

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
HAZARDOUS WASTE MANAGEMENT PERMIT
PART II OF THE PERMIT

EPA AUTHORIZATION UNDER THE HAZARDOUS AND SOLID WASTE
AMENDMENTS OF 1984

FACILITY OWNER	FACILITY OPERATOR	FACILITY LOCATION
OM Group, Inc. 127 Public Square 1500 Key Tower Cleveland, OH 44114	EaglePicher Technologies P.O. Box 47 "C" and Porter Streets Joplin, Mo 64802	EaglePicher Technologies "C" and Porter Streets Joplin, MO 64802 North Latitude - 37°05'46" West Longitude - 94°31'38" T27N, R33W Jasper County, Missouri

EPA RCRA IDENTIFICATION NUMBER: MOD046740148

Pursuant to the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as further amended by the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. 6901 et seq. (RCRA), and regulations promulgated there under by the United States Environmental Protection Agency (EPA) (codified and to be codified in Title 40 of the Code of Federal Regulations (CFR)), a Permit is issued to EaglePicher Technologies (hereafter called the Permittee), to perform activities required by HSWA at the Joplin Missouri facility located at "C" and Porter Streets, North Latitude - 37°05'46" and West Longitude - 94°31'38".

This Part II Permit (Part II) consists of the provisions (conditions) contained herein (including this Permit's attachments) and the applicable regulations contained in 40 CFR Parts 260 through 266, 268, 270, and 124, which are incorporated by reference. This Part II is based upon the applicable regulations which are in effect on the date of the issuance of the Part II, in accordance with 40 CFR §270.32(c). This Part II permit is applicable only to those requirements of RCRA/HSWA for which the State of Missouri has not been granted authorization.

This Part II is based on the assumption that the information submitted in the approved permit application, as defined in this Part II is accurate and that the facility will be operated as specified in the approved permit application. Any inaccuracies found in the submitted information may be grounds for the termination, revocation and reissuance, or modification of this Part II in accordance with 40 CFR §§ 270.41, 270.42, and 270.43, and for enforcement action.

The Permittee must inform EPA of any deviation from or changes in the information in the approved permit application which would affect the Permittee's ability to comply with the applicable regulations or permit conditions.

The Regional Administrator of EPA, Region 7 has delegated authority to perform all actions necessary to issue, deny, modify, or revoke and reissue permits for owners and operators of hazardous waste treatment, storage, and disposal facilities pursuant to Section 3005 of RCRA to the Director of Region 7 Air and Waste Management Division (hereafter referred to as Director) or the Director's designated representative, by delegation No.R7-8-6; January 1, 1995, and revised on September 16, 2007.

This Part II is issued as of the date below. Pursuant to 40 CFR §124.15, this Part II shall become effective at 12:01 a.m. on September 28, 2010, and shall remain in effect for ten (10) years from the date of its issuance unless revoked and reissued under 40 CFR §270.41, terminated under 40 CFR §270.43, or continued in accordance with 40 CFR §270.51(a) or (d). This Part II shall remain in effect even if the Hazardous Waste Management Permit (Part I) is terminated or expired.

Done at Kansas City, Kansas, this 28th day of September 2010.

[Original signed by John J. Smith for]

Becky Weber
Director
Air and Waste Management Division

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I. STANDARD PERMIT CONDITIONS

I.A. DEFINITIONS

“Part II” is the permit issued to the Permittee by the United States Environmental Protection Agency, Region 7, pursuant to the Hazardous and Solid Waste Amendments of 1984 to the Resource Conservation and Recovery Act.

For purposes of this Part II Permit, terms used herein shall have the same meaning as those in 40 CFR Parts, 124, 260, 261, 264, 268, and 270, unless this Part II specifically provides otherwise; where terms are not defined in the regulations or the Part II, the meaning associated with such terms shall be defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

“Annually” means one time per calendar year such that at least 11 months and no more than 13 months have elapsed since the last annual event.

“Hazardous Waste Permit Application” dated July 28, 2003, and “Hazardous Waste Permit Revised Application” dated March 22, 2010.

“AWMD” shall mean the Air and Waste Management Division of Region 7 of the EPA, or subsequently renamed division of EPA Region 7 that includes the personnel that conduct oversight of RCRA.

“Daily” means once each calendar day, unless expressly stated to be a working day.

“Working day” or “business day” shall mean a day other than a Saturday, Sunday, or a federal holiday. In computing any period of time under this Part II, where the last day would fall on a Saturday, Sunday, or a federal holiday, the period shall run until the close of business of the next working day.

“Data Quality Objectives” shall mean the qualitative or quantitative statements, the application of which is designed to ensure that data of known and appropriate quality are obtained.

“Department” means the Missouri Department of Natural Resources.

“Director” means the Division Director of AWMD, his or her designee, or an authorized representative.

“EPA” means the United States Environmental Protection Agency.

“Facility” means the EaglePicher Technologies site located at “C” and Porter Streets, Joplin, Missouri 64802, Jasper County, North Latitude - 37°05'46" and West Longitude - 94°31'38"; and all contiguous property at this location under the control of the Permittee.

“Hazardous constituent” means any chemical compound listed in 40 CFR Part 261 Appendix VIII as incorporated in 10 CSR 25-4.261.

“Hazardous Waste” means any solid waste as defined in 40 CFR §261.2 which also meets any of the criteria of a hazardous waste as listed in 40 CFR §261.3. The term hazardous waste includes hazardous constituent as defined above.

“HSWA” means the Hazardous and Solid Waste Amendments of 1984 to the Resource Conservation and Recovery Act, 42 U.S.C. 6901 et seq.

“Monthly” means 12 times per year (once per calendar month) such that at least 15 days and no more than 45 days have elapsed since the last monthly event.

“PDF format” means the Adobe Portable Document Format developed by Adobe Systems Incorporated.

“Operating Record” means the facility operating record required by 40 CFR 264.73 and the information required by Part II.

“Quality Assurance Project Plan” means a plan of the same name prepared consistent with the EPA’s document titled “EPA Requirements for Quality Assurance Project Plans (EPA QA/R-5)” and any subsequent revisions or editions.

“Quarterly” means four times per calendar year such that at least 2 months and no more than 4 months have elapsed since the last quarterly event.

“RCRA” means the Resource Conservation and Recovery Act of 1976 and amendments thereof, 42 U.S.C. 6901 et seq.

“Regional Administrator” means the Regional Administrator of EPA, Region 7, or his or her designee.

“Semi-Annually” means two times per calendar year such that at least 5 months and no more than 7 months have elapsed since the last semi-annual event.

“Standard Operating Procedure” or “SOP” means a document that establishes or prescribes methods to be followed in the operation of hazardous waste storage, treatment and disposal activities. All SOPs must be signed by a responsible corporate officer and include the

certification in 40 CFR §270.11(d)(1). The responsible corporate officer shall be as defined in 40 CFR §270.11(a).

“Weekly” means 52 times per calendar year such that no fewer than 5 days and no more than 10 days have elapsed since the last weekly event.

I.B. FACILITY INFORMATION

I.B.1. Owner

OM Group, Inc., 127 Public Square, 1500 Key Tower, Cleveland, Ohio 44114, hereinafter referred to as the Permittee.

I.B.2. Operator

The Facility operator is EaglePicher Technologies, “C” and Porter Streets, Joplin, Missouri 64802, hereinafter referred to as the Permittee.

I.B.3. Location

The Permittee’s Facility (EaglePicher Technologies) is located at “C” and Porter Streets, Joplin, Missouri 64802, Jasper County, North Latitude - 37°05'46" and West Longitude - 94°31'38".

I.C. EFFECT OF PERMIT

The Permittee is required to conduct post-closure care of releases to the environment from Solid Waste Management Units and/or Areas of Concern in accordance with Part I of the Permit subject to the requirements of Part II. Any storage and/or treatment of hazardous waste not authorized in this Permit (Parts I and II) is/are prohibited. Part II consists of the conditions contained herein, including those in any attachments thereto; the approved permit application; and the applicable regulations contained in 40 CFR Parts 124, 260 through 264, 268, and 270. Applicable regulations are those which are in effect on the date of issuance of this Part II. The Permittee remains subject to any regulations governing activities not covered by Part II, for example, those regulations to which hazardous waste generators are subject.

1. Subject to 40 CFR §270.4, compliance with Part II during its term constitutes compliance, for purposes of enforcement, with those portions of Subtitle C of RCRA as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA) included in Part II, except for those requirements not included in the Part II which:

- (a) Become effective by statute;
 - (b) Are promulgated under 40 CFR Part 268 restricting the placement of hazardous wastes in or on the land;
 - (c) Are promulgated under 40 CFR Part 265, Subparts AA, BB, or CC limiting air emissions.
2. The issuance of a permit does not convey any property rights of any sort, or any exclusive privilege.
 3. The issuance of a permit does not authorize any injury to persons or property or invasion of other private rights, or any infringement of State or local law or regulations.
 4. Compliance with the terms of Part II does not constitute a defense to any order issued or any action brought under Sections 3008(a), 3008(h), 3013, or 7003 of RCRA, 42 U.S.C. §§ 6928(a), 6928(h), 6934, and 6973, Sections 106(a), 104 or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq., commonly known as CERCLA); or any other law providing for protection of public health or the environment.

I.D. PERMIT ACTIONS

I.D.1. Permit Modification, Revocation and Reissuance, and Termination by EPA

If at any time the EPA determines that modification, revocation and reissuance or termination of the Part II is necessary, the Director may initiate a modification to the Part II, revocation and reissuance of the Part II or termination of the Part II in accordance with 40 CFR §270.41 and 270.43. The initiation of a modification to the Part II, revocation or reissuance of the Part II, or termination of the Part II does not stay the applicability or enforceability of any Permit Condition.

I.D.2. Modification of the Permit by the Permittee

Pursuant to the provisions of 40 CFR §270.42, the Permittee may request a modification of the Part II at any time. The filing of a request for a permit modification or the notification of planned changes or anticipated noncompliance on the part of the Permittee

does not stay the applicability or enforceability of any Condition. Modifications to the Part II do not constitute a reissuance of the Part II.

I.D.3. Permit Modification Correspondence File

The Permittee shall maintain a file that contains all correspondence relating to modifications made pursuant to Permit Conditions I.D.1 and I.D.2. This correspondence file shall be available for review by EPA or its designated representative(s) and the public. Note that the file shall be made available during normal business hours.

- (a) The Permittee shall reference the availability of this file in all notices made regarding permit modifications and include a contact person in order to view the file.
- (b) The Permittee shall include in the correspondence file all modification requests, copies of all permit modification notices sent out, the current permit modification mailing list, and all correspondence from EPA regarding modification requests.

I.D.4. Permit Expiration

I.D.4.a. Permit Duration

Pursuant to 40 CFR §270.50, Part II shall be effective for a fixed term not to exceed ten (10) years. Except as provided in Permit Condition I.D.4.b below, the term of a permit shall not be extended by modification beyond the maximum term of ten (10) years. The Director may issue a permit for a duration of less than ten (10) years or may grant a permit modification to allow earlier permit termination.

I.D.4.b. Continuation of Expiring Permits

Part II, and all conditions herein, will remain in effect and continue in force under 5 U.S.C. §558(c) until the effective date of a new permit if:

- (i) The Permittee has submitted a timely, complete application pursuant to Permit Condition I.D.6.b; and
- (ii) The Director, through no fault of the Permittee, does not issue a new permit with an effective date under 40 CFR §124.15 on or before the expiration date of the previous permit. Permits continued under this permit condition remain fully effective and enforceable.

I.D.4.c. Enforcement

If the Permittee is not in compliance with the conditions of the expiring or expired permit, the Director may choose to do any or all of the following:

- (i) Initiate enforcement action based upon the permit which has been continued;
- (ii) Issue a notice of intent to deny the new permit under 40 CFR §124.6. If the new permit is denied, the Permittee shall cease the activities authorized by the continued permit or be subject to enforcement action for operating without a permit;
- (iii) Issue a new permit under 40 CFR Part 124 with appropriate conditions;
or
- (iv) Take other actions authorized by RCRA.

I.D.4.d. Transfer of Permit upon State Authorization

In the event that the Department receives hazardous waste program authorization under 40 CFR Part 271 after the effective date of this Part II and if the Permittee submits a timely and complete application under applicable State law and regulations, the terms and conditions of this Part II continue in force beyond the expiration date of this Part II, but only until the effective date of the State's issuance or denial of a State RCRA permit.

I.D.4.e. Permit Renewal

This Permittee shall apply to renew this Part II as specified in 40 CFR §270.30(b) and Permit Condition I.D.6.b. Review of any application for a permit renewal shall consider improvements in the state of control and measurement technology, as well as changes in applicable regulations.

I.D.4.f. Appeal of a Permit

This Part II may be appealed pursuant to the provisions of 40 CFR §124.19(a), which provides as follows:

(i) Within thirty (30) calendar days after a RCRA final permit decision has been issued under 40 CFR §124.15, any person who filed comments on that draft permit or participated in the public hearing may petition the Environmental Appeals Board, in writing, to review any condition of the permit decision. Any person who failed to file comments or failed to participate in the public hearing on the draft permit may petition for administrative review only to the extent of the changes from the draft to the final permit decision. The 30-day period within which a person may request review under this section begins with the service of notice of the Regional Administrator's action unless a later date is specified in that notice. The petition shall include a statement of the reasons supporting that review, including a demonstration that any issues being raised were raised during the public comment period (including any public hearing) to the extent required by these regulations and when appropriate, a showing that the condition in question is based on:

- (1) A finding of fact or conclusion of law which is clearly erroneous, or
- (2) An exercise of discretion or an important policy consideration which the Environmental Appeals Board should, in its discretion, review.

I.D.5. SEVERABILITY

The provisions of this Part II are severable, and if any provision of this Part II, or the application of any provision of this Part II to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this Part II shall not be affected thereby.

I.D.6. DUTIES AND REQUIREMENTS

I.D.6.a. Duty to Comply

The Permittee shall comply with all conditions of this Part II, except to the extent and for the duration such noncompliance is authorized by an emergency permit. Any Part II noncompliance, other than noncompliance authorized by an emergency Permit, constitutes a violation of RCRA and is grounds for enforcement action; for Part II termination, revocation and reissuance, or modification; and/or for denial of a permit renewal application.

I.D.6.b. Duty to Reapply

- (i) If the Permittee wishes to continue an activity regulated by this Part II after the expiration date of this Part II, the Permittee shall submit a complete application for a new permit at least 180 days prior to Part II expiration.
- (ii) If the Permittee has not completed any required activities under the existing permit and fails to timely submit a Permit Application pursuant to this Permit Condition, Permittees shall be deemed to be in violation of this Permit.
- (iii) Submittal of any application for a Permit renewal shall consider improvements in the state of control and measurement technology, as well as changes in applicable regulations or knowledge of contaminant toxicity or carcinogenicity.

I.D.6.c. Permit Expiration

As set forth in 40 CFR §270.51(a), unless revoked or terminated, this Part II shall be effective for a fixed term not to exceed ten years, except that, as long as EPA is the Permit-issuing authority, this Part II and all conditions herein will remain in effect beyond the Part II's expiration date, if the Permittee has submitted a timely, complete application and, through no fault of the Permittee, the EPA has not issued a new permit.

I.D.6.d. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the Permittee, in an enforcement action, that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Part II.

I.D.6.e. Duty to Mitigate

In the event of noncompliance with this Part II, the Permittee shall take all reasonable steps to minimize releases to the environment and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment.

I.D.6.f. Proper Operation and Maintenance

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances), which are installed or used by the Permittee to achieve compliance with the conditions of this Part II.

Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Part II.

I.D.6.g. Duty to Provide Information

Within 30 days of a request for information from the Director, or such other time as approved by the Director, the Permittee shall furnish to the Director any relevant information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Part II, or to determine compliance with this Part II. The Permittee shall also furnish to the Director, within 30 days of request, copies of records required to be kept by this Part II.

I.D.6.h. Inspection and Entry

Pursuant to 40 CFR §270.30(i), the Permittee shall allow the EPA, or an authorized representative, upon the presentation of credentials and other documents, as may be required by law, to:

- (i) Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Part II;
- (ii) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Part II;
- (iii) Inspect, photograph, and/or record (audio and/or visual), at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Part II; and
- (iv) Sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by RCRA, any substances or parameters at any location.
- (v) Notwithstanding any provision of this Part II, EPA retains the inspection and access authority which it has under RCRA and other applicable laws.

I.D.6.i. Monitoring and Records

(i) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from Appendix I of 40 CFR Part 261 or an equivalent method approved by the EPA. Laboratory methods shall be in accordance with Waste Management System; Testing and Monitoring Activities; Final Rule: Methods Innovation Rule and SW-846 Final Update IIIB. [70 FR 34538, June 14, 2005].

(ii) The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports and records required by this Part II, the certification required by 40 CFR §264.73(b)(9), and records of all data used to complete the application for this Part II through the term of the Part II or for a period of at least three (3) years from the date of the sample, measurement, report, record, certification, or application; whichever is longer. These periods may be extended by request of the EPA at any time and are automatically extended during the course of any unresolved enforcement action regarding this Facility. The Permittee shall maintain records from all ground water monitoring wells and associated ground water surface elevations, for the active life of the Facility, and for disposal facilities for the post-closure care period as well.

(iii) Pursuant to 40 CFR §270.30(j)(2)(3), records of monitoring information shall specify:

- (1) The dates, exact place, and times of sampling or measurements;
- (2) The individuals who performed the sampling or measurements;
- (3) The dates analyses were performed;
- (4) The individuals who performed the analyses;
- (5) The analytical techniques or methods used; and
- (6) The results of such analyses.

(iv) The Permittee shall ensure its analytical data meet the Data Quality Objectives (DQOs) in the Quality Assurance Project Plan (QAPP)

I.D.6.j. Reporting Planned Changes

The Permittee shall give thirty (30) days advance notice to the Director of any planned physical alterations or additions which may affect any Hazardous Waste Management Units (HWMUs), Solid Waste Management Units (SWMUs), Areas of Concern (AOCs), contaminated media or debris, or existing institutional or engineering controls.

I.D.6.k. Reporting Anticipated Noncompliance

The Permittee shall give at least thirty (30) days advance notice to the Director prior to any planned changes in the permitted Facility or other activity which may result in noncompliance with permit requirements.

Examples of such changes or activities include, but are not limited to, shutdown, construction or modification of new or existing units for the treatment, storage, or disposal of hazardous waste.

I.D.6.l. Monitoring Reports

Monitoring results shall be reported at the intervals specified elsewhere in this Part II.

I.D.6.m. Reports of Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Part II shall be submitted no later than 14 days following each scheduled date.

I.D.7. Transfer of Permits

Before transferring ownership or operation of the Facility or any part of the Facility, the Permittee shall notify the new owner or operator in writing of the requirements of 40 CFR Parts 264 and 270 and this Part II. At least ninety (90) calendar days prior to the anticipated date of transfer, the new owner and/or operator shall submit to the Director and the Department a certification in accordance with Permit Condition I.G that the new owner or operator has read this Part II, understand its requirements and will comply with the terms and conditions herein. If the property transfer involves subdividing the property to more than one owner or operator, a map and legal description shall also be provided to the Director that identifies the properties to be occupied by each new owner.

An owner or operator's failure to notify the new owner or operator of the requirements of this Part II in no way relieves the new owner or operator of his obligation to comply with all applicable requirements.

The Part II may be modified or revoked and reissued in accordance with 40 CFR 270.40(b) or 270.41(b)(2) respectively. The Director may incorporate such other requirements as may be necessary under RCRA as part of the modification to this Part II.

The new owner and/or operator shall submit a revised permit application no later than 90 days prior to the scheduled change in ownership and/or operational control of the Facility or any part of the Facility. A written agreement containing a specific date for transfer of permit responsibility between the Permittee and new Permittee(s) must also be submitted no later than 90 days prior to the scheduled change in ownership and/or operational control.

I.D.8. Twenty-Four Hour Reporting

(a) The Permittee shall report to the Director any noncompliance which may endanger health or the environment. Any such information shall be reported orally within 24 hours from the time the Permittee becomes aware of the circumstances. Examples of such occurrences include, but are not limited to, fires, explosions, natural disasters, accidents, imminent or existing hazard from a release of hazardous waste or hazardous constituents, cracks or other breaches in the structure of any hazardous waste units, any fire or explosion at or near a permitted unit or other hazardous waste management area, or any other occurrence which may cause the release or threatened release of hazardous waste from any area within the permitted Facility. The report shall include the following:

- (i) Information concerning the release of any hazardous waste or hazardous constituents that may endanger public drinking water supplies.
- (ii) Information concerning the release or discharge of any hazardous waste, or hazardous constituents, or a fire or explosion at the Facility, which could threaten the environment or human health outside the Facility.
- (iii) The description of the occurrence and its cause including:
 - (1) Name, address, and telephone number of the owner or operator;
 - (2) Name, address, and telephone number of the facility;
 - (3) Date, time, and type of incident;

- (4) Name and quantity of materials involved;
- (5) The extent of injuries, if any;
- (6) An assessment of actual or potential hazards to the environment and human health outside the Facility, where this is applicable; and
- (7) Estimated quantity and disposition of recovered material that resulted from the incident.

(b) A written submission shall also be provided to the Director within five (5) days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period(s) of noncompliance (including exact dates and times); whether the noncompliance has been corrected; and, if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Director may waive the five-day written notice requirement in favor of a written report within 15 days.

I.D.9. Other Noncompliance

The Permittee shall report to the Director in writing all other instances of RCRA noncompliance not otherwise required to be reported in Permit Conditions I.D.6 - I.D.8, within thirty (30) days of the event. The reports shall contain the information listed in Permit Condition I.D.8.

Examples of such instances include, but are not limited to, any noncompliance with waste handling and disposal requirements or requirements related to facility safety, including noncompliance with contingency plan requirements. Repeated or chronic instances of noncompliance with recordkeeping requirements must also be reported, although isolated or one-time instances of noncompliance with recordkeeping requirements need not be reported.

I.D.10. Information Repository

The Director may require the Permittee to establish and maintain an information repository at any time, based on the factors set forth in 40 CFR §124.33(b). The information repository will be governed by the provisions in 40 CFR §124.33 (c) through (f).

I.D.11. Other Information

Whenever the Permittee becomes aware that it failed to submit any relevant facts in the approved permit Application, or submitted incorrect information in a permit application or in any report to the EPA, the Permittee shall submit such facts or information to the Director in writing within seven (7) days of discovery.

I.E. INCORPORATIONS TO THE PERMIT

1. All plans and schedules required by the conditions of Part II are, upon approval of the Director, enforceable under Part II. Any noncompliance with such approved plans and schedules shall constitute noncompliance with Part II.
2. Any portion of the approved permit application referenced by Part II is enforceable under Part II. Any noncompliance with such portions of the approved permit application shall constitute noncompliance with Part II.

I.F. SUPPLEMENTAL DATA

All raw data, such as laboratory reports, drilling logs, bench-scale or pilot-scale data, and other supporting information gathered or generated during activities undertaken pursuant to Part II shall be maintained at the permitted Facility or other such location as approved by the Director during the term of Part II, including the term of any reissued or continued permits. Such information shall be made available to the Director upon request.

I.G. SIGNATORY REQUIREMENT

All applications, reports, or information submitted to or requested by the Director shall be signed and certified in accordance with 40 CFR §270.11.

I.H. REPORTS, NOTIFICATIONS, AND SUBMISSIONS TO THE EPA

1. Failure to submit the information required by Part II, or falsification of any submitted information, is subject to enforcement and/or termination of Part II.
2. The Permittee shall ensure that all plans, reports, notifications, and other submissions required by Part II to be submitted to the EPA are signed and certified in accordance with 40 CFR §§ 270.11 and 270.30(k).

3. Extensions of the due dates specified in Part II may be granted by the Director without permit modification, with demonstration by the Permittee of due cause to the satisfaction of the Director.
4. Unless otherwise specified, two (2) copies of these plans, reports, notifications or other submissions required by Part II to be submitted to the EPA shall be sent by certified mail, delivery service or hand delivered to:

U.S. EPA Region 7
Air and Waste Management Division
RCRA Corrective Action & Permits Branch
ATTN: Harry Gabbert
901 North 5th Street
Kansas City, Kansas 66101

5. In addition, two (2) copies of these plans, reports, notifications or other submissions shall be submitted to:

Missouri Department of Natural Resources
Hazardous Waste Program
1730 East Elm Street (lower level)
P.O. Box 176
Jefferson City, MO 65102-0176

6. The Director may designate a new recipient in writing to the Permittee without a permit modification.

I.I. CONFIDENTIAL INFORMATION

In accordance with 40 CFR §270.12, the Permittee may claim confidential any information required to be submitted by this Part II.

I.J. DOCUMENTS TO BE MAINTAINED AT THE FACILITY

The Permittee shall maintain at the Facility, through the term of the Part II or for a minimum of three (3) years, whichever is longer, the following documents and all amendments, revisions and modifications to these documents:

1. Approved permit application.
2. Operating Record.

3. Permit Modification File.

I.K. DOCUMENTS INCORPORATED BY REFERENCE

The following are, or, upon approval, will be incorporated by reference into and are an enforceable part of this Part II. Failure to implement the plan in accordance with the requirements and schedules contained therein shall be deemed a violation of this Part II:

Reserved

I.L. LAND DISPOSAL RESTRICTIONS

The Permittee shall comply with all applicable requirements of 40 CFR Part 268 including any requirements promulgated pursuant to HSWA after the issuance of Part II.