § 264.1086(c)(2))

III.A.2 All covers and closure devices must be in closed position whenever hazardous waste is in a container. Opening of a closure device or cover is allowed if it meets the purposes of and operates as defined in 40 CFR § 264.1086(c)(3)(i) through (v).

III.A.3 You must inspect the containers and their covers and closure devices in accordance with 40 CFR § 264.1086(c)(4)(i) and (ii) and repair defects in accordance with 40 CFR § 264.1086(c)(4)(iii).

III.A.4 You are prohibited from conducting waste stabilization processes, as defined in 40 CFR § 265.1081, on any hazardous waste in containers.

III.B LEVEL 2 CONTAINER REQUIREMENTS

You must manage the containers with a design capacity greater than 0.46 m³ (121 gallons) that are in light material service, as defined in 40 CFR § 265.1081, with Container Level 2 standards as described at 40 CFR § 264.1086(d). When storing hazardous waste in Level 2 containers you must comply with the following requirements:

III.B.1 As specified in 40 CFR § 264.1086(d)(1), a Level 2 container must be:

III.B.1.a A container that meets the applicable U.S. Department of Transportation regulations on packaging hazardous materials for transportation as specified in 40 CFR § 264.1086(f);

III.B.1.b A container that operates with no detectable organic emissions as defined in 40 CFR § 265.1081 and determined in accordance with the procedure specified in 40 CFR § 264.1086(g); or

III.B.1.c A container that has been demonstrated within the preceding 12 months to be vapor-tight by using 40 CFR Part 60, appendix A, Method 27 in accordance with the procedure specified in 40 CFR § 264.1086(h).

III.B.2 You shall transfer hazardous waste into or out of a container in such a manner as to minimize exposure of the hazardous waste to the atmosphere, to the extent practical, as specified in 40 CFR § 264.1086(d)(2).

III.B.3 You shall install all covers and closure devices for the container whenever a hazardous waste is in a container. You shall secure and maintain each closure device in the closed position except during filling and removal operations as specified in 40 CFR § 264.1086(d)(3).

III.B.4 You shall inspect the containers and their covers and closure devices in accordance with 40 CFR § 264.1086(d)(4)(i) and (ii). When a defect is detected for the container, cover, or closure devices, you shall repair the defect in accordance with 40 CFR § 264.1086(d)(4)(iii).

III.C TANK CONTROLS

The following provisions apply to tanks T #1, T #2, T #3, and T #4.

III.C.1 In order to be exempt from the provisions of 40 CFR §§ 264.1084 and 264.1087, you shall demonstrate by direct measurement or approved method that all hazardous waste stored in the tanks (Tanks #1, #2, #3, and #4) has average VO concentration less than 500 ppmw at the point of waste origination in accordance with 40 CFR § 264.1082(c)(1). The average VO concentration shall be determined using the procedures specified in 40 CFR §§ 264.1083(a) and 265.1084(a)(2), (3), and/or (4).

III.C.2 For each tank, you must review and update the determination in Section III.C.1 in accordance with 40 CFR § 264.1082(c)(1) at least one every 12 months following the date of the initial determination for the hazardous waste stream entering the unit.

III.C.3 For each tank, you must prepare and maintain the records described 40 CFR § 264.1089(f). These records to be maintained at the site shall include, but not limited to, the type and origination of the hazardous waste stored in the tank, time and location of VO analysis, method used for the VO analysis, results of VO analysis, and any follow-up decision based on the VO data. If any hazardous waste is rejected due to the VO data, the record shall describe in detail the destination of the rejected hazardous waste. These records must be maintained as part of the operating record at the facility.

III.C.4 For any hazardous waste with average VO concentration above 500 ppmw, you shall not store such hazardous waste in these tanks.

III.D MISCELLANEOUS UNIT (40 CFR PART 264, SUBPART X)

The miscellaneous unit (Subpart X unit) to be regulated under this section includes shredder #1 and the bottom container collecting liquid hazardous waste.

You shall control air pollutant emissions from the Subpart X unit located in the main building to comply with 40 CFR § 264.601. The emission control shall consist of: (1) an enclosure housing the shredder #1 unit and its attached doors and windows, (2) a closed vent system, including an exhaust fan with a capacity to maintain a negative pressure inside the enclosure and ductwork connecting the enclosure to a control device, and (3) a carbon adsorption system functioning as the control device.

III.D.1 The design and operation of shredder #1 (with bottom container), the conveyors, and the compactor shall comply with the following requirements:

III.D.1 a Shredder #1 (with bottom container) shall be designed, operated and maintained in accordance with the operational specifications described in the Part B Permit Application, Section B. The gases, vapors, and fumes emitted from hazardous waste in the enclosure room must be vented by the closed vent system to the carbon adsorption system to be treated.

III.D.2 The enclosure consists of a room (enclosure room) with four walls, a ceiling, a floor, a door opening, an opening with conveyer belt for loading shredder #1, garage door, and an opening through which shredding waste from shredder #1 can be ejected from the enclosure room. The enclosure room shall comply with the following requirements

III.D.2.a You shall design and operate the enclosure room in accordance with the criteria for a permanent total enclosure as specified in "Procedure T – Criteria for and Verification of a Permanent or Temporary Total Enclosure" under 40 CFR § 52.741 (Procedure T). You shall perform the verification procedure for the enclosure room as specified in Section 5.0 of such Procedure T annually. The first such test shall be performed within 30 days after the issuance date of this permit. Before you conduct the annual Procedure T test, you shall notify the EPA including a brief description and date of the test, monitoring equipment to be used, calibration and design specification of the monitoring devices, and other related information.

III.D.2.b All access doors, windows or other openings whose areas are not included in determining the total area of natural draft openings (NDOs) under paragraphs 4.1 (with reference to paragraph 3.3) and/or 5.2 of Procedure T shall be kept closed during routine operation of the process. Routine operation of the process includes those times when hazardous waste is present in the enclosure room, when gases, vapors, or fumes from hazardous waste are present in the enclosure room, and/or when shredder #1 is in operation. In cases of emergency or malfunction, the doors may be open in such conditions, but only as long as necessary to allow authorized personnel equipped with all necessary safety

devices and other equipment, to enter and exit the enclosure room to safely address the emergency or malfunction.

III.D.2.c Each time you perform the verification procedure in Section 5 of Procedure T, you shall prepare written documentation accurately recording all results of the procedure. All such documentation shall be maintained as part of the facility operating record for at least 3 years.

III.D.3 The closed vent system and carbon adsorption system shall comply with the following requirements:

III.D.3.a The closed vent system shall route the gases, vapors, and fumes emitted from hazardous waste in the enclosure room to the carbon adsorption system.

III.D.3.b The closed vent system and carbon adsorption system (used as a control device) shall comply the requirements as stipulated in 40 CFR § 264.1087. The closed vent system shall meet the requirements of 40 CFR § 264.1033(k)(2).

III.D.3.c The closed vent system and carbon adsorption system shall be operated and negative pressure shall be maintained within the enclosure room at all times when shredder #1 is in operation, when hazardous waste is present in the enclosure room, when shredder #1 is being loaded, when shredding waste is being ejected from the enclosure room, or when vapor from hazardous waste is present in the enclosure room. You shall continue to operate the exhaust fan and closed vent system after waste is no longer present in the enclosure room and after shredder #1 has been turned off until all of vapors in the enclosure room including back-flow from the compactor have been vented into the vent duct and to the control device. You shall determine the necessary waiting time based on the exhaust fan capacity, volume of the enclosure room including vent duct and compactor for back-flow, and other pertinent data of the vapor. Such determination and end results of any calculation shall be documented in writing and retained at the facility.

III.D.3.d The carbon adsorption system shall have a minimum removal efficiency of 95% in accordance with 40 CFR § 264.1087(c)(1)(i). You shall demonstrate that the carbon adsorption system achieves this performance standard as specified in 40 CFR § 264.1087(c)(5) and (c)(6).

III.D.3.e The concentration level of the organic compounds in the exhaust vent stream from the carbon adsorption system shall be accurately monitored on a daily basis while the unit is in operation. You shall calibrate, inspect and maintain the monitoring device as necessary to assure proper function and in

accordance with the manufacturer's specifications. You shall replace the existing carbon in the control device with fresh carbon immediately when carbon breakthrough is indicated. (40 CFR §§ 264.1087(c)(3)(i) and 264.1033(h)(1)) You shall maintain a carbon adsorption maintenance log at the site. Such maintenance log shall include, but shall not be limited to, (i) a description of the method of monitoring the concentration level of organic compounds in the exhaust vent stream; (ii) a description of the method of determining carbon breakthrough; (iii) results of the daily monitoring activities; (iv) description of the monitoring device and procedures, along with the manufacturers specifications; (v) results of calibration, inspection, and maintenance of the monitoring detector; (vi) written documentation of each determination that carbon breakthrough had been achieved and the data on which such determination relied; (vii) the date of each carbon bed replacement, the amount of carbon removed and the amount of carbon added; (viii) for each time carbon is removed from the carbon adsorption system, an adequate description of the method of disposal and/or regeneration of the spent carbons; and (ix) any other inspection and maintenance records. The log shall be maintained as part of the facility operating record.

III.D.3.f All carbon that is removed from the carbon adsorption system after use shall be managed in accordance with the requirements of 40 CFR §§ 264.1087(c)(3)(ii) and 264.1033(n). You shall prepare and maintain records sufficient to demonstrate that the requirements of this provision are satisfied as part of the facility operating record.

III.D.3.g The closed vent system shall not include any bypass devices that could be used to divert the gas or vapor stream to the atmosphere before entering the control device, unless equipped with either a flow indicator or a seal or locking device specified in 40 CFR § 264.1087(b)(3).

III.D.3.h The vent system shall have an exhaust fan with a sufficient capacity to maintain a negative pressure inside enclosure room. You shall determine an appropriate minimum fan capacity determined from a written design analysis or from a performance test. You shall maintain such a minimum fan capacity while the shredder #1 is in operation. In addition, you shall maintain as part of the facility operating records either the written design analysis, or a written performance test plan and all test results.

III.D.3.i You shall inspect, monitor, and maintain the closed vent system in accordance with 40 CFR §§ 264.1087(b)(4), 1033(l), and 1087(c)(7). You shall inspect, monitor, and maintain the carbon adsorption system in accordance with the requirements in 40 CFR §§ 264.1084(b)(4) and 1087(c)(7). You shall develop and implement a written plan and schedule to perform the inspections and

monitoring required by this paragraph. You shall incorporate this plan and schedule into any inspection plan required by the State RCRA permit. (40 CFR § 264.1088).

III.D.4 The compactor located outside of the enclosure room and its associated entry duct that opens into the enclosure room and receives shredded metal and other waste from the conveyor, shall comply with the following requirements:

III.D.4.a Each opening in the compactor or the entry duct shall be fitted with a door, cover, cap, hatch, lid, plug, seal, valve, or other type of fitting that blocks the opening. Each such fitting shall be secured in the closed position at all times while the shredder #1 is in operation. Such devices shall remain in the closed position until all gases, vapors, and fumes from hazardous waste that are present in the compactor and entry duct as a result of shredder operations or transfer of shredder waste to the compactor have been vented from the compactor and entry duct into the enclosure room, through the closed vent system and to the control device.

III.D.5 You shall repair each defect detected during an inspection performed in accordance with Condition III.D.3.i, according to requirements specified in 40 CFR § 264.1084(k) and 40 CFR § 264.1087(c)(7).

III.E RECORDKEEPING AND REPORTING REQUIREMENTS

III.E.1 You must prepare and maintain records for shredder #1 and the bottom container in the same manner as required for tanks under 40 CFR § 264.1089, including but not limited to 40 CFR § 264.1089(a), (b)(1) and (2)(iv). You must prepare and maintain records for the enclosure room (functioning as an enclosure as described in 40 CFR § 264.1084(i)), the closed vent system, and the carbon adsorption system described in this Section III in the manner described in 40 CFR § 264.1089, including 40 CFR §§ 264.1089(a), (b)(2)(iv), and (e).

III.E.2 You must comply with all reporting requirements for the carbon adsorption system under 40 CFR § 264.1090(c) and (d). Such reports shall be sent to the EPA (at the address specified in Condition I.G). You must also report to the EPA (at the address specified in Condition I.G) each occurrence when hazardous waste is managed in shredder #1 or in the enclosure room in noncompliance with the conditions specified in Section III.D of this permit, in the manner specified in 40 CFR § 264.1090(b).

