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.

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 are accurate and that the facility will be operated as specified in the application.

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 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.

[Original signed by William A. Spratlin]

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

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 dated October 22, 1998 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, RCRA, and Toxics Division
901 N. 5th St.
Kansas City, KS 66101

In addition, one copy 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. <u>FACILITY-SPECIFIC CONDITIONS</u>

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. Air Emission Standards for Tanks, Surface Impoundments, and Containers

The Permittee shall comply with the applicable requirements of 40 CFR Part 264 Subpart CC for all units identified in Table 1.

Table 1 - Units Subject to Subpart CC Standards

Unit Identification	Subpart CC Control Option
Container Storage 1 through 4	Controls in accordance with 40 CFR Part 61, Subpart FF
Tanks Numbered 1 through 9	Controls in accordance with 40 CFR Part 61, Subpart FF

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 in identified in the pertinent part of the Part A application dated October 22, 1998 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

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

D.1. Description of Industrial Furnace

The industrial furnace consists of a 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. Both liquid and solid hazardous waste are burned as supplemental fuels in the kiln through feed systems ancillary to the cement kiln.

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 through an atomizing nozzle. The liquid waste feed pump(s), all piping from the discharge of those pump(s) and its return to the storage tank(s) and all other equipment used to monitor and control the flow of liquid hazardous waste to the burning zone of the cement kiln are considered ancillary to the cement kiln and subject of Part II of this Permit. Modifications to or replacement of that equipment is subject to the requirements for permit modifications in Part II of this Permit.

Solid hazardous wastes are fed into the primary fuel (coal) feed system where both are conveyed into the burning zone of the kiln with primary combustion air. The systems used to move hazardous wastes from the feed preparation building or hazardous wastes emptied from the solid hazardous waste transfer containers and the systems to monitor and control the addition of solid hazardous wastes to the primary fuel (coal) feed system are considered ancillary to the cement kiln and subject of Part II of this Permit. Modifications to or replacement of that equipment is subject to the requirements for permit modifications in Part II of this Permit.

D.2. Limitations of Hazardous Waste Management

The limitations in this Permit Condition on burning hazardous wastes in the industrial furnace no longer apply when the Permittee demonstrates 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. This provision which limits applicability of this Permit Condition upon the Permittee's compliance with 40 CFR Part 63, Subpart EEE, is effective upon the date the Notification of Compliance submitted to the Administrator is postmarked.

The Permittee may only burn hazardous waste identified in the approved permit application, in the pertinent part of the Part A application dated October 22, 1998, as specified in Part II of this Permit and only under the terms of Part II of this Permit.

D.3. Hazardous Waste Analysis

The Permittee shall conduct sampling and analysis as described in the approved permit application, in the pertinent part of the waste analysis plan, to determine the physical and chemical composition of the hazardous waste, other fuels, and other feed stocks fed into the industrial furnace in order to document compliance with the requirements in Part II of this Permit.

D.4. Compliance with Regulations

For purposes of permit enforcement, compliance with the operating requirements specified in this Permit shall be regarded as compliance with 40 CFR §§266.102, 104 -107. However, any evidence that indicates that compliance with these permit conditions is insufficient to ensure compliance with those requirements shall constitute "information" which may justify modification or revocation and re-issuance of this Permit under 40 CFR §270.41.

This Permit Condition will no longer apply when the operating requirements specified in Part II of this Permit no longer apply due to the Permittee's demonstration of 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, this Permit Condition no longer applies. This provision which limits applicability of this Permit Condition upon the Permittee's compliance with 40 CFR Part 63, Subpart EEE, is effective upon the date the Notification of Compliance submitted to the Administrator is postmarked.

D.5. Emission Standards

The emission limits and performance standards in this Permit Condition no longer apply when the Permittee demonstrates 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. This provision which limits applicability of this Permit Condition upon the Permittee's compliance with 40 CFR Part 63, Subpart EEE, is effective upon the date the Notification of Compliance submitted to the Administrator is postmarked.

The Permittee shall maintain the cement kiln, hazardous waste feed systems, and the associated air pollution control equipment, so that, when operated in accordance with the waste feed limitations and operating requirements specified in Part II of this Permit, they will meet the following emission standards:

a. The cement kiln shall achieve a destruction and removal efficiency (hereafter referred to as DRE) of 99.99 percent for 1,2,4-trichlorobenzene and Tetrachloroethylene for each hazardous waste feed and are the principal organic hazardous constituents (hereafter referred to as POHCs) designated in Part II of this Permit. The DRE shall be determined using the method specified in 40 CFR § 266.104(a)(1).

b. The industrial furnace shall not emit particulate matter in excess of 0.08 grains per dry standard cubic foot of stack gas when corrected for seven percent by volume of oxygen in the stack gas, in accordance with the formula specified at 40 CFR § 266.105(a).

c. Pursuant to 40 CFR § 266.102(e)(4)(ii)(A), the emissions from the industrial furnace shall not be in excess of the following limits in Table 2 demonstrated during the trial burn:

Table 2 - Metals Emissions Limits

Metal	Emission Limit (lb/hr)
Lead	0.53
Arsenic	0.0028
Beryllium	0.00011
Cadmium	0.090
Chromium	0.0021

d. The Permittee shall control combined hydrogen chloride (hereafter referred to as HCl) and chlorine emissions from the industrial furnace

such that the rate of emissions is no greater than 39 pounds per hour of HCl and 0.15 pounds per hour of chlorine, as required by 40 CFR § 266.102(e)(5)(ii)(A).

D.6. Operating Requirements

The following operating requirements are established to ensure conformance with the emission standards set forth in Part II of this Permit. The Permittee must operate the kiln in accordance with the operating requirements specified in Part II of this Permit at all times when there is hazardous waste in the industrial furnace. Failure to do so is a violation of Part II of this Permit and may be grounds for enforcement action or termination of Part II of this Permit pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928 or 40 CFR § 270.43, respectively.

Certain operating requirements will no longer apply when the Permittee demonstrates 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. Each Permit Condition where this will occur contains language explicitly stating when they will no longer apply.

Hazardous wastes shall not be introduced into the industrial furnace unless these operating requirements are being met, all of the instruments required to verify compliance with such conditions are functioning properly, and the parameters measured by the instruments are being recorded as required by Part II of this Permit. The Permittee shall cease burning hazardous waste when changes in combustion properties, or feed rates of the hazardous waste, other fuels, or industrial furnace feed stocks, or changes in the design or operating conditions of the industrial furnace deviate from the limits specified in Part II of this Permit, as required by 40 CFR § 266.102(e)(7)(iii).

a. Feed Limitations

(1) The limitations on hazardous wastes in this Permit Condition no longer apply when the Permittee demonstrates 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. This provision which limits applicability of this Permit Condition upon the Permittee's

compliance with 40 CFR Part 63, Subpart EEE, is effective upon the date the Notification of Compliance submitted to the Administrator is postmarked.

The Permittee may burn only the hazardous wastes identified in the approved permit application, in the pertinent part of the Part A permit application, in accordance with the following feed limitations.

(2) The feed rate limits and monitoring requirements in this Permit Condition no longer apply when the Permittee demonstrates 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. This provision which limits applicability of this Permit Condition upon the Permittee's compliance with 40 CFR Part 63, Subpart EEE, is effective upon the date the Notification of Compliance submitted to the Administrator is postmarked.

Pursuant to 40 CFR § 266.102(e)(4), chlorine and metal feed rates to the kiln shall not exceed the rates, on a hourly rolling average (HRA) basis, as defined at 40 CFR § 266.102(e)(6)(i)(B), in Table 3 expressed as pounds per hour.

Table 3 - Maximum Chlorine and Metal Feed Rates

Compound	Emission Limit Basis	Total Feedstreams (lb/hr)	Total Hazardous Waste Feed (lb/hr)	Total Pumpable Hazardous Waste Feed (lb/hr)
Antimony	Tier 1A	37.9	NA	NA
Barium	Tier 1A	6322	NA	NA
Mercury	Tier 1A	37.9	NA	NA
Silver	Tier 1A	379	NA	NA
Thallium	Tier 1A	63.2	NA	NA
Lead	Tier 3	73.3	73.1	71.6
Arsenic	Tier 3	11.3	11.2	11.2

Compound	Emission Limit Basis	Total Feedstreams (lb/hr)	Total Hazardous Waste Feed (lb/hr)	Total Pumpable Hazardous Waste Feed (lb/hr)
Beryllium	Tier 3	0.76	0.72	0.72
Cadmium	Tier 3	13.5	13.5	13.4
Chromium	Tier 3	70.7	70.3	69.6
Chlorine	Tier 3	976	972	972

The Permittee shall monitor the feed rate of metals and chlorine/chloride in each feed stream to ensure that the feed rate limits set forth above are not exceeded. Metals and chlorine feed stream concentrations shall be determined by implementing the waste analysis plan in the approved permit application.

(3) The feed rate limits and monitoring requirements for mercury in this Permit Condition no longer apply when the Permittee demonstrates 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. This provision which limits applicability of this Permit Condition upon the Permittee's compliance with 40 CFR Part 63, Subpart EEE, is effective upon the date the Notification of Compliance submitted to the Administrator is postmarked.

The annual average total feedstream metal feed rates to the kiln shall not exceed the rates in Table 4, which are expressed in pounds per hour:

Table 4 - Annual Average Total Feedstream Metal Feed Rate Limits

Compound	Feed Rate Limit (lbs/hr)
Mercury	10.78
Thallium	31.2

(4) The reporting requirements for mercury in this Permit Condition no longer apply when the Permittee demonstrates 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. This provision which limits applicability of this Permit Condition upon the Permittee's compliance with 40 CFR Part 63, Subpart EEE, is effective upon the date the Notification of Compliance submitted to the Administrator is postmarked.

The Permittee shall document and report the annual average total feedstream metal feed rates for each metal in Permit Condition D.6.a.(3)., Table 4. Annual averages shall be determined each calendar year. The first year for which documentation must be maintained is 2000, i.e., January 1, 2000 December 31, 2000. The annual average total feedstream metal feed rate limits shall be determined for each metal as follows:

Annual Average Total Feedstream Metal Feed Rate	=	*Total Mass of Metal Burned While Burning Hazardous Waste*	÷	*Total Hours of Hazardous Waste Burning*

The Permittee shall submit a report to document the annual average total feedstream metal feed rates by March 1 of the following year, i.e., the first report for 2000 is due on March 1, 2001. This report shall include a summary that identifies the concentrations of mercury and thallium, dates of the feedstream's analysis for mercury and thallium, and the mass of each feedstream fed into the industrial furnace while burning hazardous waste and the hours of waste burning. As an alternative, the Permittee may submit a paper and electronic copy of a spreadsheet used to determine annual average total feedstream metal feed rates.

In addition, the Permittee shall maintain, and make available for inspection, the running average of these annual average total feedstream metal feed rates. This running average shall be updated on, at minimum, a ninety (90) calendar day basis. Calculation of the running average shall be completed and available for inspection thirty (30) days after the close of each 90 calendar day period.

b. Automatic Waste Feed Cut-offs (AWFCO)

(1) The automatic waste feed cut-offs required in this Permit Condition are no longer required when the Permittee demonstrates 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. This provision which limits applicability of this Permit Condition upon the Permittee's compliance with 40 CFR Part 63, Subpart EEE, is effective upon the date the Notification of Compliance submitted to the Administrator is postmarked.

While burning hazardous wastes, the industrial furnace shall be operated with the automatic waste feed cut-off system, as described in the approved permit application, functioning so that hazardous waste feed is automatically cut off when any operating condition specified in Part II of this Permit is not met.

(2) The minimum combustion chamber temperature in this Permit Condition no longer applies when the Permittee demonstrates 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. This provision which limits applicability of this Permit Condition upon the Permittee's compliance with 40 CFR Part 63, Subpart EEE, is effective upon the date the Notification of Compliance submitted to the Administrator is postmarked.

The minimum combustion chamber temperature specified in Part II of this Permit shall be maintained at all times while hazardous waste or hazardous waste residues remain in the combustion chamber, as required by 40 CFR § 266.102(e)(7)(ii)(A).

(3) The requirements in this Permit Condition, except that the exhaust gases must continue to exit through a properly operating electrostatic precipitator while hazardous waste or hazardous waste residues remain in the industrial furnace, no longer apply when the Permittee demonstrates 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. This provision which limits applicability of this Permit Condition upon the Permittee's compliance with 40 CFR Part 63, Subpart EEE, is effective upon the date the Notification of Compliance submitted to the Administrator is postmarked.

Exhaust gases must exit through the electrostatic precipitator (ESP) which shall be operated in accordance with the requirements specified in Part II of this Permit while hazardous waste or hazardous waste residues remain in the industrial furnace, as required by 40 CFR § 266.102(e)(7)(ii)(B).

(4) The operating requirements and limits in this Permit Condition no longer apply when the Permittee demonstrates 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. This provision which limits applicability of this Permit Condition upon the Permittee's compliance with 40 CFR Part 63, Subpart EEE, is effective upon the date the Notification of Compliance submitted to the Administrator is postmarked.

Notwithstanding the foregoing, the Permittee shall continue to calculate and record the raw material feed rate and total hazardous waste feed rate to the industrial furnace in tons per hour (dry basis) and pounds per minute, respectively. The raw material feed rate shall be calculated from the "kiln feed flow rate" and "kiln feed density" in tons per hour (dry basis) on an hourly rolling average basis and total hazardous waste feed rate shall be calculated from the "pumpable hazardous waste feed rate" and the "solid hazardous waste feed rate" in pounds per minute on an hourly rolling average basis which shall be monitored as specified in Permit Condition D.7. using the definition of hourly rolling average (HRA) in 40 CFR § 266.102(e)(6)(i)(B).

Both the hourly rolling averages of the parameters in Table 5 and the one minute averages of the parameters in Table 6 in Part II of this Permit shall continue to be monitored during an automatic waste feed cut-off, and the hazardous waste feed shall not be restarted until the industrial furnace is operating under all

conditions specified Part II of this Permit and hourly rolling averages for all operating limits are within the established limits.

i. The raw material feed rate to the industrial furnace shall not exceed 140.85 tons per hour (dry basis) on an hourly rolling average (HRA) basis, as defined in 40 CFR § 266.102(e)(6)(i)(B). The raw material feed rate shall be calculated from the "kiln feed flow rate" and "kiln feed density" which shall be monitored as specified in Permit Condition D.7.

ii. The "pumpable hazardous waste feed rate" monitored as specified in Permit Condition D.7 shall not exceed 461.1 pounds per minute on an hourly rolling average (HRA) basis, as defined in 40 CFR § 266.102(e)(6)(i)(B).

iii. The "total hazardous waste feed rate" shall not exceed 539.2 pounds per minute on an hourly rolling average (HRA) basis, as defined in 40 CFR § 266.102(e)(6)(i)(B). The total hazardous waste feed rate shall be calculated from the pumpable hazardous waste feed rate and the solid hazardous waste feed rate monitored as specified in Permit Condition D.7

iv. The "combustion temperature", monitored as specified in Permit Condition D.7, shall be used as an indicator of combustion chamber temperature and shall not be less than 2182°F on an hourly rolling average (HRA) basis, as defined in 40 CFR § 266.102(e)(6)(i)(B).

v. The Permittee shall comply with the requirements of 40 CFR § 266.102(e)(7)(i), to prevent fugitive emissions, by ensuring that no hazardous wastes are introduced into the industrial furnace when the difference of the pressure of the kiln hood to atmospheric pressure is greater than -0.1 inches water column as averaged over a period of 60 continuous seconds, measured as specified in Permit Condition D.7.

vi. The inlet gas temperature of the electrostatic precipitator (ESP), monitored as specified in Permit Condition D.7. shall not exceed 608.3°F on an hourly rolling average (HRA) basis, as defined in 40 CFR § 266.102(e)(6)(i)(B).

vii. The secondary power supplied to the electrostatic precipitator, monitored as specified in Permit Condition

D.7., shall not be less than 102.1 kiloVolt-Amperes (kVA), on an hourly rolling average (HRA) basis, as defined in 40 CFR § 266.102(e)(6)(i)(B).

viii. The hourly rolling average (HRA) concentration, as defined in 40 CFR § 266.102(e)(6)(i)(B), of carbon monoxide, monitored as specified in Permit Condition D.7. shall not exceed 100 parts per million on a volume basis (ppmv), corrected to seven percent oxygen on a dry basis.

(5) The operating requirements in this Permit Condition no longer apply when the Permittee demonstrates 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. This provision which limits applicability of this Permit Condition upon the Permittee's compliance with 40 CFR Part 63, Subpart EEE, is effective upon the date the Notification of Compliance submitted to the Administrator is postmarked.

In the event that the operating conditions set out above in Permit Conditions D.6.b.(4).i. -D.6.b.(4).viii. are not met at any time when hazardous waste is present in the industrial furnace, an automatic waste feed cut off shall be activated immediately, and the Permittee shall cease burning hazardous waste in the industrial furnace until such time as the operating conditions specified for the industrial furnace are again being met. Table 5 is a listing of the automatic waste feed cut-offs required by Permit Conditions D.6.b.(4)i. -D.6.b.(4).viii., describing the parameters and limits that shall activate the automatic hazardous waste feed cut-off mechanism as described in the approved permit application.

Table 5 - Automatic Waste Feed Cut-off Limits

OPERATING PARAMETER	CUT-OFF LIMIT	LOCATION OF MONITORING DEVICE
Maximum Raw Material Feed	140.85 (dry basis) tons per hour (HRA)	Slurry line to kiln
Maximum Pumpable Hazardous Waste Feed	461.1 pounds per minute (HRA)	Liquid hazardous waste feed line on burner floor

OPERATING PARAMETER	CUT-OFF LIMIT	LOCATION OF MONITORING DEVICE
Maximum Total Hazardous Waste Feed	539.2 pounds per minute (HRA)	Solid hazardous waste feed conveyor on burner floor
Minimum "Combustion Temperature"	2182°F (HRA)	Optical pyrometer at kiln hood
Maximum Kiln Hood Pressure	-0.1 inch water column gauge (one minute average)	Burner hood
Maximum Main ESP Inlet Temperature	608.3°F (HRA)	ESP inlet
Minimum Secondary ESP Power	102.1 kVA (HRA)	ESP power room
Minimum Carbon Monoxide (CO) Concentration	0 ppmv (one minute average)	Stack
Maximum CO Concentration	100 ppmv (HRA, 7% 0_2 Dry Basis)	Stack

The Permittee shall submit to the Director a quarterly report which describes the number of automatic waste feed cut-offs and their causes within the current reporting period. For the purposes of Part II of this Permit, a reportable automatic waste feed cut-off is one where a condition or limit is exceeded or continues to be exceeded within one minute of the cut-off. Each Quarterly Automatic Waste Feed Cut-Off Report shall be due thirty (30) calendar days after the last day of each calendar quarter, i.e., April 30, July 30, October 30 and January 30. The first quarter for which a report is due is the first quarter in which Part II of this Permit becomes effective. These reports shall be made available for public viewing in an information repository established at the Hannibal Free Public Library, pursuant to 40 CFR § 270.30(m).

D.7. Monitoring, Recording and Inspection

The requirements in this Permit Condition no longer apply, except all the requirements and definitions of this Permit Condition shall continue to apply to the monitoring, recording and inspection of "kiln feed flow rate," "kiln feed density," "pumpable hazardous waste feed rate," and "solid hazardous waste feed rate," regardless of the Permittee's compliance with 40 CFR Part 63, Subpart EEE,

when the Permittee demonstrates 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. This provision which limits applicability of this Permit Condition upon the Permittee's compliance with 40 CFR Part 63, Subpart EEE, is effective upon the date the Notification of Compliance submitted to the Administrator is postmarked.

a. The Permittee shall maintain, calibrate, and operate continuous monitors which monitor and record the parameters used to verify compliance with the operating conditions specified in Part II of this Permit. The Permittee shall monitor all the parameters in Table 6 of Part II of this Permit using the instruments specified therein. For each parameter listed, the Permittee shall verify, at least once per quarter, that the calibrated range of the instrument has not drifted outside the specified range. The Permittee shall follow the manufacturers recommendations when conducting calibration checks of the required instrumentation or may conduct such other testing or inspection that will verify the operability of the instruments and the accuracy of the monitored parameters. Not withstanding the foregoing, the Permittee shall conduct daily calibration checks, quarterly and annual testing of the carbon monoxide and oxygen CEMS in accordance with 40 CFR Part 266, Appendix IX. All one minute averages used to perform calculations shall be recorded in the operating record. The Permittee shall perform such calculations as are necessary to the monitored parameters in order to determine compliance with the operating requirements in Permit Condition D.6 of Part II of this Permit and record the results in the operating record.

b. For purposes of Part II of this Permit, the following terms shall have the meanings stated herein.

A continuous monitor shall be defined as one which continuously samples the regulated parameter without interruption, evaluates the detector response at least once every 15 seconds, computes and records a one minute average value for the parameter, and, where required by Part II of this Permit, uses the one minute average values to calculate an hourly rolling average for the parameter. For carbon monoxide, the one minute average value parameter shall be corrected to 7% oxygen on a dry basis using the formulas listed below.

$$CO_{corr} = \frac{CO_a * 14}{[21 - O_{2a}]}$$

where CO_{corr} = Carbon monoxide concentration corrected to 7% oxygen,

CO_a = One minute average Carbon monoxide value from a minimum of four detector responses, and

O_{2a} = Actual one minute average Oxygen value from a minimum of four detector responses.

A one minute average value shall be defined as the arithmetic mean of a minimum of four valid detector response values obtained within a 60-second period, and corrected where required by using the formulas listed above.

An hourly rolling average shall be defined as the arithmetic mean of the 60 most recent one minute average values recorded by the continuous monitoring system.

Instantaneous AWFCO limits shall trigger a fuel cut-off when the one minute average for the specified parameter exceeds the limit listed in Table 5 of Part II of this Permit.

Except during instrument calibration periods as specified below, the Permittee shall continuously record all one minute averages monitored by the instruments described in Table 6 of Part II of this Permit. For the purposes of Part II of this Permit, “continuously record” shall mean that at least 95% of the one minute averages of each parameter required to be monitored and recorded by Part II of this Permit, i.e., those in Table 6, in any 60 minute period, excluding calibration periods, during which hazardous waste is introduced into the industrial furnace, are accurately recorded in the Permittee’s operating record. In the event that more than 5% of the values of any one of the monitoring parameters are not accurately recorded in the operating record, or are recorded as missing or invalid data in the operating record, the Permittee shall immediately initiate an automatic waste feed cut-off, and shall cease burning hazardous waste in the industrial furnace. All hourly rolling averages calculated and one minute averages used as instantaneous limits used to demonstrate compliance with the operating conditions set out in Part II of this Permit shall be in units corresponding to those limits.

c. Hazardous waste may continue to be introduced into the industrial furnace during daily continuous emission monitor system (CEMS) calibration check periods as described the approved permit application, provided the calibration check period is no longer than 20 minutes. The CEMS shall be maintained according to the following schedule: (1) at least daily, a calibration check of the instrument; (2) at least daily, a

system audit; (3) at least quarterly, a calibration error test; and, (4) at least annually, a performance specification test.

For purposes of compliance with Part II of this Permit, quarterly shall refer to calendar quarters. In addition, successive quarterly calibration error tests must be at least thirty (30) days apart.

For purposes of compliance with Part II of this Permit, annual performance specification testing must occur within ± ninety (90) days of the anniversary of the previous year's test. However, for subsequent performance specification tests, the anniversary date shall be the date of the original performance specification testing.

d. Proper operation of the automatic waste feed cut-off mechanisms shall be verified at least once every seven (7) days by simulating an exceedance of the operating limit for each operating parameter listed in Table 5 of Part II of this Permit as described in the approved permit application. The results of verification of proper operation of the automatic waste feed cut-off mechanisms shall be recorded and placed in the operating log. In the case of any malfunction of the automatic waste feed cut-off system, the Permittee shall immediately cease feeding hazardous waste to the industrial furnace and shall not restart hazardous waste feed until the malfunction of the automatic waste feed cut-off system is located and corrected.

e. Carbon monoxide and oxygen shall be continuously monitored in conformance with "Performance Specifications for Continuous Emission Monitoring of Carbon Monoxide and Oxygen for Incinerators, Boilers, and Industrial Furnaces Burning Hazardous Waste" in 40 CFR Part 266, Appendix IX, Section 2.1. The Permittee shall initiate an automatic waste feed cut-off any time the one minute average concentration of carbon monoxide is below the value of zero (0) parts per million by volume.

In the event of replacement or reconfiguration of the following components of the carbon monoxide or oxygen CEMS, the Permittee shall complete "Performance Specification Test Procedures" on the CEMS in question within forty-five (45) days of such replacement or reconfiguration:

(1) Gas Collection System; and

(2) Carbon monoxide infrared photometer analyzer or oxygen paramagnetic sensor.

f. For purposes of Part II of this Permit, "like for like" replacement of a CEMS component shall mean that the component has been replaced with

a component of the same make/model/version, a component of identical or superior performance specifications or another component recommended by the manufacturer. Like for like replacements will not require permit modification so long as adequate records of such replacements are maintained to demonstrate the like for like nature of the component.

For the purposes of Part II of this Permit, "reconfiguration" of the CEM system is a substantive change in the structure or design of the system.

g. For CEM system hardware/software utilized for collection, reduction and recording of compliance data, any replacement or reconfiguration shall require a daily calibration check, system audit and data audit to verify the new or reconfigured components are operating properly. None of these actions shall require a permit modification.

h. For CEM system gas collection system (including the conditioning system), any replacement or reconfiguration shall require a daily calibration check, system audit and data audit to verify that the new or reconfigured components are operating properly. In addition, any reconfiguration or replacement that is not like for like shall require a performance specification test required in 40 CFR § 266, Appendix IX be completed within forty-five (45) days to demonstrate total system integrity. The Permittee may request by Class 1 permit modification requiring approval of the Director (in accordance with 40 CFR § 270.42(a)) an alternative performance specification testing.

All reconfiguration or replacement that is not like for like shall require a class 1 permit modification in accordance with 40 CFR § 270.42(a) within 7 days of implementing the change.

i. For the CEM analyzer/detector/sensor, any replacement or reconfiguration shall require a daily calibration check, system audit and data audit to verify that the new or reconfigured components are operating properly. In addition, any reconfiguration or replacement that is not like for like shall require a performance specification test required in 40 CFR § 266, Appendix IX be completed within forty-five (45) days to demonstrate total system integrity. The Permittee may request by Class 1 permit modification requiring approval of the Director (in accordance with 40 CFR § 270.42(a)) an alternative performance specification testing.

All reconfiguration or replacement that is not like for like shall require a class 1 permit modification in accordance with 40 CFR § 270.42(a) within 7 days of implementing the change.

Table 6 - Process Monitoring Instrumentation

Parameter	Instrument	Type	Range	Accuracy
Kiln Feed Flow Rate (feet per second)	Flow meter	magnetic	0 - 31	± 2% of range
Kiln Feed Density (specific gravity)	Density meter	nuclear	1 - 1.8	± 0.5% of range
Pumpable Hazardous Waste Feed (pounds per minute)	Flow meter	mass	0-500	± 0.4% of range
Solid Hazardous waste Feed (pounds per minute)	Weight belt	load cell	0-400	± 0.5% of range
Combustion Temperature (°F)	Optical Pyrometer	infrared	2000-2900	± 1% of value
Kiln Hood Pressure (inches water column)	Differential Pressure Tap on Hood with one side open to atmosphere	differential pressure transmitter	0-10	± 0.1% of range
ESP Inlet Temperature (°F)	Thermocouple	Type K	32-2300	± 4°F
ESP Secondary [DC] Power (kilovolt-amperes)	Automatic High Voltage Control Management System	micro-processor controller	0-75	± 5% of range
Carbon Monoxide (parts per million by volume)	Extractive Carbon Monoxide analyzer	Non-dispersive Infrared (NDIR)	0-200 0-3000	<0.5% each range

Parameter	Instrument	Type	Range	Accuracy
Oxygen (percent by volume)	Extractive Oxygen Analyzer	One System with a Zirconium Oxide Sensor	0-25	<0.5% of range
		One System with a Paramagnetic Sensor		

j. 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 approved permit application.

k. Pursuant to 40 CFR § 266.102(e)(8)(i)(C),the Permittee shall upon request of the Director, conduct sampling and analysis of the hazardous waste (and other fuels and industrial furnace feedstocks as appropriate), residues, and exhaust emissions to verify that the operating requirements established in Part II of this Permit achieve the applicable standards of 40 CFR §§ 266.104, 266.105, 266.106 and 266.107.

D.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.

D.9. Regulation of Residues

a. The Permittee shall sample and analyze cement kiln dust as described in waste analysis plan of the approved Permit application.

b. Records sufficient to document compliance with the provisions of Section D.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.

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

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.

D.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 cost estimate described in the permit application, in the pertinent part of the closure plan, for closure of the industrial furnace and its associated equipment.

D.13. Financial Assurance and Liability Requirements

a. Facility Closure

The Permittee shall demonstrate continuous compliance with 40 CFR §264.143 by providing documentation 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.

E. FACILITY SUBMISSION SUMMARY

The following is a summary of possible reporting requirements pursuant to Part II of this Permit. The requirement for the automatic waste feed cut-off report will no longer apply when the Permittee demonstrates 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.

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.
Written Notice of Noncompliance	Within 5 calendar days of Permittee's awareness of the circumstance	B.15.d.
AWFCO Report	Within 30 days of the first day of each calendar quarter	D.6.b.