Proposed Approval
Toxic Substances Control Act
PCB Commercial Storage Facility and Chemical Waste Landfill

Chemical Waste Management, Inc.
Kettleman Hills Facility
Kings County, California
U.S. EPA ID: CAT 000 646 117

Issued by

Land, Chemicals & and Redevelopment Division
U.S. Environmental Protection Agency, Region 9
San Francisco, California

August 27, 2019

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY -REGION 9
75 Hawthorne Street
San Francisco, CA 94105

August 27, 2019

PROPOSED APPROVAL FOR A TOXIC SUBSTANCES CONTROL ACT PCB COMMERCIAL STORAGE FACILITY AND CHEMICAL WASTE LANDFILL

FACILITY: Chemical Waste Management, Inc. – Kettleman Hills Facility
U.S. EPA ID Number: CAT 000 646 117

The United States Environmental Protection Agency ("U.S. EPA") proposes approval of Chemical Waste Management, Inc.'s application, as owner and operator, to renew and modify its Approvals to operate the Kettleman Hills Facility, a commercial polychlorinated biphenyls ("PCB") storage facility and chemical waste landfill located southwest of Kettleman City in Kings County, California (Figure 1). This proposed Approval, if finalized, will authorize Chemical Waste Management, Inc. to store, treat for disposal, and dispose of certain PCB Waste at the Kettleman Hills Facility.

The terms and conditions of this proposed Approval are based on the written Renewal Application titled "TSCA Permit Renewal Application, Chemical Waste Management, Inc., Kettleman Hills Facility" Revision 3: October 1, 2018, submitted by Chemical Waste Management, Inc. on October 2, 2018; additional supporting information submitted by Chemical Waste Management, Inc.; and other information as discussed in the Statement of Basis (August 27, 2019) for this proposed Approval. Inaccuracies found in the Renewal Application or other supporting information provided by Chemical Waste Management, Inc. and relied on by U.S. EPA to prepare this proposed Approval may be grounds for the modification or withdrawal of this proposed Approval or modification or termination of any final Approval.

The proposed Approval, if finalized, will authorize Chemical Waste Management, Inc. to: (1) continue to dispose of nonliquid PCB Waste in Landfill B-18 Phases I and II; (2) dispose of nonliquid PCB Waste in Landfill B-18 Phase III; (3) store PCB Waste at the PCB Flushing/Storage Unit; and (4) perform draining and flushing of PCB Articles and Containers and bulking, repackaging, and solidification of PCB Waste at the PCB Flushing/Storage Unit, all subject to the terms and conditions herein. The proposed Approval, if finalized, will also require Chemical Waste Management, Inc. to monitor and perform post-closure maintenance at the closed chemical waste Landfills B-14, B-16, and B-19.

This proposed Approval, if finalized, would authorize Chemical Waste Management, Inc. to store, treat for disposal, and dispose of certain PCB wastes at the Kettleman Hills Facility as shown in the table below:

Unit Name	Type of Unit	Authorized Activity	Maximum Total Capacity	Location in Proposed Approval
Landfill B-18 (Phases I – III)	Landfill	Disposal	15.6 million cubic yards	Section VI
PCB Flushing/Storage Unit	Building/ Outside Containment Area	Storage/ Treatment for Disposal	24,000 gallons (enclosed building) 20,015 gallons (outside containment area – storage limited to 30 days from removal from service)	Section V
Landfill B-14	Closed Landfill	Post-closure care	Not applicable	Section VII
Landfill B-16	Closed Landfill	Post-closure care	Not applicable	Section VII
Landfill B-19	Closed Landfill	Post-closure care	Not applicable	Section VII

Based on its review of the Renewal Application and other submitted documents as described in the Statement of Basis for this proposed Approval, U.S. EPA proposes to find pursuant to 40 C.F.R. § 761.75(c) for the disposal of nonliquid PCB Waste in all phases of Landfill B-18:

- Chemical Waste Management, Inc. has submitted the initial report as required by 40 C.F.R. § 761.75(c)(1);
- Chemical Waste Management, Inc. has submitted all other information deemed necessary by U.S. EPA to determine whether Landfill B-18 Phases I – III should be approved for the disposal of nonliquid PCB Waste as required by 40 C.F.R. § 761.75(c)(2);
- Landfill B-18 Phases I – III meets all requirements of 40 C.F.R. § 761.75(b) except for those requirements listed below for which U.S. EPA proposes to grant a waiver pursuant to § 761.75(c)(4); and

- The proposed Approval includes the requirements and provisions that are necessary to ensure that operation of Landfill B-18 Phases I – III does not present an unreasonable risk of injury to health or the environment from PCBs.

The basis for U.S. EPA's proposed findings are summarized in Appendix A of this proposed Approval and discussed further in the Statement of Basis for this proposed Approval.

U.S. EPA proposes to grant, pursuant to 40 C.F.R. § 761.75(c)(4), the following waivers to Chemical Waste Management, Inc. for the operation of all phases of Landfill B-18:

- Substitution of the current Kettleman Hills Facility's site-specific groundwater well purge method for the method listed in 40 C.F.R. § 761.75(b)(6)(ii)(B).
- Substitution of some of the groundwater monitoring parameters and all analytic methods listed in the Kettleman Hills Facility's Regional Water Quality Control Board Waste Discharge Restrictions Order Monitoring and Reporting Program R5-2014-0003 for those required by 40 C.F.R. § 761.75(b)(6)(iii).
- Substitution of the annual testing of leachate using monitoring parameters and analytic methods listed in WDR-R5-2014-0003 for the leachate testing required by 40 C.F.R. § 761.75(b)(7).
- Approval for the disposal of small containers of ignitable waste in overpacked drums (lab packs) as an exception to the prohibition on the disposal of ignitable waste in chemical waste landfills in 40 C.F.R. § 761.75(b)(8)(iii).

U.S. EPA proposes to grant these waivers based on its determination that compliance with the alternative requirements will not pose an unreasonable risk of injury to health and the environment. U.S. EPA's proposed determinations are documented in the Statement of Basis for this proposed Approval.

Based on its review of the Renewal Application, other submitted documents, and other available information as described in the Statement of Basis for this proposed Approval, U.S. EPA proposes to find pursuant to 40 C.F.R. § 761.65(d)(2) for the storage and treatment of PCB Waste at the PCB Flushing/Storage Unit at the Kettleman Hills Facility:

- Chemical Waste Management, Inc., its principals, and its key employees responsible for the operation of Kettleman Hills Facility are qualified to engage in the commercial storage of PCB Waste;
- The PCB Flushing/Storage Unit at the Kettleman Hills Facility possesses the capacity to handle 44,015 gallons of PCB Waste, the amount which Chemical Waste Management, Inc. has estimated will be the maximum quantity of PCB Waste that will be handled at any one time at this Unit;

- Chemical Waste Management has certified compliance of PCB Flushing/Storage Unit building at the Kettleman Hills Facility with the storage facility standards in 40 C.F.R. § 761.65(b) and (c)(7);
- Chemical Waste Management, Inc. has developed a written closure plan for PCB Flushing/Storage Unit at the Kettleman Hills Facility that is acceptable under the closure plan standards of 40 C.F.R. § 761.65(e);
- Chemical Waste Management, Inc. included in the Renewal Application a demonstration of financial responsibility for closure of the PCB Flushing/Storage Unit and, contingent upon its submission of one or more of the financial assurance mechanisms listed at 40 C.F.R. § 761.65(g) prior to U.S. EPA's issuance of a final approval, that Chemical Waste Management, Inc. has provided a demonstration of financial responsibility that meets the financial responsibility standards of 40 C.F.R. § 761.65(g);
- The storage of PCB Waste, the draining and flushing of PCB Articles and Containers, and the bulking, repackaging, and solidification of PCB Waste at the PCB Flushing/Storage Unit as authorized and limited by this proposed Approval will not pose an unreasonable risk of injury to health or the environment; and
- The environmental compliance history of Chemical Waste Management, Inc., its principals, and its key employees does not evidence a pattern of noncompliance that demonstrates Chemical Waste Management, Inc.'s unwillingness or inability to achieve and maintain compliance with the regulations applicable to it and its operations at the Kettleman Hills Facility.

The bases for U.S. EPA's findings are summarized in Appendix A of this proposed Approval and discussed further in the Statement of Basis for this proposed Approval.

Chemical Waste Management, Inc. is currently operating the Kettleman Hills Facility under Approvals issued by U.S. EPA on February 22, 1988 (as amended on November 30, 1990) and May 19, 1992. Chemical Waste Management, Inc. shall continue to operate under the amended 1988 and 1992 Approvals until U.S. EPA's final decision on this proposed Approval becomes effective.

U.S. EPA proposes to renew and modify the Approvals pursuant to Section 6(e)(1) of the Toxic Substances Control Act ("TSCA") of 1976 [15 U.S.C. § 2605(e)(1)] and the PCB regulations at 40 C.F.R. Part 761. The EPA Administrator delegated authority to approve or deny applications to operate PCB storage or disposal facilities under TSCA to the Regional Administrator, Region 9 by EPA Delegation Order 12-5 issued January 9, 2008. The Regional Administrator further delegated authority to approve or deny applications to operate PCB storage or disposal facilities to the Director of the Land, Chemicals & and Redevelopment Division by EPA Regional Order R9-12-5 issued October 10, 2014, and the May 15, 2019 General Temporary Redelegation of Authority Due to Organizational Realignment.

Chemical Waste Management, Inc. shall comply with and operate the Kettleman Hills Facility in accordance with (1) all terms and conditions of this proposed Approval, if finalized, as stated herein; (2) plans incorporated by reference into this proposed Approval, if finalized; and (3) the PCB regulations at 40 C.F.R. Part 761 including any future modifications. This proposed Approval does not relieve Chemical Waste Management, Inc. from compliance with all applicable federal, state and local regulatory requirements.

A final approval will be effective immediately upon signature on the final Approval and shall remain in effect for 10 years from the date of signature, unless modified, renewed, suspended, terminated, or continued in accordance with 40 C.F.R. Part 761 or the Approval conditions.

/s/ August 27, 2019

Jeff Scott
Director,
Land, Chemicals & and Redevelopment Division

Date

PROPOSED APPROVAL
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I. INTRODUCTION

Chemical Waste Management, Inc. is currently storing, treating for disposal, and disposing of certain polychlorinated biphenyls ("PCB") Waste at the Kettleman Hills Facility under Approvals issued by the United States Environmental Protection Agency ("U.S. EPA") on February 22, 1988 (as amended on November 30, 1990) and May 19, 1992. On April 1, 1997, Chemical Waste Management, Inc. submitted to U.S. EPA an application to renew the 1992 Approval to operate Phases I and II of Landfill B-18 at the Kettleman Hills Facility prior to its expiration on May 19, 1997. On July 1, 1997, Chemical Waste Management, Inc. submitted to U.S. EPA an application to renew the amended 1988 Approval to operate the PCB Flushing/Storage Unit prior to its expiration on January 1, 1998. It submitted revised applications to renew and modify the amended 1988 and 1992 Approvals on October 20, 2003; January 13, 2005; June 26, 2009; November 21, 2011; July 13, 2017, and April 20, 2018. All of these earlier applications are superseded by the October 1, 2018 renewal application ("Renewal Application"). U.S. EPA has evaluated the Renewal Application and is proposing to issue this Approval to Chemical Waste Management, Inc. pursuant to section 6(e)(1) of the Toxic Substances Control Act of 1976 [15 U.S.C. § 2605(e)(1)] and its implementing regulations in 40 C.F.R. Part 761 for specific PCB Waste storage, treatment, and disposal operations and units at the Kettleman Hills Facility. If finalized, this proposed Approval would supersede all previous TSCA Approvals issued by U.S. EPA to Chemical Waste Management, Inc. to store, treat, and dispose of PCB Waste at the Kettleman Hills Facility.

II. FACILITY DESCRIPTION

A. Facility Location

The Kettleman Hills Facility is located in Kings County, California on Highway 41, southwest of the intersection of Highway 41 and Interstate I-5, approximately 3.5 miles southwest of Kettleman City and 6.5 miles southeast of Avenal (Figure 1). The Facility owns and occupies approximately 1,600 acres, of which 695.5 acres are permitted by Kings County for the management of federal- and state-listed hazardous wastes, and municipal solid and designated wastes. Of these 695.5 acres, 555 acres are within the fenced operational area (Figure 2).

B. Facility History

The Kettleman Hills Facility site has been permitted for the disposal of hazardous waste since 1975. Chemical Waste Management, Inc. purchased and began operating the Kettleman Hills Facility in 1979. At that time, it was authorized by Kings County and State of California to manage and dispose of hazardous waste on 211 acres. It has been subsequently permitted in

1993 and 2003 by the California Department of Toxic Substances Control ("DTSC") to manage and dispose of Resource Conservation and Recovery Act ("RCRA") hazardous waste and non-RCRA hazardous waste.

Chemical Waste Management, Inc. received its initial approval under TSCA from U.S. EPA to dispose of nonliquid PCB Waste in Landfill B-14 in 1981. It subsequently received approvals to dispose of nonliquid PCB Waste in Landfill B-16 in 1983, in Landfill B-19 in 1988, and in Landfill B-18 (Phases I and II) in 1992. U.S. EPA amended the 1988 Approval in 1990 to include the storage of PCB Waste at the PCB Flushing/Storage Unit.

C. Facility's TSCA PCB Waste Operations

This Approval authorizes Chemical Waste Management to manage PCB Waste at two units at the Kettleman Hills Facility: Landfill B-18 and the PCB Flushing/Storage Unit. The locations of these units are shown on Figure 2.

Landfill B-18 is constructed with primary and secondary liner systems; primary, secondary, and vadose zone leachate detection, collection and removal systems; run-on and runoff precipitation collection and holding facilities; and a groundwater monitoring system.

The PCB Flushing/Storage Unit ("PCB F/SU") is a 35 foot x 65 foot enclosed building with a similar-sized outside containment area. Both areas have a continuous concrete curb with no openings where liquids could escape. There is also a 10,082 gallon PCB liquid storage tank in the containment area in the enclosed building.

The Kettleman Hills Facility also includes three closed landfills that were previously approved by U.S. EPA under TSCA for the disposal of nonliquid PCB Waste: Landfills B-14, B-16, and B-19. The locations of these three landfills are shown on Figure 2.

D. Facility's Waste Operations under State and Local Permits

In addition to PCB Waste, the Kettleman Hills Facility accepts most types of solid, semi-solid, and liquid hazardous and extremely hazardous wastes. It does not accept forbidden explosives, compressed gas cylinders (except aerosol cans), most radioactive waste, and biological agents or infectious wastes. Management and disposal of the accepted wastes include solar evaporation in ponds; landfilling; and stabilization, solidification and storage of bulk and containerized wastes.

The Kettleman Hills Facility operates under a permit issued by DTSC ("State RCRA Permit"). U.S. EPA authorized the State of California to implement its hazardous waste program in lieu of the federal RCRA program effective August 1, 1992 (57 Fed. Reg. 32726 (July 23, 1992)) and has since reauthorized the State's program. California's authorized hazardous waste program is established pursuant to the Hazardous Waste Control Law, Chapter 6.5 of Division 20 of the California Health and Safety Code, and the regulations promulgated thereunder at Title 22, Division 4.5 of the California Code of Regulations, 22 C.C.R. §§ 66001 *et seq.* In approving California's program, U.S. EPA determined that the State of California's hazardous

waste program is as stringent as the federal RCRA program. The State program is broader in scope than the federal RCRA program because it includes PCBs as a hazardous waste material and imposes requirements on facilities that manage PCBs. The Kettleman Hills Facility has an independent responsibility to comply with both its TSCA PCB Approval and its State RCRA permit, notwithstanding any overlap in those permits' PCB requirements.

The Kettleman Hills Facility also operates under an order issued by the Central Valley Regional Water Quality Control Board ("Order R5-2014-0003 Waste Discharge Requirements for Chemical Waste Management, Inc. Class I/II Waste Management Units, Kettleman Hills Facility Kings County") ("WDR R5-2014-0003") issued January 16, 2014. This order requires the testing of groundwater, surface water, and leachate for PCBs.

Waste disposal and management activities at the Kettleman Hills Facility are also permitted/authorized by Kings County, California Department of Resources Recycling and Recovery, and the San Joaquin Valley Air Pollution Control District.

III. SCOPE AND LIMITATIONS OF APPROVAL

A. This Approval designates Chemical Waste Management, Inc. as the Owner and Operator of the Kettleman Hills Facility and applies only to Chemical Waste Management, Inc. This Approval requires Chemical Waste Management, Inc. to obtain U.S. EPA's approval using the procedures in Subsection IX.B. of this Approval before any change of owner or operator occurs. [40 C.F.R. § 761.75(c)(5); 40 C.F.R. § 761.65(j)]

B. This Approval authorizes, consistent with its terms and conditions, the commercial storage and treatment for disposal of PCB Waste at the PCB Flushing/Storage Unit and disposal of nonliquid PCB Waste in Landfill B-18 (Phases I-III) at the Kettleman Hills Facility. This Approval does not authorize the storage, treatment for disposal, or disposal of PCB Waste at any other unit at the Facility, except as allowed by 40 C.F.R. Part 761, without prior written approval by U.S. EPA.

C. This Approval is effective on [**insert date of signature on final**]. Except as allowed under 40 C.F.R. Part 761 and Section IX of this Approval, this Approval expires on [**date 10 years from signature on final approval**]. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

D. This Approval requires Chemical Waste Management, Inc. to use the procedures in Subsections IX.A. or E. of this Approval to obtain U.S. EPA approval to modify or renew this Approval and the procedure in Subsection IX.D. to administratively continue this Approval pending renewal. Subsection IX.C. contains procedures for U.S. EPA to revoke or suspend this Approval. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

E. This Approval supersedes all previous TSCA Approvals issued by U.S. EPA that regulate the storage, treatment, and/or disposal of PCB Waste at the Kettleman Hills Facility.

F. Compliance with the terms and conditions of this Approval does not establish a defense to any claim that the Kettleman Hills Facility presents an unreasonable risk of injury to health and the environment, including such a claim under 40 C.F.R. Part 761.

G. This Approval does not convey any property rights of any sort, or any exclusive privilege.

H. Where citations to regulatory authority are included at the end of an condition or within brackets (for example "[40 C.F.R. § 761.XXX.]"), such references are solely to assist those reading the Approval to identify the regulatory basis for the condition. Such citations do not, in and of themselves, incorporate the regulatory requirement into the condition. However, where regulations are referenced in the body of an condition (for example "Pursuant to 40 C.F.R. § 761.XXX" or "In accordance with 40 C.F.R. § 761.XXX"), the requirements of the cited regulation are incorporated into the condition.

I. A reference to a regulatory requirement in this Approval shall refer to the regulatory requirement in effect on the effective date of this Approval. Modification of this Approval is needed to incorporate or reference any requirements or regulations revised or amended after the effective date of this Approval. Nothing in this Approval limits or relieves Chemical Waste Management, Inc. from its obligations to comply with regulations that impose additional or more stringent requirements than those in effect on the effective date of this Approval, including any future modifications of 40 C.F.R. Part 761. In the event any provision of this Approval is in conflict with any future new, revised, or modified PCB regulation, the more stringent provision, as determined by U.S. EPA, shall apply.

IV. GENERAL APPROVAL CONDITIONS

A. Approval Compliance

1. This Approval is binding on the Owner and Operator of the Kettleman Hills Facility.

2. Chemical Waste Management, Inc. shall comply with and operate the Kettleman Hills Facility in accordance with the terms and conditions of this Approval and 40 C.F.R. Part 761, including any future modifications to Part 761.

3. Any plan or document referenced in this Approval, as listed in Appendix B, is incorporated into this Approval, is a condition of this Approval, and is fully enforceable under this Approval. Prior to making a change to an incorporated plan or document, Chemical Waste Management, Inc. shall initiate an Approval modification following the procedures in Subsection IX.A.

4. Except as allowed under Section IX, Chemical Waste Management, Inc. shall receive prior written authorization from U.S. EPA for any departure from the terms and conditions of this Approval. "U.S. EPA" shall mean Permits Office Manager (LND 4-2), Land, Chemicals & Redevelopment Division, U.S. Environmental Protection Agency, Region 9, or the successor organizational unit within U.S. EPA Region 9. Any unauthorized

departure from the terms and conditions of this Approval may subject Chemical Waste Management, Inc. to enforcement action under the terms of this Approval and TSCA.

5. The terms and conditions set forth in this Approval shall control if there is a conflict between this Approval and any documents that are incorporated into and made a part of this Approval, including provisions of the Renewal Application.

6. The actions of all Chemical Waste Management, Inc. employees, agents, and contractors who are involved in the operation of the Kettleman Hills Facility will be deemed to be actions of Chemical Waste Management, Inc. for purposes of compliance with the terms and conditions of this Approval.

7. Failure to comply with any term or condition of this Approval is a prohibited act under TSCA section 15(1), 15 U.S.C. § 2614(1).

8. It shall not be a defense for Chemical Waste Management, Inc. in an enforcement action that it would have been necessary to halt or reduce an approved activity in order to maintain compliance with the conditions of this Approval.

9. All terms and conditions of this Approval are severable. If any term or condition of this Approval is determined to be invalid, Chemical Waste Management, Inc. shall remain subject to the remaining terms and conditions.

B. General Requirements

1. Chemical Waste Management, Inc. shall maintain a printed copy of this Approval including all Appendices on-site at the Kettleman Hills Facility. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

2. Notwithstanding the terms of this Approval, Chemical Waste Management, Inc. shall comply with all applicable Federal, State and local laws and regulations including but not limited to RCRA, as amended (42 USC 6901 *et seq.*), and the Occupational Safety and Health Act ("OSHA"). [40 C.F.R. § 761.50(a)(6)]

3. Chemical Waste Management, Inc. shall comply with all measures set forth in the U.S. Fish and Wildlife Service's Biological Opinion dated August 15, 2012 (as amended September 5, 2012, July 23, 2014, and July 30, 2014). [40 C.F.R. § 761.75(c)(3)(ii); 40 C.F.R. § 761.50(a)(6)]

4. Chemical Waste Management, Inc. shall comply with all applicable TSCA PCB requirements whether or not they are included in this Approval.

5. Chemical Waste Management, Inc. shall make all submittals and notifications required to be made to the U.S. EPA or to the U.S. EPA Project Manager by the terms and conditions of this Approval to:

Project Manager, Kettleman Hills Facility (CAT 000 646 117)
Permits Office (Attn: LND-4-2)
Land, Chemicals & Redevelopment Division
U.S. Environmental Protection Agency - Region 9
75 Hawthorne Street
San Francisco, CA 94105
(415) 972-3957

All electronic submittals shall be to R9LandSubmit@epa.gov and copied to the U.S. EPA Project Manager.

6. A Responsible Official for Chemical Waste Management, Inc. shall certify any written information that is required to be submitted to U.S. EPA or U.S. EPA Project Manager by a condition of this Approval using the certification statement found at 40 C.F.R. § 761.3 "Certification".

7. Chemical Waste Management, Inc. shall provide, upon request, any information that the U.S. EPA deems necessary to determine whether cause exists for modification, suspension, revocation, or termination of this Approval or to determine compliance with this Approval. Chemical Waste Management, Inc shall also provide to the U.S. EPA, upon request, copies of records required to be kept by this Approval. Failure to provide the requested information or records within 5 working days of such a request, or such other time not to exceed 30 days as agreed to by both parties, shall be deemed a violation of this Approval unless U.S. EPA determines that additional time is warranted.

8. Chemical Waste Management, Inc. may assert a business confidentiality claim covering part or all of the information required to be submitted by a condition of this Approval.

   a. Any such claim shall be asserted concurrent with submission of the information and in accordance with section 14(c) of TSCA, 15 U.S.C. 2613(c), including the substantiation and certification requirements of that section. If no such claim accompanies the information, it may be made available to the public by U.S. EPA without further notice to Chemical Waste Management, Inc. [15 U.S.C. 2613; 82 FR 6522 (January 19, 2017); 40 C.F.R. § 2.203(a)].

   b. TSCA section 14(c)(2) lists information that is generally not subject to substantiation requirements. If Chemical Waste Management, Inc. has not identified the information claimed as confidential as being subject to TSCA section 14(c)(2), the claim for such information shall be substantiated at the time of submittal. [15 U.S.C. 2613; 82 FR 6522 (January 19, 2017)]. Information covered by a business confidentiality claim asserted and substantiated in accordance with TSCA section 14(c) will be disclosed by U.S. EPA only to the extent, and by means of the procedures, set forth in 40 C.F.R. part 2 and consistent with TSCA section 14.

9. If Chemical Waste Management, Inc. becomes aware that it failed to submit any relevant facts in an application or report to the U.S. EPA or submitted incorrect information in an application or in any report to the U.S. EPA, it shall promptly submit such facts or information. [40 C.F.R. § 761.65(d)(4)(iv), and 40 C.F.R. § 761.75(c)(3)(ii)]

10. Chemical Waste Management, Inc. shall maintain a closure plan that meets the requirements in Conditions V.I.1. and VI.H.1. for the PCB Flushing/Storage Unit and Landfill B-18. The closure plan shall identify the steps necessary to close each unit in a manner that eliminates the potential for post-closure release of PCBs that may present an unreasonable risk of injury to health and the environment. [40 C.F.R. § 761.65(e); 40 C.F.R. § 761.65(d)(4)(iv), and 40 C.F.R. § 761.75(c)(3)(ii)]

11. Chemical Waste Management, Inc. shall maintain a post-closure care plan that meets the requirements in Conditions VI.I.1. and VII.B.2. for Landfills B-14, B-16, B-18, and B-19. The post-closure plan shall identify the steps necessary to eliminate the potential for releases of PCBs which may present an unreasonable risk of injury to health and the environment during the post-closure care period. [40 C.F.R. § 761.75(c)(3)(ii)]

12. Chemical Waste Management, shall give advance notice to the U.S. EPA Project Manager of any planned changes to an approved unit, landfill or activity which may result in noncompliance with an approval condition. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

13. Chemical Waste Management, Inc. shall report verbally any noncompliance which may endanger health or the environment to the U.S. EPA Project Manager within 24 hours of becoming aware of the incident. The report shall include date, time and type of incident; name and quality of materials involved; the extent of injuries, if any; an assessment of actual or potential hazards to the environment and health outside the Facility; and estimated quantity and disposition of recovered material. Chemical Waste Management, Inc. shall provide a written report within 15 days describing the noncompliance, its cause, the period of noncompliance (including exact dates and times), and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

14. In the event of noncompliance with a condition of this Approval, Chemical Waste Management, Inc. shall take all reasonable steps to minimize releases of PCBs to the environment and shall carry out such measures, as are reasonable, to prevent unreasonable risk of injury to health or the environment. [40 C.F.R. § 761.65(d)(4)(iv), and 40 C.F.R. § 761.75(c)(3)(ii)]

15. If at any time, U.S. EPA determines that PCB operations at the Kettleman Hills Facility authorized by this Approval are creating a situation of imminent hazard, U.S. EPA will notify Chemical Waste Management, Inc. in writing of the steps required to mitigate

and/or prevent the hazard. Such steps shall be taken by the date provided in such notice. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

C. PCB Waste Management Standards

1. Chemical Waste Management, Inc. may not avoid any provisions of this Approval, TSCA, or 40 C.F.R. Part 761 by diluting PCBs, unless specifically provided by regulation. [40 C.F.R. § 761.1(b)(5)]

2. Chemical Waste Management, Inc. shall not solidify PCB Waste, except PCB liquids from incidental sources as specified in 40 C.F.R. § 761.60(a)(3), into nonliquid PCBs. [40 C.F.R. § 761.50(a)(2)]

3. Chemical Waste Management, Inc. shall send all liquid PCB Waste, including liquids produced at the Kettleman Hills Facility during any PCB Waste draining, flushing, or decontamination activities, to an incinerator approved by U.S. EPA under 40 C.F.R. § 761.70, except as provided in 40 C.F.R. § 761.60(a)(1), (2) and (3) and § 761.60(b)(2)(ii). [40 C.F.R. § 761.60(a)]

4. Chemical Waste Management, Inc. shall dispose of any PCB Waste stored at the Kettleman Hills Facility within one year from the date it was determined to be PCB Waste and the decision was made to dispose of it. This date is the date of removal from service for disposal and the point at which the one-year time frame for disposal begins. If additional time is required for disposal, Chemical Waste Management, Inc. shall comply with the requirements of 40 C.F.R. § 761.65(a)(2) and (3). [40 C.F.R. § 761.65(a)]

5. Chemical Waste Management, Inc. shall label all PCB Items with the date the item was removed from service for disposal and manage all storage so that the PCB Items can be located by this date. [40 C.F.R. § 761.65(c)(8)]

6. Chemical Waste Management, Inc. shall comply with the marking requirements in 40 C.F.R. § 761.40, 40 C.F.R. § 761.65(c)(3) and 40 C.F.R. § 761.65(c)(8).

7. Chemical Waste Management, Inc. shall use marking labels in accordance with 40 C.F.R. § 761.45.

8. Chemical Waste Management, Inc. shall implement the precautionary procedures for the management of ignitable, reactive, and incompatible wastes in Operation Plan, Chapter 34 “Ignitable, Reactive, and Incompatible Wastes”. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

9. Chemical Waste Management, In. shall operate any cutting tool or other device used in processing PCB items in a manner to prevent heating of the material that may result in the vaporization of PCBs and the subsequent uncontrolled release of PCBs to the environment. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

10. Unless otherwise specified in this Approval, Method 3550C or Method 3540C from U.S. EPA SW-846, "Test Methods for Evaluating Solid Waste" shall be used to extract PCBs from samples of PCB Waste or wipe samples and SW-846 Method 8082A shall be to analyze the extracts for PCBs. [40 C.F.R. § 761.253(a); 40 C.F.R. § 761.292; 40 C.F.R. § 761.358]

D. Waste Characterization

1. Chemical Waste Management, Inc. shall implement the waste pre-acceptance and acceptance procedures described in Operation Plan, Chapter 12 "Waste Analysis Plan". [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]
2. Chemical Waste Management, Inc. shall not accept PCB/Radioactive Waste at the Kettleman Hills Facility. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

E. Personnel Training

1. Chemical Waste Management, Inc. shall conduct employee training at the Kettleman Hills Facility in accordance with the procedures contained in Operation Plan, Chapter 36 "Training Plan". [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]
2. In accordance with Operation Plan, Chapter 36 "Training Plan", all Chemical Waste Management, Inc. employees whose position requires handling or potential exposure to PCBs at the Kettleman Hills Facility, shall complete an 8-hour OSHA/HAZWOPER refresher class on an annual basis. A signature sheet shall be included as a part of each employee's training record to verify participation in the training program. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

F. Health and Safety Requirements

1. Chemical Waste Management, Inc. shall follow the Operation Plan, Chapter 33 "Hazard Prevention" and the Kettleman Hills Facility's Spill Prevention Control and Countermeasure Plan (October 2016). [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]
2. Chemical Waste Management, Inc. shall conduct all PCB-related activities at the Kettleman Hills Facility in accordance with the regulations and guidelines contained in: [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]
   a. OSHA Title 29 C.F.R. § 1910 "Safety and Health Regulations for General Industry";
   b. OSHA Title 29 C.F.R. § 1926 "Safety and Health Regulations for Construction"; and
   c. OSHA Title 29 C.F.R. § 1926.65 "Hazardous Waste Operations and Emergency Response".
3. All personnel handling PCB Waste shall wear and use protective clothing or equipment to protect against dermal contact or inhalation of PCBs or materials containing PCBs. [40 C.F.R. § 761.60(b)(8); 40 C.F.R. § 761.79(e)(2)]

4. Chemical Waste Management, Inc. shall report in writing any incident of injury or illness from exposure to PCBs to U.S. EPA Project Manager within seven (7) days of becoming aware of such injury or illness. The report shall include date, time, and type of incident; number of persons affected; type and extent of injury; and actions taken or planned to prevent future injuries. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

5. Chemical Waste Management shall, consistent with Operation Plan, Chapter 10 "Traffic", maintain and operate the access road to, and all roadways within the Kettleman Hills Facility in a manner that supports the safe operation and maintenance of Facility site without causing safety, nuisance problems or hazardous conditions including providing dust control as required by applicable San Joaquin Valley Air Pollution Control District regulations. [40 C.F.R. § 761.75(b)(9)(ii)]

G. Emergency Preparedness and Spill Cleanup

1. Chemical Waste Management, Inc. shall clean up all spills of PCBs at the Kettleman Hills Facility in accordance with 40 C.F.R. Part 761 Subpart G – PCB Spill Cleanup Policy. [40 C.F.R. § 761.61 and 40 C.F.R. § 761.79]

2. Chemical Waste Management, Inc. shall conduct emergency response and spill prevention and cleanup activities at the Kettleman Hills Facility in accordance with Operation Plan, Chapter 35 "Contingency Plan". [40 C.F.R. § 761.65(c)(7)(ii); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

3. Chemical Waste Management, Inc. shall verbally report to the U.S. EPA Project Manager any incident involving PCBs that requires implementation of the Operation Plan, Chapter 35 "Contingency Plan". The verbal notification shall occur as soon as possible after Chemical Waste Management, Inc. becomes aware of the incident, but no later than 24 hours after the incident. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

4. Chemical Waste Management, Inc. shall submit a written report to U.S. EPA Project Manager that provides details of any incident involving PCBs that requires either a formal or informal implementation of the Operation Plan, Chapter 35 "Contingency Plan". The written report shall be submitted to U.S. EPA Project Manager within 15 days after implementation of the Contingency Plan and include, at a minimum, the following information: [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

   a. Date, time, and type of incident (e.g., fire, explosion, chemical release);

   b. Name and quantity of material(s) involved;

   c. The extent of injuries, if any;

   d. Response actions taken, including how such actions were consistent with 40 C.F.R. Part 761 and the conditions of this Approval;

e. An assessment of actual or potential hazards to human health and the environment, where this is applicable;

f. Estimated quantity and disposition of recovered material that resulted from the incident; and

g. Steps taken to prevent reoccurrence.

5. Before operations are resumed in the areas affected by an incident involving PCBs that requires implementation of the Operation Plan, Chapter 35 "Contingency Plan", Chemical Waste Management, Inc. shall submit a written notification to the U.S. EPA Project Manager that it has implemented the following items: [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

   a. All emergency equipment listed in the Operation Plan, Chapter 35 "Contingency Plan" is cleaned and fit for usage after the incident is addressed. In this case, Chemical Waste Management, Inc. may substitute equivalent emergency equipment in the affected area while repairing, replacing or recharging used emergency response equipment; and

   b. Corrective measures have been implemented to prevent reoccurrence of the incident.

6. Chemical Waste Management, Inc. shall, as soon as it has knowledge of any release to the environment outside of containment areas at the PCB F/SU or the TSCA Landfills of PCBs equal to or greater than one (1) pound by weight in any 24-hour period, immediately notify the National Response Center at 1-800-424-8802 and the U.S. EPA Project Manager. A full investigation into the cause of the release and a detailed report of the investigation of the cause and response shall be included in the Facility operating record. A copy of this report shall be submitted to the U.S. EPA Project Manager within fifteen (15) days of knowledge of the release. [40 C.F.R. § 302; 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

7. Chemical Waste Management, Inc. shall, as soon as it has knowledge of any release to the environment outside of containment areas at the PCB F/SU or the TSCA Landfills of PCBs equal to or greater than ten (10) pound by weights, immediately notify the U.S. EPA Project Manager. The verbal notification shall occur as soon as possible after Chemical Waste Management, Inc. becomes aware of the release, but no later than 24 hours after knowledge of the release. A full investigation into the cause of the release and a detailed report of the investigation and response shall be included in the Facility operating record. A copy of this report shall be submitted to U.S. EPA Project Manager within fifteen (15) days of knowledge of the release. [40 C.F.R. § 761.125(a)(1)(iii); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

8. Chemical Waste Management, Inc. shall annually update the information on PCB operations at the Kettleman Hills Facility, stored materials, contingency plans, and emergency procedures provided to local police departments, hospitals, and state and local

emergency response teams that may be called upon to provide emergency service to the Kettleman Hills Facility. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761761.75(c)(3)(ii)]

9. Chemical Waste Management shall post a dated list of emergency contacts, telephone numbers, and designated emergency exit routes in prominent locations throughout the Kettleman Hills Facility. The list shall be updated annually no later than June 30th of every year. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

10. The Kettleman Hills Facility shall, at a minimum, be equipped with the following: [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

    a. An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to Kettleman Hills Facility personnel;

    b. Devices, such as a telephone, cellular phone or hand-held two-way radio, shall be immediately available at the scene of operations and be capable of summoning emergency assistance from local police departments, fire departments, or State or local emergency response teams;

    c. Portable fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment; and

    d. A fire suppression unit sufficient to suppress a fire containing burning PCBs.

11. Chemical Waste Management, Inc. shall, at a minimum, annually test and maintain the equipment specified in Condition IV.G.10, as recommended by the manufacturer to assure its proper operation in time of emergency. If any of the equipment specified above was manufactured by Chemical Waste Management, Inc., it shall establish and follow a testing and maintenance plan adequate to ensure the efficacy of the equipment during an emergency. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

12. Whenever PCBs are being poured, mixed, or otherwise handled, Chemical Waste Management, Inc. shall ensure that all personnel involved in the operation will have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

13. At all times, there shall be at least one employee either at the Kettleman Hills Facility or on call who has the responsibility for coordinating all emergency response measures and the authority to commit the resources needed to carry out the Operation Plan, Chapter 35 "Contingency Plan". This employee shall have immediate access to the entire Kettleman Hills Facility and to a communication device immediately available at the scene of operation capable of summoning external emergency assistance. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

14. Chemical Waste Management, Inc. shall provide the U.S. EPA Project Manager with a written report if unauthorized entry, tampering, destruction, or loss at the Kettleman Hills

Facility occurred which caused PCBs to be discharged. The report shall specify, at a minimum, the date of the incident, a description of incident, the effect of the incident (e.g., any release of PCBs), and the corrective action taken. Chemical Waste Management, Inc. shall submit the report to the U.S. EPA Project Manager within five (5) days of it becoming aware of such incident. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

15. Chemical Waste Management, Inc. shall amend, as necessary, the Operation Plan, Chapter 35 "Contingency Plan" within 30 days of the following events: [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]
    a. The Plan fails in an emergency;
    b. Changes in the Facility's design, construction, operation, maintenance, or other circumstances materially increase the potential for fires, explosions, or releases of PCBs or hazardous constituents in an emergency;
    c. A change to the emergency coordinators;
    d. A change to emergency equipment at the Facility;
    e. When information otherwise indicates that a major revision is warranted; or
    f. When U.S. EPA informs Chemical Waste Management, Inc. through a written notification that a revision of the Contingency Plan is necessary.

H. Entry and Agency Inspection

1. U.S. EPA officials and representatives of U.S. EPA, upon presentation of credentials, shall be permitted access to any area of the Kettleman Hills Facility at all reasonable times during regular business hours to determine compliance with applicable statutes, regulations, and the terms and conditions of this Approval, for the purposes of inspection, sampling, or monitoring and for any other purpose allowed by law. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

I. General Inspection Requirements

1. Chemical Waste Management, Inc. shall inspect all communications and alarm systems, fire protection equipment, spill control equipment, decontamination equipment and groundwater monitoring wells at the Kettleman Hill Facility following the procedures and schedule contained in the Operation Plan, Chapter 31 "Inspection Program Plan", at least once per month to assure their proper operation. Chemical Waste Management, Inc. shall maintain records of each emergency equipment inspection. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]
2. Chemical Waste Management, Inc. shall, on a monthly basis, conduct inspections of the perimeter fence to identify any loss of integrity that may allow burrowing animals to gain access to the Kettleman Hills Facility. The inspections and any follow-up repairs shall be

documented in the Facility operation record. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

3. Chemical Waste Management, Inc. shall evaluate and address all deficiencies identified during the inspections in accordance with Operation Plan, Chapter 31 "Inspection Program Plan". [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

4. Chemical Waste Management, Inc. shall document all inspections, referenced in Conditions IV.I.1 and IV.I.2. in accordance with Operation Plan, Chapter 31 "Inspection Program Plan". Chemical Waste Management, Inc. shall also document in the Facility operating record actions taken to address any deficiencies identified during the inspections. [40 C.F.R. § 761.65(c)(5); 40 C.F.R. § 761.180(b)(1)(iii); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

J. Security

1. Chemical Waste Management, Inc. shall operate and maintain the security systems at the Kettleman Hills Facility, including fencing and signage, in accordance with Operation Plan, Chapter 30 "Security Procedures and Equipment" and Appendix B-2 of this Approval. [40 C.F.R. § 761.75(b)(8)(ii); 40 C.F.R. § 761.75(b)(9)(i); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

K. Closure Cost Estimate

1. Chemical Waste Management, Inc. shall maintain a detailed estimate, in current dollars, of the cost of closure for the operating TSCA Units and TSCA Landfills in accordance with its approved Closure Plan**.** The closure cost estimates shall be in writing, be certified by the person preparing it (using the certification defined in 40 C.F.R § 761.3), and comply with the following criteria: [40 C.F.R.§ 761.65(f)(1); 40 C.F.R. § 761.75(c)(3)(ii)]

   a. The closure cost estimate shall equal the cost of final closure at the point in each TSCA Unit's and TSCA Landfill's active life when the extent and manner of PCB operations would make closure the most expensive as indicated by the Closure Plan;

   b. The closure cost estimate shall be based on the costs to Chemical Waste Management, Inc. of hiring a third party to close the TSCA Units and TSCA Landfills at the Kettleman Hills Facility, and the third party shall not be either a corporate parent or subsidiary of Chemical Waste Management, Inc., or member in joint ownership of the Kettleman Hills Facility;

   c. The closure cost estimate shall include the current market costs for off-site commercial disposal of the Kettleman Hills Facility's maximum estimated inventory of PCB Waste, except that on-site disposal costs may be used if on-site disposal capacity will exist at the Facility at all times over the life of the TSCA Units; and

d. The closure cost estimate may not incorporate any salvage value that may be realized with the sale of wastes, structures or equipment, land, or other assets associated with the Kettleman Hills Facility at the time of closure.

2. During the active life of the operating TSCA Units and TSCA Landfills, Chemical Waste Management, Inc. shall annually adjust the closure cost estimate for inflation within 60 days prior to the anniversary date of the establishment of the financial instruments used to demonstrate financial responsibility for closure. The adjustment may be made by either: [40 C.F.R. § 761.65(f)(2); 40 C.F.R. § 761.75(c)(3)(ii)]

   a. Recalculating the maximum costs of closure in current dollars, or

   b. Using an inflation factor derived from the most recent Implicit Price Deflator for Gross National Product published by the U.S. Department of Commerce in its *Survey of Current Business.* The Implicit Price Deflator for Gross National Product is included in a monthly publication titled *Economic Indicators,* which is available from the Superintendent of Documents, Government Printing Office, Washington, DC 20402. The inflation factor used in the latter method is the result of dividing the latest published annual Deflator by the Deflator for the previous year. The adjustment to the closure cost estimate is then made by multiplying the most recent closure cost estimate by the latest inflation factor.

3. Chemical Waste Management, Inc. shall revise and resubmit to U.S. EPA Project Manager the closure cost estimate within 30 days of any U.S. EPA approval of a modification to the Kettleman Hill Facility Closure Plan that increases the cost of closure. The revised cost estimate shall be adjusted for inflation at that time. [40 C.F.R. § 761.65(f)(3); 40 C.F.R. § 761.75(c)(3)(ii)]

4. Chemical Waste Management, Inc. shall keep at the Kettleman Hills Facility during its operating life the most recent closure cost estimate, including any adjustments resulting from inflation or from modifications to the Closure Plan. [40 C.F.R. § 761.65(f)(4); 40 C.F.R. § 761.75(c)(3)(ii)]

L. Post-Closure Cost Estimate

1. Chemical Waste Management, Inc. shall maintain a detailed estimate, in current dollars, of the cost of post-closure care for the TSCA Landfills in accordance with its approved Post-Closure Plan. The post-closure cost estimate shall be in writing, be certified by the person preparing it using the certification defined in 40 C.F.R. § 761.3, and comply with the following criteria: [40 C.F.R. § 761.75(c)(3)(ii)]

   a. The post-closure cost estimate shall be based on the costs to Chemical Waste Management, Inc. of hiring a third party to conduct post-closure care activities, and the third party shall not be either a corporate parent or subsidiary of the owner or operator, or member in joint ownership of the Facility; and

b. The post-closure cost estimate shall be calculated by multiplying the annual post-closure cost estimate by the required number of years of post-closure care.

2. Chemical Waste Management, Inc. shall annually adjust the post-closure cost estimate for inflation prior to March 1 of each year. The adjustment may be made by either: [40 C.F.R. § 761.75(c)(3)(ii)]

   a. recalculating the maximum costs of closure in current dollars, or

   b. using an inflation factor derived from the most recent Implicit Price Deflator for Gross National Product published by the U.S. Department of Commerce in its *Survey of Current Business.* The Implicit Price Deflator for Gross National Product is included in a monthly publication titled *Economic Indicators,* which is available from the Superintendent of Documents, Government Printing Office, Washington, DC 20402. The inflation factor used in the latter method is the result of dividing the latest published annual Deflator by the Deflator for the previous year. The adjustment to the post-closure cost estimate is then made by multiplying the most recent post-closure cost estimate by the latest inflation factor.

3. Chemical Waste Management, Inc. shall revise and resubmit to U.S. EPA the post-closure cost estimate within 30 days of any U.S. EPA approval of a modification to the Closure Plan that increases the cost of post-closure care. The revised cost estimate shall be adjusted for inflation at that time. [40 C.F.R. § 761.75(c)(3)(ii)]

4. Chemical Waste Management, Inc. shall keep at the Kettleman Hills Facility during its operating life the most recent post-closure cost estimate, including any adjustments resulting from inflation or from modifications to the Closure Plan. [40 C.F.R. § 761.75(c)(3)(ii)]

M. Financial Assurance for Closure and Post-Closure

1. Chemical Waste Management, Inc. shall establish and maintain at all times adequate financial assurance for each TSCA Unit and TSCA Landfill at the Kettleman Hills Facility in compliance with Conditions IV.M.2. and IV.M.3. The level of financial assurance funding shall always be equal to or greater than the total cost estimate for the TSCA Units and TSCA Landfills established pursuant to Subsections IV.K. and IV.L. [40 C.F.R. § 761.65(g); 40 C.F.R. § 761.75(c)(3)(ii)]

2. For closure and post-closure care of the TSCA Landfills, Chemical Waste Management, Inc. shall use one or more of the financial assurance mechanisms required under RCRA or listed at 40 C.F.R. § 761.65(g). [40 C.F.R. § 761.75(c)(3)(ii); California's authorized hazardous waste program at Title 22, Division 4.5, Chapter 14, Article 8 of the California Code of Regulations, 22 C.C.R. §§ 66264.140 et seq.]

3. For closure of the TSCA Unit(s), Chemical Waste Management, Inc. shall use one or more of the financial assurance mechanisms listed at 40 C.F.R. § 761.65(g). [40 C.F.R. § 761.65(g); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

4. Chemical Waste Management, Inc. shall obtain U.S. EPA approval prior to changing its U.S. EPA-approved financial assurance mechanism(s). Any reduction in the amount of financial assurance requires prior written approval from U.S. EPA. Chemical Waste Management, Inc. shall provide U.S. EPA with documentation of the revised financial assurance mechanism within 30 days after any change to the financial assurance mechanism. [40 C.F.R. § 761.65(g); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

5. Chemical Waste Management, Inc. shall annually submit written documentation to U.S. EPA Project Manager of continued financial assurance for all TSCA Units and TSCA Landfills consistent with the requirements of this Subsection. The documentation shall include, but not be limited to, the current closure and post-closure cost estimates for the PCB Units and TSCA Landfills, and the level of funding contained in the closure and post-closure financial assurance mechanism. The documentation shall be submitted to the U.S. EPA Project Manager by March 1 of each year. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

6. Chemical Waste Management, Inc. shall establish a new financial assurance mechanism or amend the existing mechanism if a modification to any portion of the PCB Flushing/Storage Unit increases the maximum storage capacity in Table 1 for that portion. Chemical Waste Management, Inc. shall notify the U.S. EPA Project Manager in writing no later than 30 days from the completion of the modification. The new or revised financial assurance mechanism shall be established and activated no later than 30 days after the notification but prior to the use of the modified portion of the Unit. Chemical Waste Management, Inc. shall provide U.S. EPA Project Manager with documentation of the revised financial assurance mechanism within 30 days after any change to the financial assurance mechanism. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.65(g)(9); 40 C.F.R. § 761.75(c)(3)(ii)]

7. Chemical Waste Management, Inc. shall keep at the Kettleman Hills Facility during its operating life a copy of the current financial assurance mechanism. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

8. Chemical Waste Management, Inc. shall notify U.S. EPA Project Manager by certified mail of the commencement of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming Chemical Waste Management, Inc. as debtor, within ten (10) days after commencement of the proceeding. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

9. Chemical Waste Management, Inc. will be deemed to be without the financial assurance required by Condition IV.M.1. or liability coverage required by Condition IV.N.1. if an event identified in this paragraph arises. An event includes the guarantor of a corporate guarantee being named as a debtor, bankruptcy of the trustee or issuing institution, or suspension or revocation of the authority of the trustee institution to act as trustee or of the institution issuing the surety bond, letter of credit or insurance policy to issue such instruments. Chemical Waste Management, Inc. shall establish new financial assurance or liability coverage and provide U.S. EPA with documentation of the revised financial mechanism or liability coverage within 60 days after such an event. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

10. If at any time U.S. EPA determines that under the terms of this Approval the existing financial assurance is inadequate, U.S. EPA will notify Chemical Waste Management, Inc. in writing and Chemical Waste Management, Inc shall establish a new financial assurance mechanism or amend the existing mechanism and provide U.S. EPA with documentation of the revised financial mechanism within 60 days of the written notification unless another timeframe is specified in the notification. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

N. Liability Insurance

1. Chemical Waste Management, Inc., shall maintain liability coverage for sudden and non-sudden accidental occurrences consistent with the requirements of 40 C.F.R. § 264.147. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

2. Chemical Waste Management, Inc., shall keep at the Kettleman Hills Facility during its operating life a copy of the current liability coverage for sudden and non-sudden accidental occurrences. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

O. Recordkeeping and Reporting

1. Chemical Waste Management, Inc. shall comply with all recordkeeping and reporting requirements specified in 40 C.F.R. Part 761 and this Approval.

2. Chemical Waste Management, Inc. shall conduct recordkeeping and reporting activities in accordance with the TSCA Operation Plan; and Operation Plan, Chapter 12 "Waste Analysis Plan"; Chapter 14 "Specific Information for Containers", Sections 14.1 – GENERAL and 14.3 – PCB Flushing/Storage Unit; Chapter 15 "Specific Information for Tanks" Section 15.2 – Existing PCB Flushing/Storage Unit; Chapter 19 "Specific Information for Landfills"; Chapter 31 "Inspection Program Plan"; Chapter 35 "Contingency Plan"; and Chapter 36 "Training Plan." [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

3. Chemical Waste Management, Inc. shall maintain records of storage inventories in the PCB Flushing/Storage Unit that are sufficient to determine compliance with the maximum

storage capacity limits in Table 1 and the provisions of Condition V.C.5. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

4. Chemical Waste Management, Inc. shall operate and maintain the PCB material tracking system described in TSCA Operation Plan, "Recordkeeping Procedures" to track the volumes and locations of all PCB Waste throughout the Kettleman Hills Facility. PCB Item storage shall be managed so that each PCB Item can be located by the date it was removed from service for disposal. [40 C.F.R. § 761.65(c)(8); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

5. All records required to be maintained either by 40 C.F.R. Part 761 or this Approval that are maintained as hard copies shall be legible, prepared in black or blue ink, typed, or printed. Any change or correction of the records shall be initialed and dated by a Chemical Waste Management, Inc. employee authorized to make such changes. If a record is only maintained electronically, Chemical Waste Management, Inc. shall produce and maintain hard copy printouts at the request of authorized representative of U.S. EPA. Electronic records shall undergo a daily backup to ensure record preservation. During any period of time in which the electronic recordkeeping system at the Kettleman Hills Facility is non-operational, Chemical Waste Management, Inc. shall implement its mitigation procedures for power and network outages in Operation Plan Chapter 12 "Waste Analysis Plan" Section 1.1.1. – Mitigation for Power & Network Outages. If Chemical Waste Management, Inc. cannot access the information on a PCB Waste load necessary to determine acceptability or appropriate treatment of that PCB Waste, it will not accept or process that PCB Waste until such information is available. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

6. Unless otherwise specified in this Approval, Chemical Waste Management, Inc. shall constantly maintain all PCB Waste records, annual logs, documents, PCB Waste burial coordinates, chemical waste landfill operations records, monitoring data and reports, sampling data and reports, inspection reports, and any records required by Condition IV.O.10 at the Kettleman Hills Facility while it is operational and shall make them available for inspection upon request to an authorized representative of U.S. EPA. When Chemical Waste Management, Inc. ceases operations at the Kettleman Hills Facility, it shall maintain all records, documents, monitoring data, sampling data and reports, and any records required by Condition IV.O.10 or certified copies thereof, for at least twenty (20) years after Landfill B-18 is no longer used for the disposal of PCBs and PCB Items. [40 C.F.R. § 761.180(b); 40 C.F.R. § 761.180(d); 40 C.F.R. § 761.180(f)]

7. Annual Waste Storage and Disposal Records and Reports

   a. Chemical Waste Management, Inc. shall comply with all applicable provisions of 40 C.F.R. § 761.180.

b. Chemical Waste Management, Inc. shall maintain the annual records required by 40 C.F.R. § 761.180(b).

c. By July 1, Chemical Waste Management, Inc. shall prepare the written annual document log required by 40 C.F.R. § 761.180(b).

d. By July 15 of each year, Chemical Waste Management, Inc. shall submit to the U.S. EPA the annual report required by 40 C.F.R. § 761.180(b)(3) for the previous calendar year.

8. Chemical Waste Management, Inc. shall retain all records, documentation, and information relating to the sampling, analysis, and data quality assurance required by this Approval including the following: [40 C.F.R. § 761.180(d); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

   a. Exact date, place, and time of each sample collected;

   b. Volume of each sample collected;

   c. Name of person collecting each sample;

   d. Name of laboratory and analyst;

   e. Date and time of analysis;

   f. The analytical techniques or methods used for each sample;

   g. The analytical results including chromatographs, calculations, and other raw data;

   h. Calibration records, maintenance records of sampling equipment, and analytical instrumentation; and

   i. Records of quality assurance activities.

9. At the completion of any PCB cleanup required by this Approval, 40 C.F.R. Part 761, or by order of any agency, Chemical Waste Management, Inc. shall develop and maintain records of the cleanup including at a minimum: [40 C.F.R. § 761.180(b)(1)(iii); 40 C.F.R. § 761.65(c)(5); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

   a. Identification of the source of the contamination;

   b. Date and time contamination was discovered;

   c. Date and time cleanup was completed;

   d. A brief description of the extent of contamination;

   e. Pre-cleanup and post-cleanup sampling data used to define boundaries of contamination and a brief description of the sampling methodology used to establish contaminated boundaries;

   f. Amount of waste cleanup material generated;

g. Steps taken to prevent reoccurrence of the incident;

h. Date of notification and report to U.S. EPA; and

i. A certification statement signed by Chemical Waste Management, Inc. personnel stating that the decontamination levels referenced in the appropriate Approval condition, regulatory provision, or agency order have been achieved and that the information contained in the record is true to the best of his/her knowledge.

10. Chemical Waste Management, Inc. shall collect and maintain the following information: [40 C.F.R. § 761.180(d)]

    a. All documents, correspondence, and data that have been provided to the Chemical Waste Management, Inc. by any State or local government agency and that pertain to the storage or disposal of PCBs and PCB Items at the Kettleman Hills Facility;

    b. All documents, correspondence, and data that have been provided by the Chemical Waste Management, Inc. to any State or local government agency and that pertain to the storage or disposal of PCBs and PCB Items at the Kettleman Hills Facility; and

    c. Any applications and related correspondence sent by Chemical Waste Management, Inc. to any local, State, or Federal authorities in regard to waste water discharge permits, solid waste permits, building permits, or other permits or authorizations.

11. Chemical Waste Management, Inc. shall submit in writing to the U.S. EPA Project Manager by the 25th day of each month a report of any PCB Waste received at the Kettleman Hills Facility during the previous month which resulted from spills, leaks, or other uncontrolled discharges of PCBs. The report shall include the name of the generator of the PCB Waste, name of the transporter, the quantity received and a description of the PCB Waste. In addition, the monthly report shall include a description of any occurrences that are not normal to the operation of the Facility as allowed by this Approval such as accidents, spills, leaks, uncontrolled discharges, earthquake damage, excessive rain episodes (i.e., rainfall in excess of the 24 hr, 25 yr. storm event), fires, explosions, etc., that occurred during the previous month. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

P. Notification of PCB Waste Activity and Manifest Requirements

1. Chemical Waste Management, Inc. shall comply with the following provisions of 40 C.F.R. Part 761, Subpart K. Any required notifications or reports to the Regional Administrator shall be sent to the PCB Inspector, Enforcement Division (ENF-4), U.S. EPA Region 9, 75 Hawthorne Street, San Francisco, CA 94015. Electronic manifests that are obtained, completed, and transmitted in accordance with 40 C.F.R. § 262.20(a)(3), and used in accordance with 40 C.F.R. § 262.24 in lieu of EPA Forms 8700-22 and 8700-22A are the legal equivalent of paper manifest forms bearing handwritten signatures under

Part 761, Subpart K provided they also contain the PCB-specific information required by Subpart K.:

a. § 761.205(f) – Notification of PCB waste activity (change in activity) (submission shall be to the address on EPA Form 7710-53 or ORCRPCBs@epa.gov);

b. § 761.207 – The manifests – general requirements;

c. § 761.208 – Obtaining manifests;

d. § 761.209 – Number of copies of a manifest;

e. § 761.210 – Use of the manifest – Generator requirements;

f. § 761.213 – Use of manifest – Commercial storage and disposal facility requirements;

g. § 761.214 – Retention of manifest records;

h. § 761.215 – Manifest discrepancies;

i. § 765.216 – Unmanifested waste report;

j. § 761.217 – Exception reporting;

k. § 761.218 – Certificate of disposal; and

l. § 761.219 – One-year exception reporting.

V. CONDITIONS FOR STORAGE AND TREATMENT OF PCB

A. Unit Description

The PCB Flushing/Storage Unit (PCB F/SU) consists of an enclosed building and an outside containment area. Figure 2 shows the location of the PCB F/SU on the Kettleman Hills Facility. Figure 3 is a diagram of the PCB F/SU. The section of the building labeled "Existing Storage Garage" on Figure 3 is not part of the PCB F/SU and no PCB Waste may be stored within it.

The enclosed building has a roof and walls adequate to prevent rain water from reaching any stored PCBs or PCB Items. It has a continuous 1.5 foot-high concrete curb inside and adjacent to the walls of the building. The building's reinforced concrete floor has a vinyl epoxy resin surface and has no drain valves, floor drains, expansion joints, sewer lines, or other openings that would permit liquids to flow from the curbed area. A vehicle access door is at the southeast corner of the building. One 10,082 gallon above ground storage tank ("PCB Storage Tank") is located within the building for the storage of PCB liquids and flushing solution.

The outside containment area has a reinforced concrete floor with a continuous 1.5 foot-high curb and has no drain valves, floor drains, expansion joints, sewer lines, or other openings that would permit liquids to flow from the curbed area. The floor, curb, and sump are coated with vinyl epoxy resin. The outside containment area does not have a roof or walls.

The PCB F/S Unit is used for the temporary storage of PCB Waste in containers and a tank, repackaging, bulking, and solidification of PCB Waste, and for the draining and flushing of PCB-contaminated and PCB electrical equipment.

B. Operational and Regulatory Requirements for PCB Waste Storage

1. Chemical Waste Management, Inc. shall at all times comply with the PCB storage requirements in 40 C.F.R. § 761.65.

2. Chemical Waste Management, Inc. shall store PCB Waste in accordance with the procedures specified in the Operation Plan, Chapter 14 "Specific Information for Containers", Sections 14.1 – GENERAL and 14.3 – PCB Flushing/Storage Unit [Note: Storage or processing of PCB Waste at the Final Stabilization Unit is not authorized by this Approval]; Operation Plan, Chapter 15 "Specific Information for Tank Systems", Section 15.2 – Existing PCB Flushing/Storage Unit; and the TSCA Operation Plan. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

3. Chemical Waste Management, Inc shall implement the Kettleman Hills Facility's Spill Prevention Control and Countermeasure Plan (October 2016) for the PCB Flushing/Storage Unit. [40 C.F.R. § 761.65(c)(7)(ii) 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

C. **Approved PCB Storage Units and Maximum Storage Capacities**

1. Chemical Waste Management, Inc. is authorized, subject to the terms and conditions of this Approval and 40 C.F.R. Part 761, to store PCB Waste, as defined in 40 C.F.R. § 761.3, in the areas at the PCB Flushing/Storage Unit at the maximum capacities shown in Table 1. [40 C.F.R. § 761.65(d)(4)(iii); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

Table 1 – Maximum Storage Capacities at the PCB Flushing/Storage Unit

Area	Maximum Unit Storage Capacity (gallons)	
PCB F/SU – Enclosed Building – on floor or racks	16,500 (equivalent of 300 55-gallon drums[1])	24,000
PCB F/SU – Enclosed Building – PCB Storage Tank	7,500	
PCB F/SU – Outside Containment Area	15,015 (equivalent of 273 55-gallon drums[1] and one 5,000-gallon nonstationary container)	20,015[2]

[1] When doubled stacked on pallets.

[2] Storage limited to the PCB Waste listed in Condition V.C.4 and to 30 days from removal from service.

2. For the purposes of this Approval, "gallon" refers to a volumetric measure that could be related to either a solid or liquid. Thus, a 55-gallon drum could hold either 55 gallons of a liquid or 55 gallons of a solid such as soil. The volume of PCB liquids contained in and listed on any piece of equipment (e.g., transformers) shall be counted toward the maximum allowable storage capacity for the PCB Flushing/Storage Unit listed in Table 1. A partially full drum shall be counted as full for purposes of determining maximum allowable storage capacity. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

3. Chemical Waste Management, Inc. shall not decrease the available containment capacity of either the enclosed building or the outside containment area of the PCB Flushing/Storage Unit (including by the additional storage of any non-PCB materials or equipment) without prior written approval by U.S. EPA. The available containment capacity of the enclosed building is at least 16,845 gallons as calculated in the Renewal Application, Attachment 6 and the remaining secondary capacity of the outside containment area is at least 20,127 gallons as calculated in the Renewal Application, Attachment 7. [40 C.F.R. § 761.65(b)(1)(ii); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

4. Chemical Waste Management, Inc. may store for up to 30 days from the date of their removal from service only the following PCB Items in the outside containment area at the PCB Storage/Flushing Unit. Each stored PCB Item shall be labeled with the date the Item was removed from service. [40 C.F.R. § 761.65(c)(1); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

   a. Non-leaking PCB Articles and PCB Equipment;

b. Leaking PCB Articles and PCB Equipment if the PCB Items are placed in a non-leaking PCB Container that contains sufficient sorbent materials to absorb any liquid PCBs remaining in the PCB Items;

c. PCB Containers containing nonliquid PCBs such as contaminated soil, rags, and debris; and

d. PCB Containers containing liquid PCB at concentrations of ≥ 50 ppm, provided the liquid PCB Waste is in packaging authorized in the 49 C.F.R. parts 171 through 180 and Chemical Waste Management, Inc. maintains a current Spill Prevention, Control and Countermeasure (SPCC) Plan pursuant to 40 C.F.R. part 112 that includes the outside containment area.

5. Chemical Waste Management, Inc. may store non-leaking and structurally-undamaged PCB Large High Voltage Capacitors and PCB-Contaminated Electrical Equipment that have not been drained of free-flowing dielectric fluid on pallets next to the enclosed building at the PCB Flushing/Storage Unit. Storage under this Condition is permitted only when the enclosed building at the PCB Flushing/Storage Unit has immediately available unfilled storage space equal to 10 percent of the volume of Capacitors and equipment stored outside under this Condition and the Capacitors and equipment temporarily stored outside the PCB Flushing/Storage Unit are checked weekly for leaks. Chemical Waste Management, Inc. shall keep records sufficient to demonstrate compliance with the storage space and weekly inspection requirements. [40 C.F.R. § 761.65(c)(2); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

D. **PCB Waste Storage in Containers**

1. Chemical Waste Management, Inc. shall comply with the requirements of 40 C.F.R. § 761.65(c)(6).

2. Chemical Waste Management, Inc. shall maintain a 30 inch or greater aisle space between all items stored at the PCB Flushing/Storage Unit to allow for unobstructed access by personnel, equipment used to move containers, fire protection equipment, and decontamination equipment. For the purposes of this Condition, regardless of how many drums are on it, a pallet constitutes a single stored item. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

3. Chemical Waste Management, Inc. shall not store drums in the PCB Flushing/Storage Unit, including on any pallet, more than two high. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

4. Chemical Waste Management, Inc. shall store all PCB Containers, PCB-Article Containers, and other PCB Items on pallets while they are stored at the PCB Flushing/Storage Unit. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

5. All containers holding PCB Waste shall be kept closed during storage, except when it is necessary to add or remove waste. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

E. Processing of PCB Waste

1. Chemical Waste Management, Inc. is authorized to drain and flush PCB-containing transformers and other PCB Items at the PCB Flushing/Storage Unit. It shall conduct all PCB draining and flushing operations in the curbed and sealed containment areas at the PCB Flushing/Storage Unit and in accordance with Operation Plan, Chapter 14 "Specific Information for Containers", Section 14.3 – PCB Flushing/Storage Unit and Renewal Application, Section 10.1.1. – PCB Flushing/Storage Unit. [40 C.F.R. § 761.20(c)(2); 40 C.F.R. § 761.65(d)(4)(iv), 40 C.F.R. § 761.75(c)(3)(ii)]

2. Chemical Waste Management, Inc. is authorized to repack and bulk PCB Waste at the PCB Flushing/Storage Unit. It shall conduct all repacking and bulking operations in the curbed and sealed containment areas at the PCB Flushing/Storage Unit and in accordance with Operation Plan, Chapter 14 "Specific Information for Containers", Section 14.1.1. – Repacking and Bulking Operations and Operation Plan, Chapter 12 "Waste Analysis Plan," Section 6.2 – Waste Repacking/Bulking Operations. [40 C.F.R. § 761.20(c)(2); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

3. Chemical Waste Management, Inc, may perform bin-top or drum-top solidification of PCB liquids at the PCB Flushing/Storage Unit. It may solidify only liquids from incidental sources, such as precipitation, condensation, leachate or load separation that are associated with PCB Articles or nonliquid PCB Wastes provided that the liquid does not exceed 500 ppm PCB and is not an ignitable waste as described in 40 C.F.R. § 761.75(b)(8)(iii). The Paint Filter Test specified in Operation Plan, Chapter 12 "Waste Analysis Plan," Table 3-2 shall be used to demonstrate the absence of free-flowing liquids prior to disposal in Landfill B-18. It shall conduct all solidification operations in the curbed and sealed containment areas at the PCB Flushing/Storage Unit. [40 C.F.R. § 761.60(a)(3); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

4. Chemical Waste Management, Inc. shall minimize accidental spills of PCB containing liquids from the draining, flushing, repacking, bulking, and solidification operations. Any spills shall be addressed in accordance with Subsection IV.G. of this Approval. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

5. Prior to disposing any PCB Item listed below in Landfill B-18, Chemical Waste Management, Inc. shall remove all free-flowing liquids from the PCB Item, fill the PCB Item with No. 2 diesel fuel or another solvent in which PCBs are at least 5 percent or more by weight soluble, and allow the PCB Item to stand for a minimum of 18 continuous hours. At the end of the 18-hour period, Chemical Waste Management, Inc. shall thoroughly remove the solvent from the PCB Item. Chemical Waste Management, Inc. shall make all

practicable efforts, including extending the drainage time and/or using absorbents, to ensure that all solvent is removed. Any absorbents used shall be disposed of as PCB Waste. [40 C.F.R. § 761.79(d)(1)]. The following PCB Items are subject to this Condition:

a. *Transformers* that previously contained liquids with a concentration of PCBs equal to or greater than 500 ppm; and [40 C.F.R. § 761.60(b)(1)(i)(B)]

b. *Hydraulic Machines* that previously contained liquids with a concentration of PCBs equal to or greater than 1000 ppm. [40 C.F.R. § 761.60(b)(3)(ii)]

6. Chemical Waste Management, Inc. shall dispose of drained PCB Items in Landfill B-18 or send them off-site for disposal in accordance with 40 C.F.R. § 761 subpart D. [40 C.F.R. § 761.65(a)]

7. Chemical Waste Management, Inc. shall store all PCB flushing liquids at the PCB Flushing/Storage Unit until transported off-site for incineration or disposal in accordance with 40 C.F.R. § 761 subpart D. It shall dispose of all PCB-containing liquids drained from PCB Items within 1 year of the out of service date of the PCB Item. [40 C.F.R. § 761.65(a)(1)]

8. Chemical Waste Management, Inc. shall maintain a log at the Kettleman Hills Facility of all PCB Items that are drained of PCB-containing liquids. The log shall, at a minimum, identify the type of PCB Item drained (e.g., transformer), the PCB Item number, the out of service date of the PCB Item, the storage tank(s) that received the PCB liquids, the date of when the PCB liquids in each tank are shipped off-site for disposal and, for each shipping date, the volume of PCB liquids shipped off-site for disposal. [40 C.F.R. § 761.65(a)(1); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

9. Chemical Waste Management, Inc. shall not remove any item of movable equipment from the PCB Flushing/Storage Unit that is used for handling PCBs and PCB Items or that comes in direct contact with PCBs unless it has been first decontaminated as specified in 40 C.F.R. § 761.79. [40 C.F.R. § 761.65(c)(4)]

F. PCB Storage in Tanks

1. Chemical Waste Management, Inc. shall not place PCB Waste with a concentration ≥ 50 ppm PCB in any storage tank at the Kettleman Hill Facility except the PCB Storage Tank at the PCB Flushing/Storage Unit. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

2. Chemical Waste Management, Inc. shall not place any PCB Waste in the PCB Storage Tank at the PCB Flushing/Storage Unit if it could cause the tank, ancillary equipment, or a containment system to rupture, leak, corrode or otherwise fail. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

3. Chemical Waste Management, Inc. shall not place any substances in the PCB Storage Tank at the PCB Flushing/Storage Unit that may be incompatible with PCBs. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

4. Chemical Waste Management, Inc. shall not spill or cause an overflow of PCB-containing liquid from any tank or containment system. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

5. Chemical Waste Management, Inc. shall operate the PCB Storage Tank in accordance with Occupational Safety and Health Standards at 29 C.F.R. § 1910.106. [40 C.F.R. § 761.65(c)(7)(i)]

6. Chemical Waste Management, Inc. shall conduct all transfers between the PCB Storage Tank and transfer vehicles completely within the curbed and sealed containment areas at the PCB Flushing/Storage Unit consistent with Operation Plan, Chapter 15 "Specific Information for Tank Systems", Section 15.2–Existing PCB Flushing/Storage Unit. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

7. Chemical Waste Management, Inc. shall maintain and replace as recommended by the manufacturer the carbon canister filter on the PCB Storage Tank's roof vent. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

8. Chemical Waste Management, Inc. shall mark the PCB Storage Tank in the PCB Flushing/Storage Unit with the M_L label. [40 C.F.R. § 761.40(a)]

G. Sampling of PCB Flushing/Storage Unit

1. Chemical Waste Management, Inc. shall conduct random wipe sampling of the PCB Flushing/Storage Unit quarterly during the second week of the first month of each quarter (January, April, July, and October) in accordance with the wipe sampling plan in Renewal Application, Section 5.7 "Quarterly Wipe Sampling Plan.". Wipe samples shall be analyzed as required by 40 C.F.R. § 761.253. Once per year, Chemical Waste Management, Inc. shall employ a third-party contractor to conduct the sampling. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

2. Chemical Waste Management shall submit to U.S. EPA a written report containing the quarterly wipe sampling results on an annual basis. The report shall contain the information listed in Renewal Application Section 5.7.5. "[Quarterly Wipe Sampling Plan] Records & Reports" and be submitted by July 15 of each year. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

3. If the PCB concentration in any of the wipe samples exceeds 10 micrograms of PCBs per 100 square centimeters (10 µg/100 cm^2), Chemical Waste Management, Inc. shall verbally notify U.S. EPA Project Manager within five (5) days of receiving the analytical report or otherwise becoming aware of the exceedance. Chemical Waste Management, Inc. shall fully delineate the extent of PCB contamination and promptly begin a cleanup

process in accordance 40 C.F.R. § 761.79 or 40 C.F.R. Part 761 Subpart G. A written report documenting the cleanup and post clean-up shall be submitted to U.S. EPA within 30 days of Chemical Waste Management, Inc. receiving the sampling results. [40 C.F.R. § 761.30(p); 40 C.F.R. § 761.30(u); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

H. Inspection and Maintenance Requirements for PCB Flushing/Storage Unit

1. Chemical Waste Management, Inc. shall inspect the PCB Flushing/Storage Unit, the PCB Storage Tank, and all containers and other PCB Items in the Unit in accordance with Operation Plan, Chapter 31 "Inspection Program Plan". [40 C.F.R. § 761.65(c)(5); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

2. Chemical Waste Management, Inc. shall evaluate and address all deficiencies identified during the inspections of the PCB Flushing/Storage Unit, the PCB Storage Tank, and all containers and other PCB Items in the Unit in accordance with Operation Plan, Chapter 31 "Inspection Program Plan". [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

3. Chemical Waste Management, Inc. shall document all inspections of the PCB Flushing/Storage Unit, the PCB Storage Tank, and all containers and other PCB Items in the Unit using the procedures specified in the Operation Plan, Chapter 31 "Inspection Program Plan". Chemical Waste Management, Inc. shall also document actions taken to address any deficiencies identified during the inspections. [40 C.F.R. § 761.180(b)(1)(iii); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

4. Chemical Waste Management, Inc. shall maintain the enclosed building's roof and walls so as to prevent rain water from reaching any stored PCBs or PCB Items. It shall maintain the concrete curbs and floors in the enclosed building and outside containment area so as to prevent any cracks, gaps or other openings that would allow liquids to flow from the curbed areas. It shall maintain the vinyl epoxy resin coating on the floors of the PCB Flushing/Storage Unit so as to ensure a continuous, smooth, non-porous surface. [40 C.F.R. § 761.65(b)(1)(i), (iii), and (iv); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

5. Chemical Waste Management, Inc. shall inspect for, remove, and dispose of any liquids in the non-discharging sumps at the PCB Flushing/Storage Unit according to the procedures in Operation Plan, Chapter 14 "Specific Information for Containers", Section 14.3(c) – Removal and Analysis of Collected Liquids. Chemical Waste Management, Inc. shall remove any liquids in a sump within 24-hours of discovery. Unless analyzed for PCBs, any liquid collected shall be considered a PCB liquid at concentrations ≥ 50 ppm PCBs and disposed of in accordance with 40 C.F.R. § 761.60(a). [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii); 40 C.F.R. § 761.61(a)(5)(iv)]

I. Closure of PCB Flushing/Storage Unit

1. Chemical Waste Management, Inc. shall maintain a written closure plan for the PCB Flushing/Storage Unit that complies with 40 C.F.R. § 761.65(e) and identifies the steps necessary to close the Unit in a manner that eliminates the potential for post-closure release of PCBs that may present an unreasonable risk of injury to health and the environment. [40 C.F.R. § 761.65(e)(1)]

2. Chemical Waste Management, Inc. shall notify U.S. EPA in writing at least 60 days prior to the date it expects to begin closure of the PCB Flushing/Storage Unit or any section of it. The date Chemical Waste Management, Inc. expects to begin closure shall be no later than 30 days after the date on which the PCB Flushing/Storage Unit receives its final quantities of PCB Waste for storage. [40 C.F.R. § 761.65(e)(6)(i)]

3. Chemical Waste Management, Inc. shall submit to U.S. EPA at least 90 days prior to beginning of closure activities a revised Closure Plan for the PCB Flushing/Storage Unit as a modification pursuant to Section IX reflecting current operating conditions at the Kettleman Hills Facility as of the date it expects to begin closure of the PCB Flushing/Storage Unit or any section of it. The revised Closure Plan shall be approved in writing by U.S. EPA prior to implementation. [40 C.F.R. § 761.65(e); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

4. Chemical Waste Management, Inc. may petition U.S. EPA to waive the submittal of a revised Closure Plan under Condition V.I.3. The petition shall be submitted at least 180 days prior to the beginning of closure activities and demonstrate that there have been no significant changes to the operating conditions at the Kettleman Hills Facility that would warrant revisions to the Closure Plan. The requirement to submit a revised Closure Plan will be waived only on a written notification of U.S. EPA to Chemical Waste Management, Inc. granting the petition. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

5. Chemical Waste Management, Inc. shall conduct final closure activities for the PCB Flushing/Storage Unit in accordance with the Closure Plan and shall submit within 60 days of completion of closure a certification, signed by Chemical Waste Management, Inc. and by an independent registered professional engineer, that the PCB storage facility has been closed in accordance with the approved Closure Plan. [40 C.F.R. § 761.65(e)(6)(iii) and (iv) and (8)]

6. Notwithstanding the requirements set forth in Conditions V.I.3 and V.I.4, Chemical Waste Management, Inc. shall submit an application to U.S. EPA to modify and update the Closure Plan for the PCB Flushing/Storage Unit pursuant to Section IX within 30 days of any of the following occurring: [40 C.F.R. § 761.65(e)(4); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

a. Changes in ownership, operating plans, or the design of PCB Flushing/Storage Unit affect the Closure Plan;

b. Change to the expected date of closure, if applicable;

c. In conducting closure activities, unexpected events requiring a modification of the Closure Plan; or

d. Changes to statutes or regulations that require updating of the Closure Plan.

VI. CONDITIONS FOR CHEMICAL WASTE LANDFILLS

A. Unit Description

Landfill B-18 is the only chemical waste landfill at the Kettleman Hills Facility where the active disposal of PCB Waste is allowed under this Approval. Figure 2 shows the location of Landfill B-18.

Landfill B-18 is 67 acres in area, has a maximum total capacity of 15,600,000 cubic yards inclusive of all disposed waste and cover, and a maximum elevation of 1018 feet above mean sea level. It is permitted by DTSC to dispose of most types of solid RCRA and non-RCRA hazardous wastes. Disposed waste may be in the form of noncontainerized bulk wastes, containerized wastes, and debris.

Landfill B-18 is constructed with primary and secondary liner systems; primary; secondary, and vadose zone leachate detection, collection and removal systems; run-on and runoff precipitation collection and holding facilities; and a groundwater monitoring system. It was constructed in three phases. Phase I was constructed in 1990-1992 with waste disposal beginning in 1991. Phase II was constructed in 1992-1993 with waste disposal beginning in 1993. Phase III was constructed in 2014-2015 with waste disposal beginning in 2015.

Landfill B-18, as constructed and operated, meets the requirements of 40 C.F.R. § 761.75(b) for chemical waste landfills with the exception of four requirements for which U.S. EPA has granted waivers under 40 C.F.R. § 761.75(c)(3). Specific information on these waivers is found in section III.C.2. of the Statement of Basis for this Approval (August 27, 2019).

B. Approved Landfill and Maximum Disposal Capacities

1. Chemical Waste Management, Inc. may dispose of the following nonliquid PCB Waste in Landfill B-18 subject to the terms and conditions of this Approval: [40 C.F.R. § 761.75(a)]

   a. **Drained Mineral Oil PCB Transformers** [as defined in 40 C.F.R. § 761.3 and as required in 40 C.F.R. § 761.60(b)(1)(i)(B)]. Disposal is limited to Mineral Oil PCB Transformers that are drained of all free-flowing liquids, filled with a solvent in which PCBs are readily soluble, allowed to stand for at least 18 continuous hours, and thoroughly drained of the solvent.

b. **Drained PCB Transformers** [as defined in 40 C.F.R. § 761.3 and as required in 40 C.F.R. § 761.60(b)(1)(i)(B)]. Disposal is limited to PCB Transformers that are drained of all free-flowing liquids, filled with a solvent in which PCBs are readily soluble, allowed to stand for at least 18 continuous hours, and thoroughly drained of the solvent.

c. **PCB-Free Capacitors** [as discussed in 40 C.F.R. § 761.60(b)(2)(i)]. Disposal is limited to capacitors that are known from the label or nameplate information, manufacturer's literature (including documented communications with the manufacturer), or chemical analysis to not contain PCBs.

d. **PCB Small Capacitors not owned by the manufacturer** [as defined in 40 C.F.R. § 761.3 and as required in 40 C.F.R. § 761.60(b)(2)(iv)]. Disposal is limited to PCB small capacitors owned by a person who did not manufacture or at any time manufacture PCB capacitors or PCB equipment.

e. **Drained PCB Hydraulic Machines** [as defined as a PCB Article by 40 C.F.R. § 761.3 and as required in 40 C.F.R. § 761.60(b)(3)(ii)]. Disposal is limited to:

   (1) PCB hydraulic machines that are thoroughly drained of all free-flowing liquids if the liquid contained PCBs ≥ 50 ppm and < 1000 ppm and

   (2) PCB hydraulic machines that are flushed with a solvent in which PCBs are readily soluble and which contains less than 50 ppm PCBs, and thoroughly drained if the liquid contained PCBs at concentrations of ≥ 1000 ppm.

f. **PCB-Contaminated Electrical Equipment** [as defined in 40 C.F.R. § 761.3 and as required in 40 C.F.R. § 761.60(b)(4)]. Disposal is limited to PCB-contaminated electrical equipment (except capacitors) that contained PCBs at concentrations ≥ 50 ppm and < 500 ppm and are thoroughly drained of all free-flowing liquids.

g. **PCB Contaminated Large Capacitors** [as defined in 40 C.F.R. § 761.3 and as required in 40 C.F.R. § 761.60(b)(4)]. Disposal is limited to large capacitors containing ≥ 50 ppm and < 500 ppm PCBs.

h. **Natural gas pipeline systems** [as defined in 40 C.F.R. § 761.3 and as required in 40 C.F.R. § 761.60(b)(5)]. Disposal is limited to pipeline components that are thoroughly drained of any free-flowing liquid.

i. **Nonliquid PCBs** [as defined in 40 C.F.R. § 761.3]. Disposal is limited to Nonliquid PCBs. The paint filter test specified in Operation Plan, Chapter 12 "Waste Analysis Plan," Table 3-2 shall be used to demonstrate the absence of free-flowing liquids. [40 C.F.R. § 761.75(c)(3)(ii)]

j. **PCB Articles** [as defined in 40 C.F.R. § 761.3 and as required in 40 C.F.R. § 761.60]. Disposal is limited to the PCB Articles containing PCBs at concentrations of ≥ 50 ppm that are thoroughly drained of all free-flowing liquids.

k. **PCB Containers** [as defined in 40 C.F.R. § 761.3 and as required in 40 C.F.R. § 761.60(c)(1)]. Disposal is limited to

(1) PCB containers which have been exposed to PCB liquids at a concentration of ≥ 500 ppm and have not been decontaminated that are fully drained of any liquids.

(2) PCB containers which have been exposed to PCB liquids at a concentration of < 500 ppm, that are either (1) drained of any liquids or (2) disposed of in a landfill if each container is surrounded by an amount of inert sorbent material capable of absorbing all of the liquid contents of the container as allowed in 40 C.F.R. § 761.75(b)(8)(ii) and providing that the total amount of liquid per 55 gallon drum is equal to or less than 15 gallons.

l. **PCB Article Containers** [as defined in 40 C.F.R. § 761.3].

m. **PCB Bulk Product Waste** [as defined in 40 C.F.R. § 761.3].

n. **PCB Equipment** [as defined in 40 C.F.R. § 761.3].

o. **PCB Household Waste** [as defined in 40 C.F.R. § 761.3].

p. **PCB Remediation Waste** [as defined in 40 C.F.R. § 761.3]. Disposal is limited to nonliquid materials that pass the Paint Filter Test specified in Operation Plan, Chapter 12 "Waste Analysis Plan," Table 3-2.

q. **PCB Sewage Sludge** [as defined in 40 C.F.R. § 761.3]. Disposal is limited to PCB sewage sludge containing PCBs at concentrations of ≥ 50 ppm dewatered to pass the Paint Filter Test specified in Operation Plan, Chapter 12 "Waste Analysis Plan," Table 3-2.

r. **Solidified Liquids Associated with PCB Articles or Nonliquid PCB Waste** [40 C.F.R. § 761.60(a)(3)]. Disposal is limited to liquids from incidental sources, such as precipitation, condensation, leachate or load separation, and are associated with PCB Articles or nonliquid PCB Waste provide that the liquids are below 500 ppm PCB, are not an ignitable waste as prohibited from disposal in Landfill B-18 by Condition VI.C.1. and are treated to pass the Paint Filter Test specified in Operation Plan, Chapter 12 "Waste Analysis Plan," Table 3-2.

2. The maximum disposal capacity of Landfill B-18 shall not exceed 15,600,000 cubic yards inclusive of waste and daily cover and shall not exceed a total elevation of 1018 feet above mean sea level. [40 C.F.R. § 761.75(c)(3)(ii)]

3. Before March 31 of every year, Chemical Waste Management, Inc. shall conduct a survey to determine remaining capacity in Landfill B-18. Chemical Waste Management, Inc. shall submit the survey report to U.S. EPA Project Manager no more than 30 days after the survey is completed. [40 C.F.R. § 761.75(c)(3)(ii)]

C. Disposal Prohibitions

Chemical Waste Management, Inc. is prohibited from disposing the following types of wastes in Landfill B-18:

1. Ignitable wastes as defined and required in 40 C.F.R. § 761.75(b)(8)(iii) except for small containers of ignitable wastes packed in overpacked drums (lab packs) meeting the requirements of 40 C.F.R. § 264.316 and 22 CCR § 66264.316. Compliance with this Condition shall constitute compliance with the requirement in 40 C.F.R. § 761.75(b)(8)(iii). [40 C.F.R. § 761.75(b)(8)(iii); 40 C.F.R. § 761.75(c)(4)]
2. Liquid wastes, as defined by the Paint Filter Test. The Paint Filter Test specified in Operation Plan, Chapter 12 "Waste Analysis Plan," Table 3-2 shall be used. [40 C.F.R. § 761.75(b)(8)(ii)]
3. Large Capacitors that contain liquids with 500 ppm or greater of PCBs. [40 C.F.R. § 761.60(b)(2)(iii)]
4. PCB small capacitors owned by the manufacturer. [40 C.F.R. § 761.60(b)(2)(iv)]
5. Mixed RCRA and TSCA PCB regulated wastes that do not meet the land disposal restrictions in 40 C.F.R. § 268. [40 C.F.R. § 761.50(a)(6)]

D. Landfill Operations and Management of Wastes

1. Chemical Waste Management, Inc. shall at all times comply with the landfill and disposal restrictions and operational requirements set forth at 40 C.F.R. §§ 761.50, 761.60, 761.75, and 761.180(b). The requirements of 40 C.F.R. § 761.65 shall be complied with should any PCB Waste be stored prior to disposal.
2. Chemical Waste Management, Inc. shall operate Landfill B-18 in accordance with the procedures specified in Operation Plan, Chapter 19 "Specific Information for Landfills" and TSCA Operation Plan. [40 C.F.R. § 761.75(b)(8)(ii); 40 C.F.R. § 761.75(c)(3)(ii)]
3. Chemical Waste Management, Inc. shall place PCBs and PCB Items in Landfill B-18 in a manner that will prevent damage to containers and articles. [40 C.F.R. § 761.75(b)(8)(i)]
4. Chemical Waste Management, Inc. shall segregate wastes that are not chemically compatible with PCBs and PCB Items from PCBs throughout the waste handling and disposal process. It may dispose of non-compatible wastes in areas authorized for PCB disposal but shall separated that waste from PCB Waste by at least two (2) feet of mutually compatible wastes or clean soil. [40 C.F.R. § 761.75(b)(8)(i); 40 C.F.R. § 761.75(c)(3)(ii)]
5. Chemical Waste Management, Inc. shall maintain records of waste locations within Landfill B-18 using a grid coordinate system as specified in Operation Plan, Chapter 19 "Specific Information for Landfills" and TSCA Operation Plan. [40 C.F.R. § 761.75(b)(8)(ii)]

6. Chemical Waste Management, Inc. shall ensure that all containers are (1) at least 90 percent full when placed in a landfill or (2) are crushed, shredded, or similarly reduced in volume to the maximum practical extent prior to burial as specified in Operation Plan, Chapter 19 "Specific Information for Landfills". This Condition does not apply to containers that are very small, such as ampules or to containers designed to hold free liquids for use other than storage, such as a battery or capacitor. [40 C.F.R. § 761.75(c)(3)(ii)]

7. Chemical Waste Management, Inc. shall cover the open face area of the Landfill B-18 with a minimum of one inch of clean soil, or other alternative daily cover material, or soils permitted for use as daily cover, before the end of each working day as described in Operation Plan, Chapter 19 "Specific Information for Landfills", Section 19.2(a)(3) – Control of Wind Dispersal of Particulate Matter. Chemical Waste Management, Inc. shall use either native clean soil or non-hazardous contaminated soil for daily cover. Non-hazardous contaminated soils shall have a measured VOC concentration of < 50 ppm to qualify as daily cover material. [40 C.F.R. § 761.75(b)(9)(iii); 40 C.F.R. § 761.75(c)(3)(ii)]

8. Chemical Waste Management, Inc. shall control wind dispersal of particulate matter during waste disposal activities in Landfill B-18 by implementing the methods and controls in Operation Plan, Chapter 19, Section 19.2(a)(3) – Control of Wind Dispersal of Particulate Matter. [40 C.F.R. § 761.75(b)(9)(iii)]

E. Leachate Collection and Removal System

1. Chemical Waste Management, Inc. shall comply with the leachate collection and monitoring requirements specified in 40 C.F.R. § 761.75(b)(7) except for the provision for the monitoring of the physicochemical characteristics of leachate which has been waived under § 761.75(c)(4). See Condition VI.E.5.a.

2. Chemical Waste Management, shall manage all liquids removed from any part (primary, secondary, and vadose zone) of the Leachate Collection and Removal System ("LCRS") as hazardous waste as defined by 40 CFR part 261 which contain PCBs. [40 C.F.R. § 761.75(b)(7); 40 C.F.R. § 761.75(c)(3)(ii)]

3. Chemical Waste Management, Inc. shall maintain, operate and monitor its LCRS for Landfill B-18 in the following manner:

   a. Chemical Waste Management, Inc. shall operate the LCRS in accordance with the TSCA Operation Plan, Section "Leachate Collection System". [40 C.F.R. § 761.75(b)(7); 40 C.F.R. § 761.75(c)(3)(ii)]

   b. Chemical Waste Management, Inc. shall operate the LCRS to prevent exceedance of the Action Leakage Rates ("ALR") listed in the "Response Action Plan, Landfill B-18, Kettleman Hills Facility" (June, 1992) as amended by "Kettleman Hills Landfill

B-18, Phase IIA & IIB Response Action Plan Update" (January, 1994) or a fluid head on a liner of greater than one foot. [40 C.F.R. § 761.75(c)(3)(ii)]

c. Chemical Waste Management, Inc. shall operate the vadose zone leachate collection and removal system to prevent exceedances of the trigger levels in the "Vadose Zone Response Plan, Landfill B-18, Kettleman Hills Facility" (June, 1992). [40 C.F.R. § 761.75(c)(3)(ii)]

d. Chemical Waste Management, Inc. shall monitor and record at least weekly, the depth of liquid in each leachate collection sump. [40 C.F.R. § 761.75(c)(3)(ii)]

e. Chemical Waste Management, Inc. shall record at least weekly the amount of liquids pumped from each leachate collection sump. [40 C.F.R. § 761.75(c)(3)(ii)]

f. To determine the leakage rate for each sump for comparison to the Action Leakage Rate, Chemical Waste Management shall convert the weekly flow rate from the monitoring data obtained under Condition VI.E.3.e. to an average daily flow rate (gallons per acre per day) for each sump using the calculation methods in the Daily Inspection Form ("Landfill B-18 Leachate Pumping Events") in Operation Plan, Chapter 31 "Inspection Program Plan". The number of days used in the calculation shall be the number of days between pumping events. [40 C.F.R. § 761.75(c)(3)(ii)]

4. Chemical Waste Management, Inc. shall implement the "Response Action Plan, Landfill B-18, Kettleman Hills Facility" (June, 1992) if the calculated leakage rate for any sump equals or exceeds the applicable ALR in Condition VI.E.3.b. or the trigger levels in Condition VI.E.3.c. Any notifications or submittals required by the Response Action Plan shall be to the U.S. EPA Project Manager. Testing of leachate required under the Response Action Plan shall test for PCBs using Test Method 8082A and the Detection Monitoring Parameters listed in Table 2 of in MRP R5-2014-0003 using Test Method 8260B. [40 C.F.R. § 761.75(c)(3)(ii)]

5. Leachate Sampling and Analysis

   a. Chemical Waste Management, Inc. shall annually take samples of leachate from any Landfill B-18 sump that contain leachate and analyze the samples for pH, specific conductance, PCBs using Test Method 8082A, and the Detection Monitoring Parameters in Table 2 of MRP R5-2014-0003 using Test Method 8260B. Chemical Waste Management, Inc. may substitute testing of constituent of concern in Table 1 of MRP R5-2014-0003 using the test methods in the table for PCBs and Detection Monitoring Parameters. Sampling shall be conducted from the sampling ports at the risers. Compliance with this Condition shall constitute compliance with the requirement for monthly monitoring of physicochemical characteristics of leachate in 40 C.F.R. § 761.75(b)(7). [40 C.F.R. § 761.75(c)(4)]

b. Chemical Waste Management, Inc. shall notify the U.S. EPA Project Manager in writing if PCBs are detected in any leachate sample within 24 hours of receiving the analytical report or otherwise becoming aware of a detection of PCBs in a leachate sample. The report shall contain information on the source of the leachate and PCB levels detected. [40 C.F.R. § 761.75(c)(3)(ii)]

c. Chemical Waste Management, Inc. shall submit to the U.S. EPA Project Manager by March 1 of each year a report that includes (1) the results of the annual leachate sampling and analysis required by Conditions VI.E.5.a. and VII.B.3.b. and (2) the results of the annual LCRS integrity testing required by MRP R5-2014-0003 Provision D.3.A. Chemical Waste Management, Inc. may submit the Annual Leachate Collection and Removal System Report required by MRP R5-2014-0003 to meet this requirement. [40 C.F.R. § 761.75(c)(3)(ii)]

6. Storage and Disposal of Leachate

a. Chemical Waste Management, Inc. shall store leachate removed from Landfill B-18 in compliance with the storage requirements of 40 C.F.R. § 761.65 and the TSCA Operation Plan "Leachate Collection System". [40 C.F.R. § 761.65; 40 C.F.R. § 761.75(b)(7)]

b. Chemical Waste Management, Inc. shall sample, analyze and evaluate leachate for disposal in accordance with Operation Plan, Chapter 12, Appendix WAP-B and the TSCA Operation Plan "Leachate Collection System". [40 C.F.R. § 761.75(b)(7)]

c. Chemical Waste Management, Inc. shall dispose of leachate in accordance with the TSCA Operation Plan "Leachate Collection System" and applicable State and Federal requirements. [40 C.F.R. § 761.75(b)(7)]

F. Surface Water Handling Procedures

1. Chemical Waste Management, Inc shall provide, maintain, and operate stormwater diversion structures capable of diverting all surface water away from Landfill B-18 from a 24-hour, 25-year storm event of 2 inches in 24 hours in accordance with Operation Plan, Chapter 19, Section 19.2(a)(4)(A) "Run-On"; TSCA Operation Plan, Section "Surface Water Handling Procedures"; *Engineering and Design Report B-18 Class I Landfill Phase III Expansion and Final Closure* (Revision 2, August 2011), Section 4.9 "Surface Water Control"; and "Storm Water Pollution Prevention Plan" (March 2016). [40 C.F.R. § 761.75(b)(4)(ii)]

2. Chemical Waste Management, Inc. shall maintain and operate run-off and direct rainfall controls for Landfill B-18 in accordance with Operation Plan, Chapter 19, Section 19.2(a)(4)(B) "Runoff"; TSCA Operation Plan, Section "Surface Water Handling Procedures"; *Engineering and Design Report B-18 Class I Landfill Phase III Expansion*

and Final Closure (Revision 2, August 2011), Section 4.9 "Surface Water Control"; and "Storm Water Pollution Prevention Plan" (March 2016). [40 C.F.R. § 761.75(b)(4)(ii)]

3. Chemical Waste Management, Inc. shall manage all run-on and accumulated precipitation in Landfill B-18 that has been in contact with waste as leachate and shall be stored, analyzed, and disposed as required by Conditions VI.E.5 and VI.E.6. [40 C.F.R. § 761.75(b)(4)(ii)]

4. Chemical Waste Management, Inc. shall analyze a sample from the first collection of accumulated precipitation that contacted waste after each storm event of 1 inch of rain in 24 hours or less for PCBs using Test Method 8082A. If PCBs are detected in a sample taken from the accumulated precipitation, Chemical Waste Management, Inc. shall notify the U.S. EPA Project Manager within 24 hours of receiving the analytical report or otherwise becoming aware of a detection of PCBs in the sampled accumulated precipitation. The report shall identify the location the sample was taken and the PCB levels detected. [40 C.F.R. § 761.75(b)(4)(ii)]

G. Inspection and Maintenance Requirements for Landfill B-18

1. Chemical Waste Management, Inc. shall inspect Landfill B-18 in accordance with Operation Plan, Chapter 31 "Inspection Program Plan". [40 C.F.R. § 761.75(c)(3)(ii)]

2. Chemical Waste Management, Inc. shall evaluate and address all deficiencies identified during the inspections of Landfill B-18, LCRS, and surface water controls in accordance with Operation Plan, Chapter 31 "Inspection Program Plan". [40 C.F.R. § 761.75(c)(3)(ii)]

3. Chemical Waste Management, Inc. shall document all inspections of Landfill B-18 in accordance with Operation Plan, Chapter 31 "Inspection Program Plan". Chemical Waste Management, Inc. shall also document actions taken to address any deficiencies identified during the inspections. [40 C.F.R. § 761.75(c)(3)(ii)]

H. Closure of Landfill B-18

1. Chemical Waste Management, Inc. shall maintain, until U.S. EPA concurs with the certification of closure for the Unit, a written closure plan for the Landfill B-18 that is consistent with the requirements of 40 C.F.R. part 264, subpart G and § 264.310(a) and identifies the steps necessary to close the Unit in a manner that eliminates the potential for post-closure release of PCBs that may present an unreasonable risk of injury to health and the environment. [40 C.F.R. § 761.75(c)(3)(ii)]

2. Chemical Waste Management, Inc. shall notify U.S. EPA in writing at least 60 days prior to the date it expects to begin closure (as defined by 40 C.F.R. § 264.112(d)(2)) of Landfill B-18. [40 C.F.R. § 761.75(c)(3)(ii)]

3. Unless the necessary capacity exists in other Landfills at the Kettleman Hills Facility, Chemical Waste Management, Inc. shall reserve sufficient capacity in Landfill B-18 to

dispose of the total estimated disposal volume for closure of the PCB Flushing/Storage Unit as listed in "Closure and Post-Closure Cost Estimates" (March 16, 2018) Table 2. [40 C.F.R. § 761.75(c)(3)(ii)]

4. Chemical Waste Management, Inc. shall conduct final closure activities for Landfill B-18 in accordance with the Closure Plan and Renewal Application, Section 14.1 "Closure and Post-Closure Plans". [40 C.F.R. § 761.75(c)(3)(ii)]

5. Chemical Waste Management, Inc. shall continue to conduct inspection and maintenance of Landfill B-18 as required by Subsection VI.G. during closure activities. [40 C.F.R. § 761.75(c)(3)(ii)]

6. Chemical Waste Management, Inc. shall submit to U.S. EPA a revised Closure Plan at the Facility at least 90 days prior to the beginning of closure activities for Landfill B-18 as a modification pursuant to Subsection IX.A. reflecting current operating conditions at the Kettleman Hills Facility as of the date it expects to begin closure. The revised Closure Plan shall be approved in writing by U.S. EPA prior to implementation as a modification under Subsection IX.A. [40 C.F.R. § 761.75(c)(3)(ii)]

7. Chemical Waste Management, Inc. may petition U.S. EPA to waive the submittal of a revised Closure Plan under Condition VI.H.6. The petition shall be submitted at least 180 days prior to the beginning of closure activities and demonstrate that there have been no significant changes to the operating conditions at the Kettleman Hills Facility that would warrant revisions to the Closure Plan. The requirement to submit a revised Closure Plan will be waived only on a written notification of U.S. EPA to Chemical Waste Management, Inc. granting the petition. [40 C.F.R. § 761.75(c)(3)(ii)]

8. Notwithstanding the requirements set forth in Conditions VI.H.6. and VI.H.7., Chemical Waste Management, Inc. shall submit an application to U.S. EPA to modify and update the Closure Plan for Landfill B-18 pursuant to Subsection IX.A. within 30 days of the following: [40 C.F.R. § 761.75(c)(3)(ii)]

   a. Changes in ownership, operating plans, or Facility design affect the Closure Plan;

   b. Change to the expected date of closure, if applicable;

   c. During closure upon the occurrence of unexpected events that impact the ability to carry out closure requirements; or

   d. Changes to the regulations that require updating of the Closure Plan.

I. Post-Closure Care for Landfill B-18

1. Chemical Waste Management, Inc. shall maintain a written post-closure plan for the Landfill B-18 that is consistent with the requirements of 40 C.F.R. part 264, subpart G and § 264.310(b) and covers the initial post closure period. [40 C.F.R. § 761.75(c)(3)(ii)]

2. On certification by Chemical Waste Management, Inc. that closure of Landfill B-18 is complete, Chemical Waste Management, Inc. shall conduct post-closure activities for Landfill B-18 in accordance with the Closure Plan and Renewal Application, Section 14.1 – "Closure and Post-Closure Plans". [40 C.F.R. § 761.75(c)(3)(ii)]

   a. Chemical Waste Management, Inc. shall monitor and sample the groundwater during the post-closure care period following the procedures specified Section VIII.B.

   b. Chemical Waste Management, Inc. shall monitor, sample, analyze, store and dispose of leachate during the post-closure care period following the procedures specified in Subsection VI.E, except it may modify the frequency of inspection and recordkeeping required by Conditions VI.E.3.d. and e. to monthly.

   c. Chemical Waste Management, Inc. shall inspect and maintain the groundwater monitoring system and leachate collection system throughout the post-closure care period.

   d. Chemical Waste Management, Inc. shall maintain the integrity and effectiveness of the final cover, including making repairs to the cap, as necessary, to correct the effects of settling, subsidence, erosion, or other events throughout the post-closure care period.

   e. Chemical Waste Management, Inc. shall prevent run-on and run-off from eroding or otherwise damaging the final cover and protect and maintain surveyed benchmarks such that they can be used to determine landfill elevations throughout the post-closure care period.

   f. Chemical Waste Management, Inc. shall annually survey the elevation of the closure caps to verify that the cap is not eroding or is otherwise being compromised and submit the results to U.S. EPA as part of the report required by Condition VI.I.2.h.

   g. Chemical Waste Management, Inc. shall during the post-closure care period annually conduct inspections and repair of the perimeter fence to identify and prevent any loss of integrity that may allow burrowing animals to gain access.

   h. Chemical Waste Management, Inc. shall annually by September 30 of each year during the post-closure care period submit a report to the U.S. EPA Project Manager documenting post-closure inspections and maintenance activities conducted during the previous year and results from the survey required by Condition VI.I.2.f.

3. The initial post-closure care period shall last 30 years from the date of Chemical Waste Management's certification of closure for Landfill B-18. [40 C.F.R. § 761.75(c)(3)(ii)]

4. At least eighteen months prior to the end of the most recent post-closure care period, Chemical Waste Management, Inc. shall submit to U.S. EPA an Approval modification request, in accordance with Subsection IX.A., that contains an updated post-closure care plan for an additional 30 years. The modification request shall also include a revised post-closure care cost estimate meeting the requirements of Subsection IV.L. and financial

assurance mechanism meeting the requirements of Subsection IV.M. Chemical Waste Management, Inc. shall continue to submit 30-year post-closure Approval modification requests until such time that U.S. EPA determines that post-closure care of Landfill B-18 is no longer necessary to prevent an unreasonable risk of injury to health and the environment. Until such time that U.S. EPA takes final action on any Approval modification request or demonstration submitted pursuant to this Condition, Chemical Waste Management, Inc. shall continue post-closure care activities consistent with the most current approved post-closure care plan. [40 C.F.R. § 761.75(c)(3)(ii)]

5. Chemical Waste Management, Inc. may submit, prior to the eighteen month time period listed in Condition VI.I.4., a demonstration to U.S. EPA that no additional post-closure care at Landfill B-18 is necessary to prevent an unreasonable risk of injury to health and the environment. If U.S. EPA approves the demonstration, Chemical Waste Management, Inc. will not be required to submit a new Approval modification request for an additional post-closure care period. [40 C.F.R. § 761.75(c)(3)(ii)]

VII. CONDITIONS FOR CLOSED CHEMICAL WASTE LANDFILLS B-14, B-16, AND B-19

A. Unit Description

There are three non-operational chemical waste landfills at the Kettleman Hills Facility that were approved by U.S. EPA for the disposal of nonliquid PCB Waste: Landfills B-14, B-16 and B-19 (Phases IB, II and III). The locations of Landfills B-14, B-16, and B-19 are shown on Figure 2.

- Landfill B-14 occupies 0.8 acres with a capacity of 6,000 cubic yards. It operated from 1982 to 1984 and was closed in 1985.
- Landfill B-16 occupies approximately 5 acres. It operated from 1983 to 1987 and contains approximately 230,000 cubic yards of PCB Waste. In 2004, 52,000 cubic yards of non-hazardous waste was placed in the Unit to bring the unit up to final grade, and the Unit was closed.
- Landfill B-19 consists of an approximately 29-acre closed hazardous waste area (Phases IB, II, and III) with a capacity of 7 million cubic yards and an approximately 11-acre inactive municipal solid waste area (Phase IA). The hazardous waste phases operated from 1987 to 1991 and were closed in 1999.

B. Post-Closure Care Requirements

1. Chemical Waste Management, Inc. shall inspect Landfills B-14, B-16, and B-19 in accordance with Operation Plan, Chapter 31 “Inspection Program Plan”. [40 C.F.R. § 761.75(c)(3)(ii)]

2. Chemical Waste Management, Inc. shall maintain a written post-closure plan for the Landfills B-14, B-16 and B-19 that is consistent with the requirements of 40 C.F.R. part 264, subpart G and § 264.310(b) and covers the initial post closure period. [40 C.F.R. § 761.75(c)(3)(ii)]

3. Chemical Waste Management, Inc. shall, conduct post-closure activities for Landfills B-14, B-16 and B-19 in accordance with the Closure Plan and Renewal Application, Section 14.1 "Closure and Post-Closure Plans". [40 C.F.R. § 761.75(c)(3)(ii)]

   a. Chemical Waste Management, Inc. shall monitor, sample, and analyze the groundwater during the post-closure care period following the procedures specified Subsection VIII.B.

   b. Chemical Waste Management, Inc. shall monitor, sample, analyze, store and dispose of leachate for Landfills B-14, B-16 and B-19 during the post-closure care period following the procedures specified in Subsection VI.E, but may modify the frequency of inspection and recordkeeping required by Conditions VI.E.3.d. and e. to monthly.

   c. Chemical Waste Management, Inc. shall inspect and maintain the groundwater monitoring systems and leachate collection systems for Landfills B-14, B-16, and B-19 throughout the post-closure care period.

   d. Chemical Waste Management, Inc. shall maintain the integrity and effectiveness of the final covers for Landfills B-14, B-16, and B-19, including making repairs to the cap, as necessary, to correct the effects of settling, subsidence, erosion, or other events and to prevent the exposure of waste throughout the post-closure care period.

   e. Chemical Waste Management, Inc. shall prevent run-on and run-off from eroding or otherwise damaging the final cover and protect and maintain surveyed benchmarks for Landfills B-14, B-16, and B-19 such that they can be used to determine landfill elevations throughout the post-closure care period.

   f. Chemical Waste Management, Inc. shall annually survey the elevation of the closure caps for Landfills B-14, B-16, and B-19 to verify that the cap is not eroding or is otherwise being compromised and submit the results to U.S. EPA as part of the report required by Condition VII.B.3.g.

   g. Chemical Waste Management, Inc. shall annually by September 30 of each year during the post-closure care period submit a report to the U.S. EPA Project Manager documenting post-closure inspections, maintenance activities conducted during the previous year and results from the survey required by Condition VII.B.3.f.

4. The initial post-closure care period shall last 30 years from the effective date of this Approval. [40 C.F.R. § 761.75(c)(3)(ii)]

5. At least eighteen months prior to the end of the most recent post-closure care period, Chemical Waste Management, Inc. shall submit to U.S. EPA an Approval modification

request, in accordance with Subsection IX.A., that contains an updated post-closure care plan for Landfills B-14, B-16, and B-18 for an additional 30 years. The modification request shall also include a revised post-closure care cost estimate meeting the requirements of Subsection IV.L. and financial assurance mechanism meeting the requirements of Subsection IV.M. Chemical Waste Management, Inc. shall continue to submit 30-year post-closure Approval modification requests until such time that U.S. EPA determines that post-closure care of Landfills B-14, 16, and B-19 is no longer necessary to prevent an unreasonable risk of injury to health and the environment. Until such time that U.S. EPA takes final action on any Approval modification request or demonstration submitted pursuant to this Condition, Chemical Waste Management, Inc. shall continue post-closure care activities consistent with the most current approved post-closure care plan. [40 C.F.R. § 761.75(c)(3)(ii)]

6. Chemical Waste Management, Inc. may submit, prior to the eighteen month time period listed in Condition VII.B.5., a demonstration to U.S. EPA that no additional post-closure care is necessary at one or more of Landfills B-14, B-16, and B-19 to prevent an unreasonable risk of injury to health and the environment. If U.S. EPA approves the demonstration, Chemical Waste Management, Inc. will not be required to submit a new Approval modification request for an additional post-closure care period for the landfill(s) with an approved demonstration. [40 C.F.R. § 761.75(c)(3)(ii)]

VIII. ENVIRONMENTAL MONITORING

A. Air Monitoring Program

1. Chemical Waste Management, Inc. shall implement the ambient air monitoring program for PCBs as provided in the *Site-Specific Ambient Air Monitoring Plan* (January 2016) and Operation Plan, Chapter 26 Environmental Monitoring Programs, Section "Summary of Ambient Air Monitoring Program". [40 C.F.R. § 761.75(c)(3)(ii)]

2. Chemical Waste Management, Inc. shall revise the Site-Specific Ambient Air Monitoring Plan to add Downwind Monitoring Station 3 (DMS-3) as an existing ambient air monitoring site to be operated in the same manner and on the same schedule as the other monitoring stations and submit the revised plan as a Class 1 modification to the U.S. EPA Project Manager within 180 days of the effective date of this Approval. [40 C.F.R. § 761.75(c)(3)(ii)]

3. Chemical Waste Management, Inc. shall submit a summary report of the PCB Aroclors data collected during the ambient air sampling and meteorological data to the U.S. EPA Project Manager on a quarterly basis. The report shall be submitted within 90 days after the end of the reporting quarter. In addition to the ambient air data, a brief description of the PCB Waste received during the ambient air monitoring period shall be included in the report. Chemical Waste Management, Inc. may satisfy this Condition by submitting the

quarterly ambient air sampling data report required by the State RCRA Permit. [40 C.F.R. § 761.75(c)(3)(ii)]

4. Chemical Waste Management, Inc. shall notify U.S. EPA Project Manager in writing within seven (7) days of receiving an analytical report showing, or of otherwise becoming aware of, a detection of PCBs in an air monitoring sample. The report shall include information on the levels of each PCB Aroclor detected, the location of the monitor at which the PCBs were detected, and available information that may explain the detection (e.g., high winds, unusual PCB Waste disposal rates). [40 C.F.R. § 761.75(c)(3)(ii)]

B. Groundwater Monitoring

1. Chemical Waste Management, Inc. shall comply with the groundwater monitoring requirements specified at 40 C.F.R. § 761.75(b)(6) except for those provisions waived under § 761.75(c)(4) in this Approval. [40 C.F.R. § 761.75(b)(6); 40 C.F.R. § 761.75(c)(4)]

2. Chemical Waste Management shall take samples of groundwater annually from each groundwater monitoring well listed in Table 2 following the procedures in Section 6.0 "Field Sampling Plan" (with the exception of Section 6.1) in the "Groundwater Field Sampling Plan" in the *Site-Specific Groundwater Monitoring Plan, Class I Waste Management Units,* April 2014. The samples shall at a minimum be analyzed for the Detection Monitoring Parameters in Table 2 using Test Method 8260B and the Field Parameters in Table 3 of MRP R5-2014-0003. The samples from the wells monitoring Landfill B-18 shall be tested annually for PCBs and the samples from the wells monitoring Landfills B-14, B-16, and B-19 every five years for PCBs using Test Method 8082A. Chemical Waste Management, Inc. may substitute testing for the constituents of concern in Table 1 of the MRP R5-2014-0003 for the PCB and Detection Monitoring Parameters. Sampling under this Condition shall be conducted during the second half of the year.

   Groundwater monitoring sampling shall comply with Section 5.0 "Quality Assurance/Quality Control Procedures" and Section 7.2 "Method Detection Limits and Practical Quantitation Limits" in *Site-Specific Groundwater Monitoring Plan, Class I Waste Management Units,* April 2014.

   Compliance with this Condition shall constitute compliance with well-purging requirements in 40 C.F.R. § 761.75(b)(6)(ii)(B) and the groundwater parameter and analysis requirements in 40 C.F.R. § 761.75(b)(6)(iii). [40 C.F.R. § 761.75(b)(6); 40 C.F.R. § 761.75(c)(4); 40 C.F.R. § 761.75(c)(3)(ii)]

3. Chemical Waste Management, Inc. shall operate and maintain the groundwater monitoring wells listed in Table 2 in accordance with the "TSCA Groundwater Monitoring Addendum to Site-Specific Monitoring Plan"(April 17, 2018) and Section 4.6 "Groundwater Monitoring System Operation And Maintenance" in *Site-Specific Groundwater*

Monitoring Plan, Class I Waste Management Units, April 2014. [40 C.F.R. § 761.75(b)(6); 40 C.F.R. § 761.75(c)(3)(ii)]

4. Chemical Waste Management, Inc. shall not plug, abandon, or decommission any monitoring well listed on Table 2 without first receiving written approval from U.S. EPA. [40 C.F.R. § 761.75(c)(3)(ii)]

5. Chemical Waste Management, Inc. shall sample, operate, and maintain any new wells approved by DTSC or the Regional Water Quality Control Board to monitor Landfills B-14, B-16, B-18, or B-19 in accordance with Conditions VIII.B.2., 3., and 4. [40 C.F.R. § 761.75(c)(3)(ii)]

6. Chemical Waste Management, Inc. shall notify U.S. EPA Project Manager in writing within seven (7) days of receiving the analytical report showing, or otherwise becoming aware of, a detection of PCBs in any groundwater sample taken at the Kettleman Hills Facility. The report shall include information on the levels of PCBs detected, identify the affected groundwater monitoring well and landfill. [40 C.F.R. § 761.75(c)(3)(ii)]

7. Chemical Waste Management, Inc. shall submit to the U.S. EPA Project Manager by March 31 a report summarizing the results of the groundwater monitoring for the previous year. The report shall meet the reporting requirements of MRP R5-2014-0003. The report shall also include a summary of soil gas monitoring results, if any, for Landfills B-14, B-16, B-18, and B-19. Chemical Waste Management, Inc. may substitute the second Groundwater and Unsaturated Zone Monitoring Report for Class I Waste Management Unit and Annual Monitoring Summary Report required by the MRP in lieu of the report required by this Condition, provided that the report includes PCB analysis results. [40 C.F.R. § 761.75(c)(3)(ii)]

Table 2 -PCB Monitoring Wells

Well I.D.	Water Bearing Zone Monitored	Land Unit(s) Monitored
E02	Mya C/D	B-18
K05	Tuffaceous B	closed B-19 Phases 2 and 3
K17	Neverita A	closed B-19 Phases 2 and 3
K18	Trachycardium A	B-18
K30R	Mya A	closed B-19 Phases 2 and 3
K32R	Mya A	B-18 and closed B-19 Phases 2 and 3
K38	Mya A	B-18
K46	Mya A	closed B-14 and closed B-19 Phases 2 and 3
K48	Neverita B	closed B-19 Phases 2 and 3
K49	Neverita B	closed B-16 and closed B-19 Phases 2 and 3

Well I.D.	Water Bearing Zone Monitored	Land Unit(s) Monitored
K50	Tuffaceous B	closed B-14 and closed B-19 Phases 2 and 3
K51	Mya C/D	B-18
K57	Trachycardium B	B-18
K58	Trachycardium B	B-18
K60	Pecten A	B-18
K62	Tuffaceous B	closed B-19 Phases 2 and 3
K64	Tuffaceous A	closed B-19 Phases 2 and 3
K66	Neverita A	closed B-19 Phases 2 and 3
K67	Trachycardium A	B-18
K68	Pecten B	B-18
K69	Neverita A	closed B-19 Phases 2 and 3
K70	Neverita B	closed B-19 Phases 2 and 3
K71R	Pecten B	B-18

IX. PROCEDURES TO MODIFY, TRANSFER OWNERSHIP OR OPERATIONAL CONTROL, REVOKE, SUSPEND, DENY, CONTINUE, OR RENEW APPROVAL

A. Modifications

1. Modifications Initiated by U.S. EPA.

   a. U.S. EPA may modify the Approval for cause. In modifying the Approval for cause, U.S. EPA may request an updated application from Chemical Waste Management, Inc. U.S. EPA shall follow the applicable procedures set forth in Conditions IX.A.2.c.-d. when modifying the Approval for cause. [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

   b. Causes for Modifications by U.S. EPA.

      Causes for modification of the Approval include the following:

      (1) *Alterations.* There are material and substantial alterations or additions to the Kettleman Hills Facility or an approved activity at the Facility which occurred after Approval issuance which justify the application of terms and conditions that are different or absent in the existing Approval.

      (2) *Information.* U.S. EPA has received information that was not available or not provided at the time of Approval issuance that would have justified the application of different Approval terms and conditions at the time of issuance.

(3) *New statutory requirements or regulations.* The standards or regulations on which the Approval was based have been changed by statute, through promulgation of new or amended standards or regulations, or by judicial decision after the Approval was issued.

(4) *Compliance and/or construction schedules.* U.S. EPA determines good cause exists for modification of a compliance and/or construction schedule, such as an act of God, strike, flood, or materials shortage or other events over which Chemical Waste Management, Inc. has little or no control and for which there is no reasonably available remedy.

2. Modifications Requested by Chemical Waste Management, Inc. [40 C.F.R. § 761.65(d)(4)(iv) and 40 C.F.R. § 761.75(c)(3)(ii)]

a. The filing of a request to modify the Approval or a notification of planned changes or anticipated noncompliance on the part of Chemical Waste Management, Inc. does not stay the applicability or enforceability of any Approval condition.

b. Approval modifications for Chemical Waste Management, Inc. are divided into three classifications: Class 1, Class 2 and Class 3. The classifications determine the procedure Chemical Waste Management, Inc. shall follow to modify the Approval. Table 3 of this Approval lists the modifications and corresponding classifications.

c. Class 1 Approval Modification Procedures

(1) Except as provided in Condition IX.A.2.c.(3), Chemical Waste Management, Inc. may put into effect Class 1 modifications listed in Table 3 under the following conditions:

(a) Chemical Waste Management, Inc. shall notify U.S. EPA concerning the modification by certified mail or other means that establish proof of delivery at least 30 days before the change is put into effect. This notice shall specify the changes being made to Approval conditions and/or the plans and documents included in Appendix B and shall explain why they are necessary. Chemical Waste Management, Inc. shall also provide the applicable information and supporting document required by 40 C.F.R. Part 761 for the proposed modification.

(b) Chemical Waste Management, Inc. shall send a notice of the modification to all persons on the Facility Mailing List and to the Appropriate Units of State and Local Government. This notification shall be made within 90 days after the change is put into effect. For the Class 1 modifications that require prior U.S. EPA Approval, the notification shall be made within 90 days after U.S. EPA approves the request. Both a English language and Spanish language versions of the notice should be sent to all persons on the mailing list.; and

(c) Any person may request U.S. EPA to review, and U.S. EPA may for cause reject, any Class 1 modification. U.S. EPA shall inform Chemical Waste Management, Inc. by certified mail if a Class 1 modification has been rejected and explaining the reasons for the rejection. If a Class 1 modification has been rejected, Chemical Waste Management, Inc. shall comply with the original Approval conditions.

(2) U.S. EPA may deny a Class 1 modification request for the following reasons:

(a) The requested modification does not qualify as a Class 1 modification;

(b) The modification request does not contain sufficient information for U.S. EPA to determine the appropriate modification classification or is otherwise incomplete;

(c) The modification does not comply with 40 C.F.R. Part 761 or other applicable statutes or regulations;

(d) The modification fails to protect from an unreasonable risk of injury to health and the environment; or

(e) For good cause. Noncompliance by Chemical Waste Management, Inc. with the terms and conditions of this Approval, including the public notice requirements in Condition IX.A.2.c.(1)(b), may be considered by U.S. EPA in determining whether good cause exists to deny the modification.

(3) Class 1 modifications identified in Table 3 by an asterisk may be made only with the prior written approval of U.S. EPA.

(4) For a Class 1 modification, Chemical Waste Management, Inc. may elect to follow the procedures for Class 2 modifications instead of the procedures for Class 1 modifications. Chemical Waste Management, Inc. shall inform U.S. EPA of this decision in the notice required in Condition IX.A.2.d.(1).

d. Class 2 Approval Modification Procedures

(1) For Class 2 modifications, listed in Table 3 of this Approval, Chemical Waste Management, Inc. shall submit a modification request to U.S. EPA by certified mail or other means that establish proof of delivery that:

(a) Describes the exact change to be made to the Approval conditions and/or the plans and documents included in Appendix B;

(b) Identifies that the modification is a Class 2 modification;

(c) Explains why the modification is needed; and

(d) Provides applicable information and supporting documents required by 40 C.F.R. Part 761 for the proposed modification.

(2) Chemical Waste Management, Inc. shall send a notice in English and in Spanish of the modification request to all persons on the Facility Mailing List and to the Appropriate Units of State and Local Government and shall publish a notice in a local newspaper of general circulation. This notice shall be mailed and published within seven (7) days before or after the date of submission of the modification request. Chemical Waste Management, Inc. shall provide U.S. EPA with evidence of the mailing and publication. The notice shall include:

(a) Summary of the proposed modification;

(b) Announcement of a 60-day comment period, and the name and contact information for the U.S. EPA Project Manager to whom comments shall be sent;

(c) Statement that the public may request a public meeting be held on the proposed modification by contacting Chemical Waste Management, Inc. or the U.S. EPA Program Manager no later than 14 days after the publication date of the notice. Alternatively, the notice may announce the date, time, and place for a public meeting. Timing of the public meeting shall meet the requirements of Condition IX.A.2.d.(4);]

(d) Name, telephone number, and email of Chemical Waste Management, Inc.'s contact person;

(e) Name, telephone number, and email of a U.S. EPA Project Manager; and

(f) Location where copies of the modification request and any supporting documents can be viewed and copied.

(3) Chemical Waste Management, Inc. shall place a copy of the modification request and supporting documents in a location accessible to the public in the vicinity of the Kettleman Hills Facility.

(4) Chemical Waste Management, Inc. shall promptly notify U.S. EPA if it receives a request for a public meeting. If requested by U.S. EPA or a member of the public to hold a public meeting, Chemical Waste Management, Inc. shall send a notice in English and Spanish announcing the date, time, and place for the public meeting to all persons on the Facility Mailing List and the Appropriate Units of State and Local Government and shall publish the notice in a local newspaper of general circulation. The notice shall also include the information required by Condition IX.A.2.d.(2) (excluding (c)). It shall hold the public meeting no earlier than 15 days after the publication of the notice and no later than 15 days before the close of the comment period. The comment period may be extended if necessary. A transcript of the public meeting shall be provided to U.S. EPA by

the end of the comment period. The meeting shall be held to the extent practicable in the vicinity of the Kettleman Hills Facility.

(5) The public shall be provided at least 60 days to comment on the modification request. The comment period will begin on the date Chemical Waste Management, Inc. publishes the notice required by Condition IX.A.2.d.(2) in the local newspaper. Comments should be submitted to the U.S. EPA Project Manager identified in the public notice.

(6) In response to a Class 2 modification, U.S. EPA may:

(a) Approve the modification request, with or without changes, and modify the Approval accordingly;

(b) Deny the request for cause;

(c) Determine that the modification request should follow the procedures for Class 3 modifications for the following reasons:

(i) There is significant public concern about the proposed modification; or

(ii) The complex nature of the change requires the more extensive procedures of Class 3;

(7) In making a decision to approve or deny a modification request, including to reclassify a modification as Class 3, U.S. EPA shall consider all written comments submitted to the U.S. EPA during the public comment period and shall respond in writing to all significant comments in the final decision.

(8) U.S. EPA may deny or change the terms of a Class 2 modification request under Condition IX.A.2.d.(6) for the following reasons:

(a) The requested modification does not qualify as a Class 2 modification;

(b) The modification request does not contain sufficient information for U.S. EPA to determine the appropriate modification classification or is otherwise incomplete;

(c) The requested modification does not comply with 40 C.F.R. Part 761 or other applicable statutes or regulations;

(d) The conditions of the modification fails to protect from an unreasonable risk of injury to health and the environment; or

(e) For good cause. Noncompliance by Chemical Waste Management, Inc. with the terms and conditions of this Approval, including the public notice requirements in Condition IX.A.2.d.(2), may be considered by U.S. EPA in determining whether good cause exists to deny the modification.

(9) If U.S. EPA fails to make one of the decisions specified in Condition IX.A.2.d.(6) by the 120th day after close of the comment period required by Condition IX.A.2.d.(5), Chemical Waste Management, Inc. is authorized to conduct the activities described in the Class 2 modification request for the life of the Approval unless modified later using these procedures, provided that the public notice, hearing, and comment requirements in Conditions IX.A.2.d.(2) through IX.A.2.d.(5) have been met. The effective date of the authorization is the 121st day after closure of the comment period. The authorized activities must be conducted as described in the Approval modification request and must be in compliance with 40 C.F.R. Part 761.

(a) Within seven (7) days of the effective date of the authorization, Chemical Waste Management, Inc. shall send a notification to persons on the Facility Mailing List and the Appropriate Units of State and Local Government, and make a reasonable effort to notify other persons who submitted written comments on the modification request, that Chemical Waste Management, Inc. has been authorized to conduct the activities described in the Class 2 modification request.

(b) If Chemical Waste Management, Inc. fails to notify the public by the date specified in Condition IX.A.2.d.(7)(a), the effective date of the authorization will be deferred until 50 days after Chemical Waste Management, Inc. notifies the public.

(10) Chemical Waste Management, Inc. may perform any construction associated with a Class 2 Approval modification request beginning 60 days after closure of the comment period required by Condition IX.A.2.d.(5) unless U.S. EPA establishes a later date for commencing construction and informs Chemical Waste Management, Inc. in writing before the 60th day after closure of the comment period.

e. Class 3 Approval Modification Procedures

(1) For Class 3 modifications listed in Table 3, Chemical Waste Management, Inc. shall submit a modification request to U.S. EPA by certified mail or other means that establish proof of delivery that:

(a) Describes the exact change to be made to the Approval conditions and/or the plans and documents included in Appendix B;

(b) Identifies that the modification is a Class 3 modification;

(c) Explains why the modification is needed; and

(d) Provides applicable supporting information and supporting documents required by 40 C.F.R. Part 761 for the proposed modification.

(2) Chemical Waste Management, Inc. shall send a notice in English and Spanish of the modification request to all persons on the Facility Mailing List and the Appropriate Units of State and Local Government and shall publish the notice in a local newspaper of general circulation. This notice shall be mailed and published within seven (7) days before or after the date of submission of the modification request. Chemical Waste Management, Inc. shall provide U.S. EPA with evidence of the mailing and publication. Both an English language and Spanish language versions of the notice should be sent to all persons on the mailing list. The notice shall include:

(a) Summary of the proposed modification;

(b) Announcement of a 60-day comment period, and the contact information for the U.S. EPA Project Manager to whom comments shall be sent;

(c) Announcement of the date, time, and place for a public meeting;

(d) Name, telephone number, and email of Chemical Waste Management, Inc.'s contact person;

(e) Name, telephone number, and email of a U.S. EPA Project Manager; and

(f) Location where copies of the modification request and any supporting documents can be viewed and copied.

(3) Chemical Waste Management, Inc. shall place a copy of the Approval modification request and supporting documents in a location accessible to the public in the vicinity of the Facility.

(4) Chemical Waste Management, Inc. shall hold a public meeting no earlier than 15 days after the publication of the notice required in Condition IX.A.2.e.(2) and no later than 15 days before the close of the 60-day comment period. The meeting shall be held to the extent practicable in the vicinity of the Kettleman Hills Facility. A transcript of the public meeting shall be provided to U.S. EPA by the end of the comment period.

(5) The public shall be provided 60 days to comment on the modification request. The comment period will begin on the date Chemical Waste Management, Inc. publishes the notice in the local newspaper. Comments should be submitted to the U.S. EPA Project Manager identified in the public notice.

(6) U.S. EPA will consider and respond to all significant comments received during the 60-day comment period and will either grant or deny the Approval modification request.

f. Other Modifications

(1) In the case of modifications not explicitly listed in Table 3, Chemical Waste Management, Inc. may submit a Class 3 modification request to U.S. EPA, or it may request a determination by U.S. EPA that the modification should be reviewed and approved as a Class 1 or Class 2 modification. If Chemical Waste Management, Inc. requests that the modification be classified as a Class 1 or 2 modification, it shall provide U.S. EPA with the necessary information, as determined by U.S. EPA, to support the requested classification.

(2) U.S. EPA shall make the determination described in Condition IX.A.2.f.(1) as promptly as practicable. In determining the appropriate class for a specific modification, U.S. EPA shall consider the similarity of the modification to other modifications codified in Table 3 and the following criteria:

(a) Class 1 modifications apply to minor changes that keep the Approval current with routine changes to the Facility or its operation. These changes do not substantially alter the Approval conditions or reduce the capacity of the Facility's operations to prevent an unreasonable risk of injury to health or the environment. In the case of Class 1 modifications, U.S. EPA may require prior Approval.

(b) Class 2 modifications apply to changes that are necessary to enable Chemical Waste Management, Inc. to respond, in a timely manner, to,

(i) Common variations in the types and quantities of the wastes managed under the Facility Approval;

(ii) Technological advancements; or

(iii) Changes necessary to comply with new regulations, where these changes can be implemented without substantially changing design specifications or management practices in the Approval.

(c) Class 3 modifications substantially alter the Facility or its operation.

B. Transfer of Ownership and/or Operational Control

1. The filing of a request to transfer ownership and/or operational control of the Kettleman Hills Facility does not stay the applicability or enforceability of any Approval condition.

2. At least 30 days prior to the proposed transfer of ownership of the property or the proposed transfer of the right to operate PCB management activities at the Kettleman Hills Facility, Chemical Waste Management, Inc. shall: [40 C.F.R. § 761.65(j) and 40 C.F.R. § 761.75(c)(7)]

a. Submit notice to U.S. EPA that includes a notarized affidavit signed by the transferee which states that the transferee will abide by this Approval; and

b. Provide the financial assurance for closure and post-closure that the transferee will have in effect as of the date of proposed transfer.

3. The date of transfer of this Approval shall be the date U.S. EPA provides written Approval of the transfer. [[40 C.F.R. § 761.65(j) and 40 C.F.R. § 761.75(c)(7)]

C. Revocation or Suspension of Approval or Denial of Approval

1. U.S. EPA may issue a notice of deficiency, suspend, revoke, or terminate this Approval, or deny an Application for Approval renewal, if U.S. EPA determines that one or more of the following conditions have occurred: [40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

   a. Noncompliance by Chemical Waste Management, Inc. with any term or condition of this Approval or with the PCB regulations at 40 C.F.R. Part 761;

   b. Failure by Chemical Waste Management, Inc. in the approval application or approval issuance process to disclose fully all relevant facts, or Chemical Waste Management, Inc.'s misrepresentation of any relevant facts at any time;

   c. U.S. EPA's issuance of new regulations, standards or guidance for issuing PCB Approvals; or

   d. An approved PCB Waste management activity at the Facility is being operated in a manner which may result in an unreasonable risk of injury to health and the environment and can only be regulated to acceptable levels by modification or termination of the Approval.

2. U.S. EPA shall provide 30-day notice to Chemical Waste Management, Inc. of the condition(s) warranting the proposed revocation or suspension. U.S. EPA will not revoke or suspend the Approval if Chemical Waste Management, Inc. can sufficiently demonstrate within the 30-day period to U.S. EPA's satisfaction that it has eliminated or corrected the condition(s) warranting the revocation, termination or suspension. [5 U.S.C. § 558(c]

D. Continuation of Expired Approval

1. This Approval shall administratively continue beyond the expiration date in Condition III.C. until U.S. EPA reaches a final decision on a new application if:

   a. Chemical Waste Management, Inc. has submitted an Application for renewal to U.S. EPA in accordance with condition in Subsection IX.E.; and

   b. U.S. EPA, through no fault of Chemical Waste Management, Inc., does not issue a new Approval with an effective date on or before the expiration date of this Approval.

E. Renewal or Closure

1. Chemical Waste Management, Inc. shall, at least 180 days, but not more than 270 days, prior to expiration of this Approval, submit to the U.S. EPA either a written notice of its intent to seek renewal of the Approval or a revised Closure Plan to initiate the closure process for the TSCA Units and active TSCA Landfills at the Kettleman Hills Facility. To renew the Approval, the written notice shall consist of an application that includes all documents necessary to satisfy the requirements for a TSCA PCB Approval under 40 C.F.R. Part 761. If Chemical Waste Management, Inc. does not seek renewal, the Closure Plan included as part of this Approval shall be revised to reflect current operating conditions at the Facility. The revised Closure Plan shall be approved in writing by U.S. EPA prior to implementation. [40 C.F.R. § 761.65(d)(3); 40 C.F.R. § 761.75(c); 40 C.F.R. § 761.65(d)(4)(iv); 40 C.F.R. § 761.75(c)(3)(ii)]

Table 3 – Approval Modification Classifications

Modifications	Class
A. General Approval Conditions	
1. Administrative and informational changes.	1
2. Correction of typographical errors.	1
3. Equipment replacement or upgrading with functionally equivalent components (e.g., pipes, valves, pumps, conveyors, controls).	1
4. Changes in the frequency of or procedures for monitoring, reporting, sampling, or maintenance activities by Chemical Waste Management, Inc. not otherwise listed in this Table:	
a. More frequent monitoring, reporting, sampling, or maintenance.	1
b. Other changes.	2
5. Schedule of compliance:	
a. Changes in interim compliance dates.	1*
b. Extension of final compliance date.	3
6. Changes in expiration date of Approval to allow earlier termination.	1*
7. Changes to remove Approval conditions that are no longer applicable.	1*

Modifications	Class
B. General Facility Standards	
1. Changes to waste sampling or analysis methods that affect management of PCB Waste:	
a. To conform with U.S. EPA guidance or regulations.	1
b. To incorporate changes associated with sampling or analysis methods for leachate or PCBs.	1*
c. Other changes.	2
2. Changes to analytical quality assurance/control plan that affect management of PCB Waste:	
a. To conform with agency guidance or regulations.	1
b. Other changes.	2
3. Changes to the PCB Waste pre-acceptance or acceptance procedures in the Waste Analysis Plan except for those changes necessary to implement E-Manifest requirements. Changes need to implement E-Manifest do not need prior approval or modifications to this Approval.	1*
4. Changes in procedures for maintaining the operating record.	1
5. Changes in recordkeeping and/or reporting requirements.	1*
6. Changes in frequency (except for decreases) or content of inspections (including changes to quarterly sampling of the PCB storage units) .	1*
7. Decreases in frequency of inspections.	2
8. Changes in the training plan:	
a. That affect the type or decrease the amount of training given to employees.	2
b. Other changes including changes necessary to comply with 22 C.C.R. § 66264.16.	1
9. Changes to the Contingency Plan, Spill Prevention Control and Countermeasure Plan, and/or Security Requirements:	
a. Changes in emergency procedures (i.e., spill or release response procedures) or security methods including fencing.	2

Modifications	Class
b. Replacement with functionally equivalent equipment, upgrade, or relocate emergency equipment listed.	1
c. Removal of equipment from emergency equipment list.	2
d. Changes in name, address, or phone number of coordinators or other persons or agencies identified in the Contingency or SPCC plan.	1
C. Environmental Monitoring	
1. Changes to groundwater wells:	
a. Changes in the number (decreases only), location, depth, or design of wells monitoring the TSCA Landfills.	2
b. Increase in the number of wells monitoring the TSCA Landfills.	1*
c. Replacement of an existing well listed in Table 2 that has been damaged or rendered inoperable, without change to location, design, or depth of the well.	1
2. Changes in groundwater sampling or analysis procedures or monitoring schedule for the groundwater wells listed in Table 2.	1*
3. Changes to the groundwater monitoring program for the TSCA Landfills unless otherwise specified in this Table.	2
4. Addition of a program to remediate PCB contamination in groundwater:	
a. Addition of PCB groundwater remediation program.	3
b. Changes to a PCB groundwater remediation program unless otherwise specified in this Table.	2
5. Air Monitoring Program	
a. Changes to the Air Monitoring Program including monitor type or location; monitoring method; analytic methods and detection limits; quality assurance methods and procedures; and reporting requirements.	1*
b. Decreases in the number of air monitoring stations or the frequency or duration of monitoring or reduction or elimination of any monitoring parameters.	3
c. Other changes.	1*

Modifications	Class
D. Closure	
1. Changes to the closure plan:	
a. Changes in estimate of maximum extent of operations or maximum inventory of waste on-site at any time during the active life of the Facility.	1*
b. Changes in the closure schedule for any unit, changes in the final closure schedule for the Facility, or extension of the closure period.	1*
c. Changes in the expected year of final closure, where other Approval conditions are not changed.	1*
d. Changes in procedures for decontamination of Facility equipment or structures.	1*
e. Changes in approved closure plan resulting from unexpected events occurring during partial or final closure, unless otherwise specified in this Table.	2
f. Extension of the closure period to allow a TSCA Landfill to receive hazardous and non-hazardous wastes after final receipt of PCB Waste.	2
2. Creation of a new landfill as part of closure.	3
3. Addition of the following new units to be used temporarily for closure activities:	
a. Surface impoundments.	3
b. Incinerators.	3
c. Tanks or containers (other than specified below).	2
d. Tanks used for neutralization, dewatering, phase separation, or component separation.	1*
e. Staging piles.	2
4. Incorporation of annual adjustment to the closure costs under Condition IV.K.3.	1
E. Post-Closure	
1. Changes in name, address, or phone number of contact person in post-closure plan.	1

Modifications	Class
2. Extension of post-closure care period.	2
3. Reduction in the post-closure care period.	3
4. Changes to the expected year of final closure, where other Approval conditions are not changed.	1
5. Changes in post-closure plan necessitated by events occurring during the active life of the Facility, including partial and final closure.	2
6. Incorporation of annual adjustment to the post-closure costs under Condition IV.L.3.	1
F. PCB Waste Storage Units	
1. Addition of a PCB Storage Unit.	3
2. Modification of PCB Storage Units.	
a. Modification of a PCB storage unit without changing or decreasing the maximum storage capacity of any portion of the unit.	1*
b. Modification of a PCB storage unit which increases the maximum storage capacity of any portion of the unit less than 25% of approved maximum storage capacity.	2
c. Modification of a PCB Storage Unit which increases the maximum storage capacity of any portion of the unit more than 25% of approved maximum storage capacity.	3
d. Modification of a PCB Storage Unit which decreases the maximum storage capacity of any portion of the unit.	1*
3. PCB Waste Management	
a. Additional or different PCB Waste management activities from those authorized in the Approval.	2
b. Changes in procedures used to perform PCB Waste management activities from those authorized in the Approval.	1*
4. PCB Storage Tanks	
a. Addition or modification of a tank for the storage PCB liquids in an approved PCB storage unit that increases the tank storage capacity at the unit by more than 25%.	2

Modifications	Class
b. Modification or replacement of a tank for the storage PCB liquids in an approved PCB storage unit that does no increase the tank storage capacity at the unit.	1*
c. Modification of a tank management practice.	1*
d. Management of different wastes in tanks:	
i. That require additional or different management practices, tank design, different fire protection specifications, or significantly different tank treatment process from that authorized in the Approval.	2
ii. That do not require additional or different management practices, tank design, different fire protection specifications, or significantly different tank treatment process than authorized in the Approval.	1*
G. Chemical Waste Landfills	
1. Addition of a new chemical waste landfill or modification to an existing of landfill that increases the Facility's PCB Waste disposal capacity.	3
2. Replacement of a chemical waste landfill.	3
3. Addition or modification of a liner, leachate collection system, leachate detection system, run-off control, or final cover system.	3
4. Modification of a landfill without changing a liner, leachate collection system, leachate detection system, run-off control, or final cover system.	2
5. Modification of a landfill management practice.	2
6. Landfill of different wastes:	
a. That require additional or different management practices, different design of the liner, leachate collection system, or leachate detection system.	3
b. That do not require additional or different management practices, different design of the liner, leachate collection system, or leachate detection system.	2
7. Changes in response action plan:	
a. Increase in action leakage rate.	3

Modifications	Class
b. Change in a specific response reducing its frequency or effectiveness.	3
c. Other changes.	2

* Class 1 modifications requiring U.S. EPA Approval prior to implementation.

X. DEFINITIONS

Unless otherwise defined below, all the terms and acronyms used in this Approval shall have the same definitions as those set forth in 40 C.F.R. § 761.3.

A. "Appropriate units of state and local government" means any State or local agency having any authority under California State law with respect to the construction or operation of the Kettleman Hills Facility and any unit of local government having jurisdiction over the area where the Facility is located.

B. "Approval" means this document which consisting of the Signing Statement, Sections I through X, Tables 1 through 3, Figures 1-2, Appendices A and B and any other documents incorporated herein.

C. "C.F.R." means the Code of Federal Regulations.

D. "Closure Plan" means the "Closure and Post-Closure Plans, Kettleman Hills Facility, Kings County, CA," Golder Associates (March 15, 2018) found in Appendix B-3.

E. "Day" means a calendar day unless otherwise stated to be an operating day.

F. "DTSC" means the California Department of Toxic Substances Control.

G. "Facility" means Chemical Waste Management, Inc.'s Kettleman Hills Facility.

H. "Facility Mailing List" means the list of persons, organizations and government agencies that will receive copies of correspondence related to this TSCA Approval.

I. "Independent Third Party" means a contractor hired by Chemical Waste Management, Inc. to perform work at the Kettleman Hills Facility.

J. "mg/l" means milligrams per liter or parts per million.

K. "Mil" means one thousandth of an inch.

L. "MRP R5-2014-0003" means the Central Valley Regional Water Quality Control Board Monitoring and Reporting Program R5-2014-0003 (January 16, 2014) which is an incorporated part of the Kettleman Hills Facility's Waste Discharge Permit R5-2014-0003 (January 16, 2014) found in Appendix B-11.

M. "Nonliquid PCB" means materials containing PCBs that pass the Paint Filter Test specified in Operation Plan, Chapter 12 "Waste Analysis Plan," Table 3-2.

N. "Operation Plan" is the *Hazardous Waste Facility Permit Renewal Application, Operation Plan,* Chemical Waste Management, Inc. Kettleman Hills Facility, Revision 3, March 16, 2018.

O. "Operator" means Chemical Waste Management, Inc., Kettleman Hills, CA.

P. "Owner" means Chemical Waste Management, Inc., Kettleman Hills, CA.

Q. "PPM" means parts per million or milligrams per kilogram.

R. "Renewal Application" means the *TSCA Permit Renewal Application*, Chemical Waste Management, Inc. Kettleman Hills Facility, Revision 3, October 1, 2018 including its Attachments and Appendices.

S. "Responsible Official" means (a) a president, secretary, treasurer, or vice-president of Chemical Waste Management, Inc. in charge of a principal business function related to the Kettleman Hills Facility, or any other person who performs similar policy and decision-making functions for Chemical Waste Management, Inc., or (b) a manager at the Kettleman Hills Facility, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

T. "State RCRA Permit" means the Hazardous Waste Facility Permit (Permit Number: 02-SAC-03) effective June 16, 2003 as modified May 5, 2005, July 25, 2006, September 21, 2007, and May 21, 2014 issued by California Department of Toxic Substances Control to Chemical Waste Management, Inc. for management of hazardous wastes.

U. "TSCA" means Toxic Substances Control Act, 15 USC § 2601 *et seq.* as implemented by 40 C.F.R. Part 761.

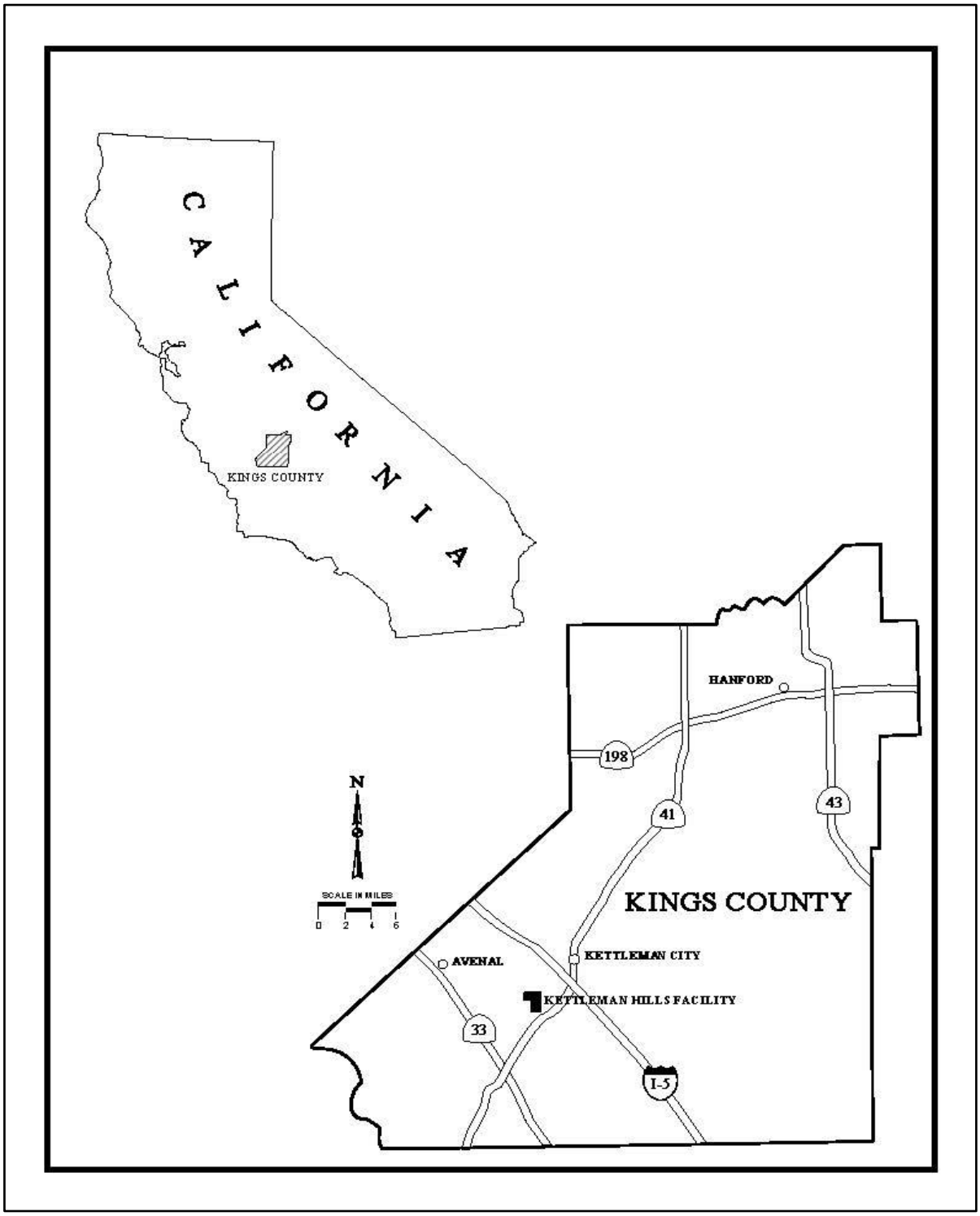
V. "TSCA Landfills" means Landfills B-14, B-16, B-18 (Phases I-III) and B-19 (Phases IB, II, and III).

W. "TSCA Operation Plan" means the *TSCA Operation Plan, Landfill B-18 Phases I, II, and III, PCB Building and Outside Containment Area,* Chemical Waste Management, Inc. Kettleman Hills Facility, Revision 3, October 1, 2018 found in Appendix B-5.

X. "TSCA Unit" means any unit in or at which PCB Waste is actively stored, treated, or managed under the conditions of this Approval.

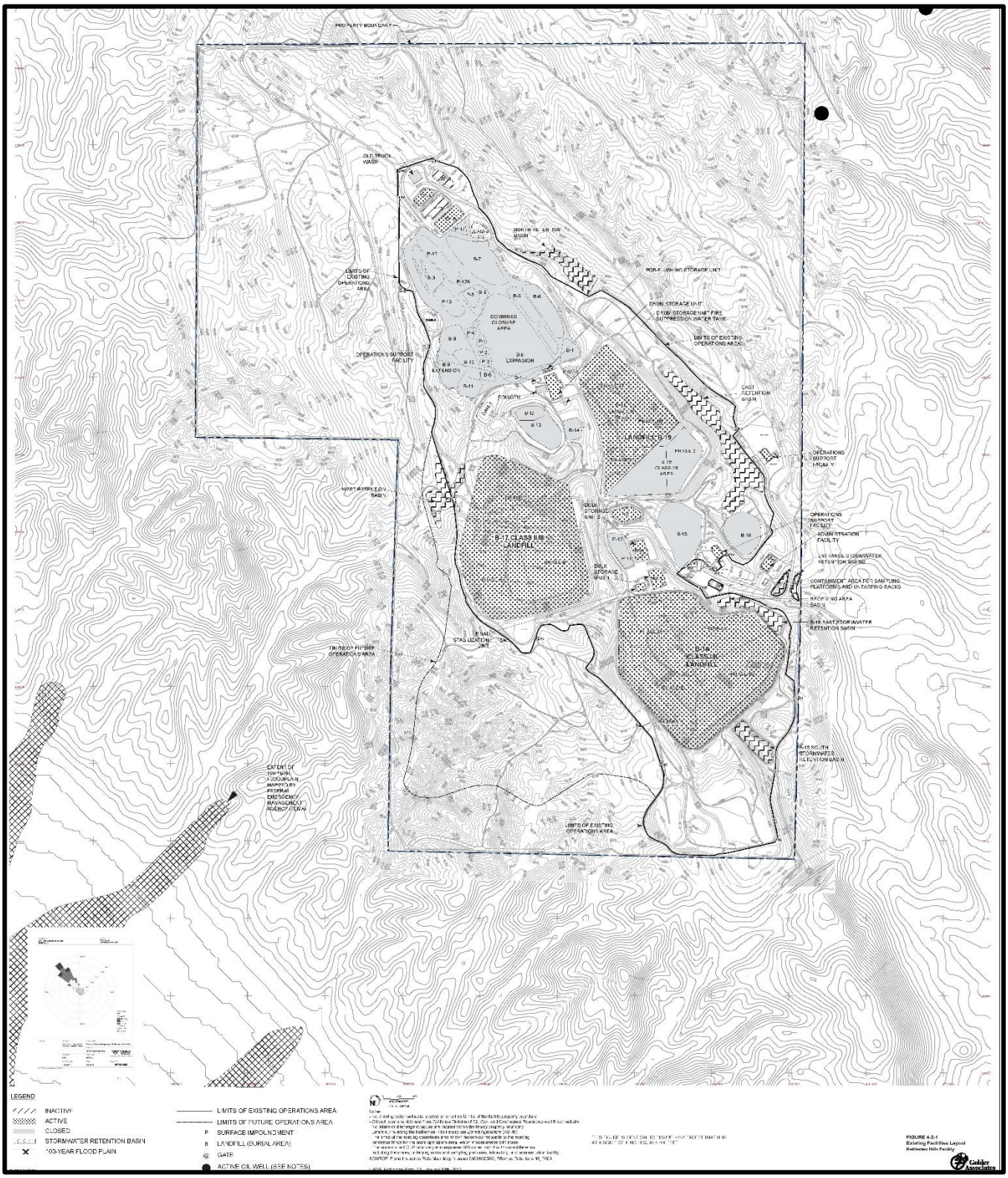
Y. "U.S. EPA Project Manager" means the Project Manager listed in Condition IV.B.5.

Figure 1 – Location of the Kettleman Hills Facility



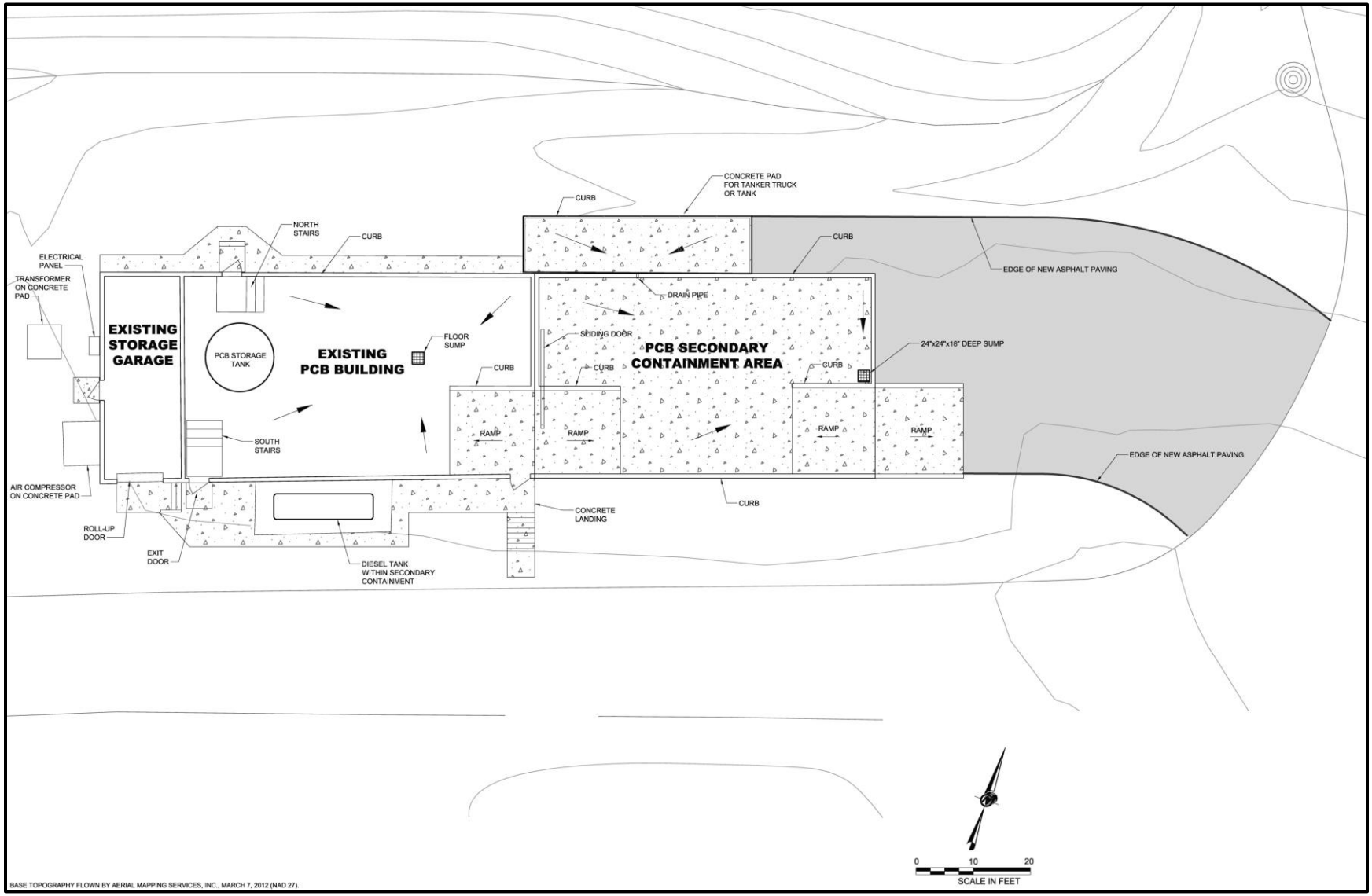
Source: WDR R5-2014-0003. California Regional Water Quality Control Board Central Valley Region. January 16, 2014 (modified).

Figure 2 – Map of the Kettleman Hills Facility



Source: Renewal Application.

Figure 3 – Diagram of Kettleman Hills Facility PCB Flushing/Storage Unit



Source: Renewal Application, Attachment 5

Appendix A – Findings Pursuant to 40 C.F.R. § 761.65(d)(3) and 40 C.F.R. § 761.75(c)

Findings Pursuant to 40 C.F.R. § 761.65(d)(2)
Storage of PCB Waste at the PCB Flushing/Storage Unit

1. The applicant, its principals, and its key employees responsible for the operation of the commercial storage facility are qualified to engage in the commercial storage of PCB Waste.

U.S. EPA finds that the applicant, Chemical Waste Management, Inc., and its principals and key employees responsible for the operation of the PCB Flushing/Storage Unit at the Kettleman Hills Facility are qualified to engage in the business of commercial storage of PCB Waste. This finding is based on U.S. EPA's evaluation of the experience of the personnel that manage the Facility as described in the Renewal Application, Section 2.3. This finding is also based on the Facility's employee training program as described in Operation Plan, Chapter 36 "Training Plan". Approval Conditions IV.E and IV.O.2 require that CWM implement and maintain records of this training program.

2. The commercial storage facility possesses the capacity to handle the quantity of PCB Waste which the owner or operator of the facility has estimated will be the maximum quantity of PCB Waste that will be handled at any one time at the facility.

U.S. EPA finds that the PCB Flushing/Storage Unit possesses the capacity to handle the 44,015 gallons of PCB Waste which is the amount that Chemical Waste Management, Inc. has estimated will be the maximum quantity of PCB Waste that will be stored at any one time at the Unit. This finding is based on the secondary containment calculations contained in Attachments 6 and 7 of the Renewal Application (Appendices B-4.6 and B-4.7 of the Approval) that show the maximum quantities that can be stored at the Unit and still meet the minimum containment requirements of 40 C.F.R. § 761.65(b)(1)(ii). Approval Condition V.C.1 imposes a maximum storage capacity using these maximum quantities, which are set separately for the enclosed building, PCB storage tank, and outside containment area, and are listed in Table 1 of the Approval.

3. The owner or operator of the commercial storage facility has certified compliance with the storage facility standards in 40 C.F.R. § 761.65(b) and (c)(7).

U.S. EPA finds that Chemical Waste Management, Inc. has certified compliance of the Kettleman Hills Facility with the storage facility standards in 40 C.F.R. § 761.65(b) and (c)(7). This finding is based on the certification by the CWM's district manager with responsibility for operations at the Kettleman Hills Facility that the Facility meets the storage facility standards in § 761.65(b) and (c)(7). This certification is contained in Section 10 of the Renewal Application. U.S. EPA has also independently assessed and determined that the enclosed building at the PCB Flushing/Storage Unit meets these requirements of 40 C.F.R. Part 761 as documented

in "Review Checklist for 40 C.F.R. Part 761 Requirements for PCB Commercial Storage Facilities" found in Appendix D-2 of the Statement of Basis (August 27, 2019). The outside containment area at the PCB Flushing/Storage Unit, which does not have a roof or walls, does not fully meet the storage facility standard in § 761.65(b)(1)(i); however, U.S. EPA proposes to authorize PCB Waste storage in this area under § 761.65(c)(1) which limits the types of PCB Items that may be stored and limits storage of these PCB Items to 30 days from its removal from service. See Approval Condition V.C.4.

4. The owner or operator has developed a written closure plan for the facility that is deemed acceptable under the closure plan standards of 40 C.F.R. § 761.65(e).

U.S. EPA finds that Chemical Waste Management, Inc. has developed a written closure plan for PCB Flushing/Storage Unit at the Kettleman Hills Facility that is acceptable under the closure plan standards of 40 C.F.R. § 761.65(e). This finding is based on the review of the Closure Plan for compliance with the requirements of § 761.65(e) which is documented in "Review Checklist for 40 C.F.R. Part 761 Requirements for PCB Commercial Storage Facilities" found in Appendix D-2 of the Statement of Basis (August 27, 2019). The Approval Condition V.I.5 requires implementation of the Closure Plan on closure. The Closure Plan will be incorporated into a final approval. See Appendix B-3.

5. The owner or operator has included in the application a demonstration of financial responsibility for closure that meets the financial responsibility standards of 40 C.F.R. § 761.65(g).

U.S. EPA proposes to find, contingent upon submission of one or more of the financial assurance mechanisms listed at 40 C.F.R. § 761.65(g), that Chemical Waste Management, Inc. has provided a demonstration of financial responsibility that meets the financial responsibility standards of 40 C.F.R. § 761.65(g). 40 C.F.R § 761.65(d)(2)(v) requires U.S. EPA to determine that the owner or operator has included in the application a demonstration of financial responsibility for closure that meets the financial responsibility standards of § 761.65(g).

Chemical Waste Management, Inc. maintains financial assurance that covers the cost of closure and post-closure care for all RCRA units at the Kettleman Hills Facility including the PCB Flushing/Storage Unit and Landfill B-18 as required by 22 C.C.R. § 66264.140 *et seq.* and its State RCRA Permit. At the time of this proposal, the Facility's current financial assurance mechanism is a surety bond guaranteeing payment into a closure/post-closure trust fund. U.S. EPA finds that Chemical Waste Management, Inc.'s existing financial assurance mechanism is sufficient to demonstrate the required financial responsibility for closure of the PCB Flushing/Storage Unit under the Facility's existing approvals. However, U.S. EPA (not DTSC) is the agency with authority over the closure requirements that is named in the instruments required under § 761.65(g). Thus, U.S. EPA has determined that in

order for it to make the required finding above, Chemical Waste Management, Inc. must submit for the PCB Flushing/Storage Unit one or more of the financial assurance mechanisms listed at 40 C.F.R. § 761.65(g) prior to U.S. EPA's issuance of a final approval.

6. The operation of the commercial storage facility will not pose an unreasonable risk of injury to health or the environment.

U.S. EPA finds that storage of PCB Waste, the draining and flushing of PCB Articles and Containers, and the bulking, repackaging, and solidification of PCB Waste at the PCB Flushing/Storage Unit will not pose an unreasonable risk of injury to health or the environment. As discussed in the Statement of Basis, this finding is based on the protective design, construction, and operations of the Unit as described in the Renewal Application, Approval conditions, studies performed to evaluate the impact of the Kettleman Hills Facility on surrounding areas (as discussed in section V of the Statement of Basis (August 27, 2019)), monitoring data, the Facility's compliance record, and the findings on endangered species described in section VII.B. of the Statement of Basis.

7. The environmental compliance history of the applicant, its principals, and its key employees may be deemed to constitute a sufficient basis for denial of approval whenever in the U.S. EPA's judgment that the history of environmental civil violations or criminal convictions evidences a pattern or practice of noncompliance that demonstrates the applicant's unwillingness or inability to achieve and maintain compliance with the regulations.

U.S. EPA finds that the environmental compliance history of Chemical Waste Management, Inc., its principals, and its key employees does not evidence a pattern of noncompliance that demonstrates Chemical Waste Management, Inc.'s unwillingness or inability to achieve and maintain compliance with the regulations applicable to it and its operations at the Kettleman Hills Facility. This finding is based on U.S. EPA's review of Chemical Waste Management, Inc.'s compliance history at the Kettleman Hills Facility as documented in section IV of the Statement of Basis (August 27, 2019). This review included information provided in Table 6 of the Renewal Application, Response to NOD Comment 60, U.S. EPA and DTSC inspection records, U.S. EPA's ECHO database and DTSC's Envirostor database. The Kettleman Hills Facility's compliance history does not show unresolved violations, an inability to return to compliance after violations are found, or an unwillingness or inability to modify operations at the Facility to prevent repeat noncompliance.

Findings Pursuant to 40 C.F.R. § 761.75(c)
Disposal of PCB Waste at Landfill B-18

1. The owner or operator has submitted an initial report which contains the items listed in 40 C.F.R. § 761.75(c)(1).

U.S. EPA finds that Chemical Waste Management, Inc. has submitted the initial report as required by 40 C.F.R. § 761.75(c)(1). This finding is based on U.S. EPA's review of the Renewal Application and its attached information as submitted by Chemical Waste Management, Inc. U.S. EPA's review is documented in the "Review Checklist for 40 C.F.R. Part 761 Requirements for PCB Chemical Waste Landfills" found in Appendix D-1 of the Statement of Basis (August 27, 2019).

2. The owner or operator has submitted other information that U.S. EPA has found necessary to determine whether the chemical waste landfill should be approved for the disposal of PCBs.

U.S. EPA finds that Chemical Waste Management, Inc. has submitted all information found necessary to determine whether Landfill B-18 should be approved. This finding is based on U.S. EPA's review of the Renewal Application, the PCB Congener Study, and responses to notices of deficiencies as documented in section III.B. of the Statement of Basis (August 27, 2019).

3. The chemical waste landfill and its operations shall meet all requirements in 40 C.F.R. § 761.75(b) except for those that are waived under § 761.75(c)(4).

U.S. EPA finds that Landfill B-18 and its operations meet the requirements of 40 C.F.R. § 761.75(b) except for the requirements that it has waived under § 761.75(c)(4). This finding is based on U.S. EPA's review of the Renewal Application, the TSCA Operation Plan, and the Operation Plan as documented in the "Review Checklist for 40 C.F.R. Part 761 Requirements for PCB Chemical Waste Landfills" found in Appendix D-1 of the Statement of Basis (August 27, 2019). U.S. EPA proposes to grant four waivers of 40 C.F.R. § 761.75(b) requirements. These waivers are described and the justifications for each waiver is provided in section III.C.2. of the Statement of Basis.

4. The approval shall include any other requirements that the U.S. EPA finds are necessary to ensure that operation of the chemical waste landfill does not present an unreasonable risk of injury to health or the environment from PCBs.

U.S. EPA finds that the Approval includes the additional requirements that the U.S. EPA has determined are necessary to ensure that operations of the Landfill B-18 will not present an unreasonable risk of injury to health or the environment from PCBs. This finding is based on the proposed additional requirements listed in Appendix E of the Statement of Basis (August 27, 2019), the justifications for these additional requirements also documented in Appendix E, and U.S. EPA's proposed determination that the operation of Landfill B-18 as designed and operated as required

by the Approval will not present an unreasonable risk of injury to health or the environment from PCBs. As discussed in the Statement of Basis, the latter proposed determination is based on the protective design, construction, and operations of the Landfill as described in the Renewal Application, Approval conditions, studies performed to evaluate the impact of the Kettleman Hills Facility on surrounding areas (as discussed in section VI of the Statement of Basis (August 27, 2019)), monitoring data, the Facility's compliance record, and the findings on endangered species described in section VII.B. of the Statement of Basis.

5. The approval designates the persons who own and who are authorized to operate the chemical waste landfill.

Condition III.A. of the Approval designates Chemical Waste Management, Inc. as the owner and operator of the Kettleman Hills Facility.

6. The approval shall be in writing, signed by the Regional Administrator (or his designee), and state all requirements applicable to the approved landfill.

The Approval is in writing and has been signed by the Regional Administrator's authorized designee. U.S. EPA finds that the Approval states all requirements applicable to Landfill B-18. This finding is based on the proposed terms and conditions of the Approval and the documents proposed to be incorporated into the Approval which collectively include all 40 C.F.R. Part 761 requirements applicable to owners and operators of chemical waste landfills and all other requirements that U.S. EPA has deemed necessary to ensure that operation of the chemical waste landfill does not present an unreasonable risk of injury to health or the environment from PCBs.

Appendix B – Incorporated Documents

Index

Volume 1

1. "Hazardous Waste Facility Permit Renewal Application, Operation Plan, Chemical Waste Management, Inc. Kettleman Hills Facility." Chemical Waste Management, Inc. Revision 3: March 16, 2018.
    - 1.1. Chapter 10 "Traffic".
    - 1.2. Chapter 12 "Waste Analysis Plan".
    - 1.3. Chapter 14 "Specific Information for Containers". (Excerpts)
    - 1.4. Chapter 15 "Specific Information for Tank Systems". (Excerpts),
    - 1.5. Chapter 19 "Specific Information for Landfills".
    - 1.6. Chapter 26 "Environmental Monitoring Programs". (Excerpts)
    - 1.7. Chapter 30 "Security Procedures and Equipment".
    - 1.8. Chapter 31 "Inspection Program Plan".
    - 1.9. Chapter 33 "Hazard Prevention".
    - 1.10. Chapter 34 "Ignitable, Reactive, and Incompatible Wastes".
    - 1.11. Chapter 35 "Contingency Plan". With Updated Contingency Plan - Updated Emergency Coordinator (revised page 2 of the Contingency Plan), May 30, 2019
    - 1.12. Chapter 36 "Training Plan".
2. "Operations Plan, Chemical Waste Management, Inc. Kettleman Hills Facility, Effective June 17, 2003." Chapter 6 "Security Procedures and Equipment". Chemical Waste Management, Inc.

Volume 2

3. "Closure and Post-Closure Plans, Kettleman Hills Facility, Kings County, CA." Golder Associates, Inc. March 15, 2018. (Excerpts)

Volume 3

4. "TSCA Permit Renewal Application, Chemical Waste Management, Inc. Kettleman Hills Facility." Chemical Waste Management, Inc. Revision 3: October 1, 2018.
    - 4.1. Section 5.7 – Quarterly Wipe Sampling Plan.
    - 4.2. Section 10.1.1. – PCB Flushing/Storage Unit.
    - 4.3. Section 14.1 – Closure and Post-Closure Plans.

4.4. Attachment 4 – TSCA Groundwater Monitoring Addendum to Site-Specific Monitoring Plan. April 17, 2018.

4.5. Attachment 6 – PCB Building Interior Secondary Containment Calculations. October 1, 2018.

4.6. Attachment 7 – PCB Building Exterior Secondary Containment Calculations October 1, 2018.

5. "TSCA Operation Plan – Landfill B-18 Phases I, II, and III; PCB Building and Outside Containment Area, Chemical Waste Management, Inc. Kettleman Hills Facility." Chemical Waste Management, Inc. Revision 3: October 1, 2018.

Volume 4

6. "Spill Prevention Control and Countermeasure Plan (SPCC) prepared for Chemical Waste Management, Inc. Kettleman Hills Facility." Golder Associates, Inc. October 2016.

7. "Site-Specific Ambient Air Monitoring Plan, Chemical Waste Management, Inc., Kettleman Hills Facility (KHF), Kings County, California." Wenck Associates, Inc. January 2016.

Volume 5

8. "Response Action Plan, Landfill B-18, Kettleman Hills Facility" SEC Donohue, Inc. June, 1992.

9. "Kettleman Hills Landfill B-18, Phase IIA & IIB Response Action Plan Update. RUST Environment & Infrastructure. January, 1994.

10. "Vadose Zone Response Plan, Landfill B-18, Kettleman Hills Facility" SEC Donohue, Inc. June, 1992.

11. "Monitoring and Reporting Program R5-2014-0003 for Chemical Waste Management, Inc. Kettleman Hill Facility." California Regional Water Quality Control Board Central Valley Region. January 16, 2014. (Excerpts)

12. "Engineering and Design Report B-18 Class I Landfill Phase III Expansion and Final Closure, Kettleman Hills Facility, Kettleman City, California." Golder Associates, Inc. Revision 2, August 2011. "Section 4.9 "Surface Water Control".

Volume 6

13. "Storm Water Pollution Prevention Plan Chemical Waste Management, Inc. – Kettleman Hills Facility." Golder Associates, Inc. June 2015, Amended March 2016.

14. "Revised Site-Specific Groundwater Monitoring Plan Class I Waste Management Units, Kettleman Hills Facility, Kings County, California." AMEC Environment & Infrastructure, Inc. April 14, 2014. (Excerpts)

Volume 7

15. Endangered Species Act Documents

15.1. "Draft Amendment to the Biological Opinion for Toxic Substances Control Act Permit Application for Chemical Waste Management's Kettleman Hills Facility (modification and expansion of PCB disposal Cell B-18), Kings County, California." Letter, Susan K. Moore, Fish and Wildlife Service to Caleb Shaffer, U.S. EPA Region 9. August 15, 2012 with Attachment: U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance, January 2011.

15.2. "Amendment to the Biological Opinion for Toxic Substances Control Act Permit Application for Chemical Waste Management's Kettleman Hills Facility (modification and expansion of PCB disposal Cell B-18), Kings County, California." Letter, Thomas Leeman, San Joaquin Valley Division Chief, Fish and Wildlife Service to Chip Poalinelli, U.S. EPA Region 9. September 5, 2012.

15.3. "CWM"s Kettleman Hills Facility Fence Realignment: Changes to Biological Opinion # 81420-2012-F-0044-2." Email, Kevin Aceituno, U.S. Fish and Wildlife Service to John Moody, U.S. EPA Region 9. July 24, 2014. With attachment: "Figure 1, New Perimeter Fence, Kettleman Hills, California." Golder Associates. File creation date June 9, 2014.

15.4. "Re: CWM"s Kettleman Hills Facility Fence Realignment: Changes to Biological Opinion # 81420-2012-F-0044-2." Email, Kevin Aceituno, U.S. Fish and Wildlife Service to John Moody, U.S. EPA Region 9. July 30, 2014.