

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
HAZARDOUS WASTE MANAGEMENT PERMIT - PART II
AUTHORIZATION UNDER THE HAZARDOUS AND
SOLID WASTE AMENDMENTS OF 1984

Pursuant to Section 227 of the Hazardous and Solid Waste Amendments of 1984 (hereafter referred to as "HSWA"), 18 U.S.C. § 6926, the United States Environmental Protection Agency (hereafter referred to as "EPA") is granted authority to issue or deny permits or those portions of permits affected by the requirements established by HSWA. By this authority and pursuant to Sections 3001(g), 3001(h), 3002(b), 3004(d), and 3005 of the Resource Conservation and Recovery Act ("RCRA") as amended by HSWA, 42 USC §§ 6921(g), 6921(h), 6922(b), 6924(d), and 6925, EPA hereby grants Continental Cement Company, LLC, as the facility owner and operator (hereafter referred to as the "Permittee"), EPA ID Number MOD054018288, permission to perform activities required by HSWA at their facility located at Highway 79, Hannibal, Missouri, north latitude 39° 40' 048", west longitude 091° 18' 050", in accordance with the conditions of Part II of this Permit.

Part II of this Permit addresses other HSWA requirements as administered and enforced by EPA. Applicable regulations are found in 40 CFR Parts 260 through 264, 266, 268, 270, and 124, as specified in Part II of this Permit.

All regulations cited in Part II of this Permit refer to regulations in effect on the date of Part II of this Permit issuance. With the exception of regulations in existence at the time of Permit issuance and referenced in Part II of this Permit, the only other RCRA regulations applicable to this facility during the life of Part II of this Permit will be self-implementing regulations.

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 VII, Air, RCRA, and Toxics Division (hereafter referred to as "Director") or the Director's designated representative, by delegation No. R7-8-6, January 1, 1995, revised September 16, 2007.

Part II of this Permit is based on the assumption that the information applicable to the Permit, in the permit application dated October 22, 1998, and subsequent submittals dated Class 3 permit modification request dated and submitted March 16, 2007, (cement kiln portion), Class 3 permit modification request submitted March 30, 2007, (RCRA facility portion), revised Part A dated October 9, 2008, and June 26, 2009, response to technical comments dated May 13, 2009, and August 11, 2009, are accurate and that the facility will be operated as specified in the application and submittals.

Any inaccuracies found in the application or other submitted information may be grounds for the, modification, revocation and re-issuance, or termination of Part II of this Permit in accordance with 40 CFR §§ 270.41, 270.42, and 270.43, or for enforcement action pursuant to

Continental Cement Company, LLC
Hannibal, Missouri
RCRA ID# MOD054018288

Part II of the Permit
Class 3 Modification

Section 3008 of RCRA, 42 U.S.C. § 6928. The Permittee must inform EPA of any deviation from or changes in the application that would affect the Permittee's ability to comply with Part II of this Permit.

Part II of this permit shall be issued at 12:01 AM on October 14, 1999, and shall remain in effect until 12:00 AM on October 14, 2009, unless revoked and reissued, terminated or continued in accordance with 40 CFR §§ 270.41, 270.43, and 270.51. It shall remain in effect even if Part I is terminated or has expired.

Done at Kansas City, Kansas, this 13th day of October, 1999.

// signature on original //

William A. Spratlin
Director,
Air, RCRA, and Toxics Division

Modifications to this Part II of the Permit are done and codified herein at Kansas City, Kansas, this 18th day of July, 2008, and become effective immediately.

//signature on original – J.J. Smith for B. Weber//

Becky Weber
Director, Air and Waste Management Division

Modifications to this Part II of the Permit are done and codified herein at Kansas City, Kansas, this 30th day of June, 2010, and become effective immediately unless stayed in whole or in part in response to an appeal pursuant to 40 CFR 124.19.

// signature on original //

Becky Weber
Director, Air and Waste Management Division

TABLE OF CONTENTS

A. DEFINITIONS..... 5

B. STANDARD CONDITIONS 5

 B.1. Submittal of Permit Requirements..... 5

 B.2. Permit Modification, Revocation and Re-Issuance, and Termination..... 6

 B.3. Permit Renewal..... 6

 B.4. Transfer of Permits 7

 B.5. Severability 7

 B.6. Appeal of a Permit 7

 B.7. Duty to Comply..... 8

 B.8. Need to Halt or Reduce Activity Not a Defense..... 8

 B.9. Duty to Mitigate..... 8

 B.10. Proper Operation and Maintenance 8

 B.11. Duty to Provide Information..... 9

 B.12. Inspection and Entry 9

 B.13. Monitoring and Records 9

 B.14. Reporting Planned Changes..... 10

 B.15. Reporting Noncompliance 10

 B.16. Other Information 11

 B.17. Incorporations to the Permit..... 11

C. FACILITY-SPECIFIC CONDITIONS 12

 C.1. Land Disposal Restrictions 12

 C.2. Reserved..... 12

 C.3. Limitations of HSWA Hazardous Waste Management 12

D. INDUSTRIAL FURNACE CONDITIONS EXISTING KILN 13

 D.1. Description of Industrial Furnace 13

 D.2. Limitations of Hazardous Waste Management..... 13

 D.3. Hazardous Waste Analysis 13

 D.4. Compliance with Regulations..... 13

 D.5. Emission Standards..... 13

 D.6. Operating Requirements 13

 D.7. Monitoring, Recording and Inspection 13

 D.8. Direct Transfer of Hazardous Waste..... 13

 D.9. Regulation of Residues 13

 D.10. Record Keeping 14

 D.11. Closure 14

 D.12. Cost Estimate for Closure of the Industrial Furnace..... 14

 D.13. Financial Assurance and Liability Requirements 14

E. INDUSTRIAL FURNACE CONDITIONS NEW KILN..... 14

 E.1. Description of Industrial Furnace 14

 E.2. Limitations of Hazardous Waste Management..... 15

 E.3. Hazardous Waste Analysis 15

 E.4. Emission Standards..... 15

 E.5. Compliance with Regulations..... 15

E.6.	Operating Requirements	15
E.7.	Monitoring, Recording and Inspection	15
E.8.	Direct Transfer of Hazardous Waste.....	15
E.9.	Regulation of Residues	15
E.10.	Record Keeping	16
E.11.	Closure	16
E.12.	Cost Estimate for Closure of the Industrial Furnace.....	16
E.13.	Financial Assurance and Liability Requirements	17
a.	Facility Closure.....	17
b.	Liability Requirements.....	17
F.	FACILITY SUBMISSION SUMMARY	17

A. DEFINITIONS

For purposes of Part II of this Permit, terms used herein shall have the same meaning as those in RCRA and 40 CFR Parts 124, 260, 261, 264, 266, 268, and 270, unless Part II of this Permit specifically provides otherwise. Where terms are not defined in RCRA, the regulations, the Permit or EPA guidance or publications, 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.

“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.

“Permit application” means the Permit application that was submitted by the Permittee dated October 22, 1998, Class 3 permit modification dated and submitted March 16, 2007 (cement kiln portion), Class 3 permit modification submitted March 30, 2007 (RCRA facility portion), revised Part A dated October 9, 2008 and June 26, 2009, response to technical comments dated May 13, 2009 and August 11, 2009, will hereafter be referred to as the “approved Permit application.”

“Permit application for the new kiln” means the permit application dated March 16, 2007, submitted by Continental Cement Company, LLC.

“Permit application for the new storage and treatment units” means the permit application dated March 30, 2007, and subsequent revisions dated May 13, 2009 and August 11, 2009, submitted by Continental Cement Company, LLC.

B. STANDARD CONDITIONS

B.1. Submittal of Permit Requirements

a. Failure to submit the information required in Part II of this Permit, or falsification of any submitted information, is subject to enforcement and/or termination of II of this Permit by the EPA pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928 and 40 CFR § 270.43.

b. The Permittee shall ensure that all plans, reports, notifications, and other submissions to the Director required in Part II of this Permit are signed and certified in accordance with 40 CFR §§ 270.11 and 270.30(k).

c. Changes to the due dates specified in Part II of this Permit may be granted by the Director in accordance with the Permit modification procedures set forth in 40 CFR § 270.42. The Director may grant certain extensions to due dates in accordance with the regulations and in writing.

d. Unless otherwise specified, two copies of these plans, reports, notifications or other submissions shall be submitted to the EPA and sent by certified mail or hand delivered to:

U.S. EPA, Region 7
Attn: RCRA Corrective Action and Permits Branch
Air and Waste Management Division
901 N. 5th St.
Kansas City, KS 66101

In addition, three copies of these plans, reports, notifications or other submissions shall be submitted to:

Missouri Department of Natural Resources
Attn: Hazardous Waste Program
P.O. Box 176
Jefferson City, MO 65102

B.2. Permit Modification, Revocation and Re-Issuance, and Termination

a. Part II of this Permit may be modified, revoked and reissued, or terminated for cause, as specified in 40 CFR §§ 270.41, 270.42, and 270.43.

b. If the Director determines that further actions beyond those required in Part II of this Permit, or changes to the requirements set forth herein, are warranted, the Director may modify Part II of this Permit in accordance with 40 CFR § 270.41.

c. Pursuant to the provisions of 40 CFR § 270.42, the Permittee may request a modification of Part II of this Permit at any time.

d. Modifications to Part II of this Permit do not constitute a re-issuance of the Permit. The filing of a request for a Permit modification, revocation and re-issuance, or termination, 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 in Part II of this Permit.

B.3. Permit Renewal

a. Part II of this Permit may be renewed as specified in 40 CFR § 270.30(b). Review of any application for a Permit renewal shall consider improvements on the state of control and measurement technology, as well as changes in applicable regulations.

b. If the Permittee wishes or is required to continue an activity regulated by Part II of this Permit after the expiration date of Part II of this Permit, the Permittee shall submit a complete

application for a new permit prior to the expiration of Part II of this Permit. Such application must be submitted at least 180 calendar days prior to Permit expiration unless permission for a later submission date has been granted by the Director.

B.4. Transfer of Permits

Part II of this Permit is not transferable to any person or entity until such a time as Part II of this Permit has been modified or revoked and reissued to identify the proposed new owner or operator of the facility (hereafter referred to as "New Permittee") and to incorporate such other requirements as may be necessary, all in accordance with the procedures set forth in 40 CFR Part 270, Subpart D. At least 90 calendar days prior to the anticipated date of transfer, the New Permittee shall submit to the Director: 1) a revised Permit application; and 2) a copy of the written agreement between the Permittee and the New Permittee, containing the specific date for transfer of the Permit responsibilities described herein. The Permittee and the New Permittee shall also comply with the financial requirements as more specifically set forth in 40 CFR § 270.40 and

40 CFR Part 264, Subpart H. It shall be the Permittee's responsibility to notify the New Permittee in writing of the requirements of 40 CFR Parts 264 and 270 and Part II of this Permit. In the event that Part II of this Permit is not modified or revoked and reissued to identify the proposed new owner or operator of the facility, the Permittee shall conduct final closure in accordance with the closure plan submitted with the approved permit application prior to transfer of facility ownership or operational control.

B.5. Severability

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

B.6. Appeal of a Permit

Part II of this Permit may be appealed pursuant to the provisions of 40 CFR §124.19(a), which provides, in pertinent part, as follows:

Within 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.

B.7. Duty to Comply

The Permittee shall comply with all conditions in Part II of this Permit, except to the extent and for the duration such noncompliance is authorized by an emergency permit (see 40 CFR § 270.61). Any noncompliance with Part II of this Permit, other than noncompliance authorized by an emergency permit, constitutes a violation of RCRA and Part II of this Permit and is grounds for enforcement action; for Permit modification, revocation and re-issuance, or termination; or for denial of a Permit renewal application.

B.8. Need to Halt or Reduce Activity Not a Defense

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

B.9. Duty to Mitigate

In the event of noncompliance with Part II of this Permit, 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.

B.10. 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 Part II of this Permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires the operation of redundant, back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of Part II of this Permit.

B.11. Duty to Provide Information

The Permittee shall furnish to the Director, within a time specified by the Director, any relevant information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating Part II of this Permit, or to determine compliance with Part II of this Permit. The Permittee shall also furnish to the Director, upon request, copies of records required to be kept by Part II of this Permit.

B.12. Inspection and Entry

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

- a. 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 Permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of Part II of this Permit;
- c. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under Part II of this Permit; and
- d. Sample or monitor, at reasonable times, for the purpose of assuring compliance with Part II of this Permit or as otherwise authorized by RCRA, any substances or parameters at any location.

B.13. Monitoring and Records

a. The Permittee shall retain all records required by Part II of this Permit, the certification required by 40 CFR § 264.73(b)(9), and records of all data used to complete the application for Part II of this Permit, for a period of at least three years from the date of the sample, measurement, report, record, certification, or application. This period may be extended by request of the Director at any time and is automatically extended during the course of any disputed matter including any unresolved enforcement action (as contemplated by Section 3008 of RCRA, 42 U.S.C. § 6928 and 40 CFR § 270.43) regarding this facility.

In the case where monitoring and records are no longer required by Part II of this Permit due to the Permittee's compliance with the maximum achievable control technology (MACT) requirements of 40 CFR Part 63, Subpart EEE, by conducting a comprehensive performance test and submitting to the Director a copy of the Notification of Compliance under 40 CFR

§§ 63.1207(j) and 63.1210(d) submitted to the Administrator documenting compliance with those requirements, all previous records are still subject to this Permit Condition.

- b. Pursuant to 40 CFR § 270.30(j)(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.

B.14. Reporting Planned Changes

The Permittee shall give notice to the Director as soon as possible of any planned physical alteration or additions to the permitted facility, except for those alterations or additions which require modification of Part 2 of this Permit in which case the notice requirements of Permit Condition B.2. apply.

B.15. Reporting Noncompliance

- a. The Permittee shall give 20 calendar days advanced notice to the Director of any planned changes in the Permitted facility or activities required by Part II of this Permit which may result in noncompliance with the requirements of Part II of this Permit.
- b. The Permittee shall report to the Director any noncompliance with Part II of this Permit 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. The report shall include the following:

- (1) Information concerning release of any hazardous waste and/or hazardous constituent that may cause an endangerment to public drinking water supplies; and
- (2) Any information of a release or discharge of hazardous waste and/or a hazardous constituent, or of a fire or explosion from the hazardous waste management facility, which could threaten the environment or human health outside the facility.

- c. The description of the occurrence and its cause shall include:
- (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.
- d. A written notice shall also be provided within five calendar 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 time the Permittee anticipates that noncompliance will continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The Director may waive the five-day written notice requirement in favor of a written report within 15 calendar days.

B.16. Other Information

Whenever the Permittee becomes aware of the failure to submit any facts in the Permit application relevant to this Permit or the submittal of incorrect information in the Permit application, or in any report to the Director, the Permittee shall promptly submit such facts or information.

Notwithstanding the above paragraphs B.15(b)-(d), the Permittee shall comply with all reporting requirements of all applicable federal, state, and local laws and regulations.

B.17. Incorporations to the Permit

Any plans and schedules required by the conditions of Part II of this Permit are, upon approval of the Director, enforceable under Part II of this Permit. Any noncompliance with such approved plans and schedules shall constitute noncompliance with Part II of this Permit.

C. FACILITY-SPECIFIC CONDITIONS

C.1. Land Disposal Restrictions

a. The Permittee must comply with all regulations implementing the land disposal restrictions required in 40 CFR Part 268. The Permittee also must comply with regulations implementing the land disposal restrictions that are promulgated after the effective date of Part II of this Permit, as these requirements are self-implementing provisions of HSWA. The Permittee is not subject to the land disposal restrictions if the applicable treatment standard is met, the waste is exempt under 40 CFR § 268.1(c), the waste is subject to a variance, or any other exemption if 40 CFR Part 268 applies.

b. If allowed in the State Permit (Part I), the Permittee may store wastes to which the land disposal restriction applies for up to one year unless EPA can demonstrate that such storage was not solely for the purpose of accumulation of such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment, or disposal as provided in 40 CFR § 268.50(b). For storage of hazardous waste to which the land disposal prohibition applies beyond one year, however, the Permittee shall bear the burden of proving that such storage was solely for the purpose of accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment, or disposal as provided in 40 CFR § 268.50(c).

C.2. Reserved

Table 1 - Reserved

C.3. Limitations of HSWA Hazardous Waste Management

Part I of this Permit authorizes the management of hazardous wastes identified in the pertinent part of Part A of the application. However, the MDNR has not adopted into its state regulations some of the hazardous wastes identified in the Part A application. MDNR has adopted into its state regulations some of the hazardous wastes identified in the Part A application but has not yet received authorization to regulate these wastes in lieu of EPA.

Part II of this Permit authorizes the management of those hazardous wastes identified in the pertinent part of the Part A application dated October 9, 2008 and revisions dated June 26, 2009, which have not yet been adopted by MDNR or have been adopted but for which MDNR has not yet been authorized to regulate in lieu of the EPA. The Permittee shall only manage those wastes as specified in Part I of this Permit issued by MDNR and in accordance with that permit. The Permittee is prohibited from management of hazardous wastes not identified in the pertinent part of the Part A application as described therein except as allowed elsewhere in Part II of this Permit or as allowed in 40 CFR §§ 262.34, 263.12 and 270.1.

D. INDUSTRIAL FURNACE CONDITIONS EXISTING KILN

The Permittee is no longer authorized to treat hazardous wastes in the industrial furnace described as an existing wet-process rotary cement kiln and ancillary feed equipment with an air pollution control system consisting of a four stage electrostatic precipitator (ESP) and an exhaust stack.

D.1. Description of Industrial Furnace

Reserved

D.2. Limitations of Hazardous Waste Management

Reserved

D.3. Hazardous Waste Analysis

Reserved

D.4. Compliance with Regulations

Reserved

D.5. Emission Standards

Reserved

D.6. Operating Requirements

Reserved

D.7. Monitoring, Recording and Inspection

Reserved

D.8. Direct Transfer of Hazardous Waste

Reserved

D.9. Regulation of Residues

Reserved

D.10. Record Keeping

The Permittee shall record and maintain in the operating record of the facility all information and data required by or used to demonstrate compliance with 40 CFR §§ 266.102, 104-107, 111 and 112 until closure of the facility.

D.11. Closure

Reserved

D.12. Cost Estimate for Closure of the Industrial Furnace

Reserved

D.13. Financial Assurance and Liability Requirements

Reserved

E. INDUSTRIAL FURNACE CONDITIONS NEW KILN

The Permittee is authorized to treat hazardous wastes in the industrial furnace described in the permit application for the new kiln subject to the terms, conditions, limits and requirements of Part II of this Permit and 40 CFR § 266, Subpart H.

E.1. Description of Industrial Furnace

The industrial furnace consists of a new pre-heater/pre-calciner rotary cement kiln and ancillary hazardous waste feed equipment with an air pollution control system consisting of a membrane filter baghouse for the raw mill and a membrane filter baghouse for the alkali by-pass system. Both liquid and solid hazardous waste are burned as supplemental fuels in the cement kiln through feed systems ancillary to the rotary cement kiln and the pre-calciner.

Liquid hazardous wastes are pumped from the hazardous waste storage tank through piping and feed rate monitoring and control equipment and into the burning zone of the kiln and/or into the burning zone of the pre-calciner through an atomizing nozzle. Solid hazardous wastes are fed into the primary fuel (coal) feed system where both are conveyed into the burning zone of the kiln and/or into the burning zone of the pre-calciner with primary combustion air.

E.2. Limitations of Hazardous Waste Management

The Permittee may only burn hazardous waste identified in the approved permit application, in the pertinent part of the Part A application dated October 9, 2008 and revisions dated June 26, 2009, as specified in Part II of this Permit and only under the terms of Part II of this Permit.

E.3. Hazardous Waste Analysis

Reserved

E.4. Emission Standards

Reserved

E.5. Compliance with Regulations

Reserved

E.6. Operating Requirements

Reserved

E.7. Monitoring, Recording and Inspection

The industrial furnace and associated equipment (pumps, valves, pipes, etc.) shall be subjected to thorough visual inspection when they contain hazardous waste, at least daily for leaks, spills, fugitive emissions, and signs of tampering, as specified in the Inspection Schedule, Permit Attachment E-1, Inspection Schedule.

E.8. Direct Transfer of Hazardous Waste

The Permittee shall comply with the standards of 40 CFR § 266.111 when transferring hazardous waste directly from a transport vehicle to the industrial furnace without use of a storage unit.

E.9. Regulation of Residues

a. The Permittee shall sample and analyze cement kiln dust as described in the Waste Analysis Plan, Permit Attachment E-2, Waste Analysis Plan.

b. Records sufficient to document compliance with the provisions of Section E.9 of Part II of this Permit shall be retained until closure of the industrial furnace as a hazardous waste burner. At a minimum, the following shall be recorded:

- (1) The date and time of sampling;
- (2) The individual(s) who performed the sampling;
- (3) The date(s) analyses were performed;
- (4) The individual(s) who performed the sampling; and
- (5) Results of sample analyses.

E.10. Record Keeping

The Permittee shall record and maintain in the operating record of the facility all information and data required by or used to demonstrate compliance with 40 CFR §§ 266.111 and 112 until closure of the facility.

E.11. Closure

The Permittee shall complete closure of the industrial furnace and its associated systems including its ancillary equipment and air pollution control devices as described in the permit application, in the pertinent part of the closure plan, and remove all hazardous waste and hazardous waste residues from the industrial furnace and associated systems. If any portion of the industrial furnace or its associated systems are removed from service prior to final closure of the facility, the Permittee shall implement the partial closure procedures described in the permit application, in the pertinent part of the Closure Plan, Permit Attachment E-3, Closure Plan.

E.12. Cost Estimate for Closure of the Industrial Furnace

The Permittee shall maintain an estimate of the cost to complete closure of the industrial furnace and its associated systems as required by 40 CFR § 264.142. The Permittee shall adjust annually, as required by 40 § CFR 264.142(b), or within 30 days, as required by 40 CFR § 264.142(c), if a modification to the closure plan affecting the cost estimate is approved by the Director, the Closure Cost Estimate, Part II Attachment E-4, Closure Cost Estimate, for closure of the industrial furnace and its associated equipment.

E.13. Financial Assurance and Liability Requirements

a. Facility Closure

The Permittee shall demonstrate continuous compliance with 40 CFR § 264.143 by providing documentation to the Director of financial assurance, as required by 40 CFR § 264.151 in at least the amount of the estimated cost to close the industrial furnace and its associated systems. Changes in financial assurance mechanisms must be approved by the Director pursuant to 40 CFR § 264.143.

b. Liability Requirements

The Permittee shall demonstrate continuous compliance with the requirement of 40 CFR § 264.147(a) to have and maintain liability coverage for sudden and accidental occurrences in the amount of at least \$1 million per occurrence, with an annual aggregate of at least \$2 million, exclusive of legal defense cost.

F. FACILITY SUBMISSION SUMMARY

The following is a summary of possible reporting requirements pursuant to Part II of this Permit.

Table 7 - Summary of possible reporting requirements pursuant to Part II of this Permit

CONDITIONAL REQUIREMENTS	DUE DATE	PERMIT CONDITION
Permit Renewal	180 calendar days prior to Part II Permit expiration	B.3.b
Provisions for Part II Permit Transfer	90 calendar days prior to date of Part II Permit transfer	B.4
Report Planned Changes	20 calendar days prior to making any physical alterations to any portion of the facility subject to Part II of this Permit, except when notice is required by the State Part I Permit	B.14
Report Noncompliance	20 calendar days prior to making any changes which will result in noncompliance with Part II of this Permit	B.15.a.
Oral Notice of Noncompliance	Within 24 hours of Permittee's awareness of the circumstance	B.15.b.

CONDITIONAL REQUIREMENTS	DUE DATE	PERMIT CONDITION
Written Notice of Noncompliance	Within 5 calendar days of Permittee's awareness of the circumstance	B.15.d.