

**MISSOURI HAZARDOUS WASTE MANAGEMENT FACILITY PERMIT
PART I
PERMIT NUMBER: MOD059200089**

PERMITTEE

Owner and Operator:
The Doe Run Company
1801 Park 270 Drive
St. Louis, MO 63146

FACILITY LOCATION

Buick Resource Recycling Facility
KK and Highway 32
Boss, MO
Iron County
North Latitude - 37°38'08"
West Longitude - 91°07'55"

FACILITY DESCRIPTION

The Buick Resource Recycling Facility receives lead-acid batteries and other lead-bearing wastes. These wastes are recycled to recover the lead and other trace metals, the sulfuric acid, and polyethylene plastic. This facility is a secondary lead smelting operation.

PERMITTED ACTIVITIES

The Buick Resource Recycling Facility is permitted to treat hazardous waste in drum shredders, a battery shredder, and a slag treatment unit. The facility is also permitted to store hazardous

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wastes in containers and containment buildings. The Permit also contains corrective action conditions to address releases to the environment from Solid Waste Management Units and/or Areas of Concern as necessary and appropriate.

EFFECTIVE DATES OF PERMIT: 3-15-2005 to 3-15-2015

3-15-05
Date

[Original signed by Doyle Childers]

Doyle Childers, Director
DEPARTMENT OF NATURAL RESOURCES

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INTRODUCTION

After public notice in accordance with 10 CSR 25-8.124 and 40 CFR Part 124 and review of The Doe Run Company's Hazardous Waste Facility Permit Application (hereafter referred to as the Application), the Missouri Department of Natural Resources (hereafter referred to as the Department) has determined that the application substantially conforms to the provisions of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (commonly known as RCRA) and regulations promulgated thereunder by the United States Environmental Protection Agency (hereafter referred to as USEPA) (codified and to be codified in Title 40 of the Code of Federal Regulations) and the Missouri Hazardous Waste Management Law (and all standards, rules, and regulations adopted under this act). In accordance with Section 260.375.13, RSMo, and the Solid Waste Disposal Act, the Department hereby approves the application and issues Permit Number MOD059200089 to The Doe Run Company (hereafter referred to as the Permittee) for the construction and operation of the hazardous waste facility as set forth in the application and this Permit. This Permit also addresses corrective action requirements for solid waste management units and the requirements of the Hazardous and Solid Waste Amendments of 1984 (commonly known as HSWA) as administered and enforced by the Department. Applicable regulations are found in 40 CFR Parts 124, 260 through 264, 266, 268, and 270, as specified in this Permit. All portions of this Permit, referred to as Part I, are issued under state authority, with the exception of Part II which is issued by USEPA to address regulatory requirements of the HSWA for which the state is not yet authorized. Part I of this Permit shall remain in effect even if Part II is terminated or has expired.

The consolidated Permit application that was submitted by the Permittee June 4, 2001, the revised tables for the Hydrogeologic Characterization Report (Part B Application G-1 tables) and revised closure cost estimate (Part B Application K-1) submitted May 6, 2002, the habitual violator disclosure submitted October 2002, and the miscellaneous unit revision received October 18, 2004, will hereafter be referred to as the "approved Permit application." The approved Permit application, along with all of the additional documents to be submitted under the Schedule of Compliance is defined as the "consolidated Permit application."

All Permit application information shall be available to the public unless nondisclosure is requested in writing as set forth in Section 260.430, RSMo and 10 CSR 25-7.270(2)(B)2. The Permit and accompanying material will be available for review by the public at the Department's central office in Jefferson City, Missouri, the USEPA Region VII office in Kansas City, Kansas, and the Ozark Regional Public Library, Viburnum, Missouri.

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The Permittee's hazardous waste facility is located at KK and Highway 32, Boss, Missouri. The Permittee is permitted to operate the container storage facilities, miscellaneous treatment units, and containment buildings as specified in this Permit.

Construction and operation of this hazardous waste facility and corrective action shall be in accordance with the provisions of this Permit, the Missouri Hazardous Waste Management Law (Sections 260.350 to 260.434, RSMo), the rules and regulations promulgated thereunder [Code of State Regulations, Title 10, Division 25 (10 CSR 25)] as effective on the date of this Permit, all the final engineering plans, petitions, specifications, and operating procedures which were submitted to the Department during the Permit application review process and which are included in the final version of the Permit application, which is hereby approved by the Department, and any other conditions, changes, or additions to the plans, specifications, and procedures as specified in this Permit. The consolidated Permit application, which includes engineering plans, specifications and operating procedures, is therefore incorporated by this reference into the conditions of this Permit. All conditions specified in this Permit supersede any conflicting information in the consolidated Permit application. Where conflicts arise between documents the latest revision shall be effective.

Any inaccuracies found in information submitted may be grounds for the termination, revocation and re-issuance, or modification of this Permit in accordance with 40 CFR Part 270 Subpart D, incorporated by reference in 10 CSR 25-7.270(1) and modified in 10 CSR 25-7.270(2)(D), and for potential enforcement action. The Permittee shall inform the Department of any deviation from, or changes in, the information in the application, which would affect the Permittee's ability to comply with the applicable regulations or Permit conditions.

When the Department receives any information (such as inspection results, information from the Permittee, or requests from the Permittee) it may decide whether cause exists to modify, revoke and reissue, or terminate a facility's Permit. All such changes to the Permit will be in accordance with 10 CSR 25-7.270(2)(D), 10 CSR 25-8.124, and 40 CFR Part 270 Subpart D, as incorporated by reference in 10 CSR 25-7.270(1).

The Permittee shall comply with all applicable environmental laws and regulations enforced by the Department. These environmental requirements are administered by the Air Pollution Control Program, the Hazardous Waste Program, the Land Reclamation Program, the Solid Waste Management Program, and the Water Protection Program. Failure to comply with these environmental laws may, in certain circumstances, result in the suspension or revocation of this Permit and may subject the Permit holder to civil and criminal liability.

This Permit for operational, closure, and corrective action activities is issued only to the Permittee named above. This Permit is issued for a period of ten years and expires at midnight on 3-15-2015. This Permit is subject to review and modification by the Department in accordance with Section 260.395.12, RSMo.

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

All citations to federal regulations throughout this Permit are for the sake of convenient reference. The federal regulations are adopted by reference in 10 CSR 25. In the instances where state regulations are more stringent, the appropriate state reference is given and shall apply.

Any appeals of the issuance or denial of the Permit or specific Permit conditions based on state authority shall be filed in accordance with Section 260.395.11, RSMo and 10 CSR 25-8.124(2). The appeal must be filed with the Missouri Hazardous Waste Management Commission within 30 days from the date of this Permit. The Missouri Supreme Court has ruled that corporations and associations may only proceed in legal matters through attorneys licensed to practice in Missouri. *Reed v. Labor and Industrial Relations Commission*, 789 S.W.2d 19 (Mo banc 1990). The Court held that a pleading filed by a non-attorney on behalf of a corporation or association is null and void, and therefore, such a pleading will not be accepted by the Hazardous Waste Management Commission. Individuals and partnerships are not required to have an attorney and may represent themselves in front of the Commission.

40 CFR 264.101(a), as incorporated by reference in 10 CSR 25-7.264(1), requires all owners or operators of facilities seeking a Permit for the treatment, storage, or disposal of hazardous waste to institute corrective action as necessary to protect human health and the environment for all releases of hazardous waste or hazardous constituents from any solid waste management unit, regardless of the time at which waste was placed in such unit.

40 CFR 264.101(b), as incorporated by reference in 10 CSR 25-7.264(1), requires that Permits issued under the Hazardous Waste Management Law, contain a schedule of compliance for corrective action (where corrective action cannot be completed prior to Permit issuance) and assurances of financial responsibility for completing such corrective action.

40 CFR 264.101(c), as incorporated by reference in 10 CSR 25-7.264(1), requires that corrective action be taken by the facility owner or operator beyond the facility property boundary, where necessary to protect human health and the environment, unless the owner or operator demonstrates that, despite the owner/operator's best efforts, the owner or operator was unable to obtain the necessary permission to undertake such action.

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Further, 40 CFR 264.101(c), as incorporated by reference in 10 CSR 25-7.264(1), stipulates that the owner/operator is not relieved of any responsibility to clean up a release that has migrated beyond the facility boundary where off-site access is denied. On-site measures to address such releases will be determined on a case-by-case basis. In addition, assurances of financial responsibility for completing such corrective action must be provided.

40 CFR 270.32(b)(2), as incorporated by reference in 10 CSR 25-7.270(1), requires that each Permit issued under that section contain terms and conditions as the Department determines necessary to protect human health and the environment.

On July 6, 1999, Missouri received final authorization for revisions to its hazardous waste management program, including the corrective action portion of the HSWA Codification Rule (July 15, 1985, 50 FR 28702) which had been previously adopted by the state. Thus, the corrective action requirements implemented by the state in lieu of the USEPA are incorporated into Part I of this Permit and are under state authority. Authority for other HSWA requirements for which the state is not authorized is retained by the USEPA and appears in Part II of this Permit.

DEFINITIONS

For purposes of this Permit, terms used herein shall have the same meaning as those in the Law and 40 CFR Parts 124, 260, 261, 264, 266, 268, and 270, and 10 CSR 25, unless this Permit specifically provides otherwise. Where terms are not defined in the law, the regulations, the Permit, or the USEPA 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.

"Area of Concern (AOC)" means any area where an actual or potential release of hazardous waste or hazardous constituents which is not from a Solid Waste Management Unit has occurred or is occurring and is determined by the Department to pose a current or potential threat to human health or the environment. Investigation and/or remediation of AOCs may be required pursuant to Section 260.395, RSMo, and 40 CFR 270.32(b)(2), as incorporated by reference in 10 CSR 25-7.270(1).

"Director" means the Director of the Missouri Department of Natural Resources.

"Facility" means:

"All contiguous land and structures, other appurtenances, and improvements on the land used for treating, storing, or disposing hazardous waste."

"All contiguous property under the control of the owner/operator, for the purpose of implementing corrective action under 40 CFR 264.101, as incorporated by reference in 10 CSR 25-7.264(1) and as specified in Corrective Action Permit Conditions I. through XIII. of this Permit."

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

"Hazardous waste" means any waste, or combination of wastes as defined by or listed in 10 CSR 25-4, which because of its quantity, concentration, physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or which may pose a threat to the health of humans or other living organisms.

"Release" means any spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping, or disposing of hazardous wastes (including hazardous

constituents) into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing hazardous wastes or hazardous constituents).

"Solid Waste Management Unit (SWMU)" means any discernible unit at which solid wastes have been placed at any time, irrespective of whether the unit was intended for the management of solid or hazardous waste. Such units include any area at a facility at which solid wastes have been routinely and systematically released.

"Stabilization" means actions to control or abate threats to human health and/or the environment from releases at RCRA facilities and/or to prevent or minimize the further spread of contamination while long-term remedies are pursued.

SCHEDULE OF COMPLIANCE

- I. Within 60 calendar days after the effective date of this Permit, the Permittee shall:
 - A. Submit to the Department two copies of the consolidated Permit application as required by 10 CSR 25-7.270(2)(B)7. This consolidated Permit application shall include the following:
 1. The "approved Permit application," as defined in the introduction of this Permit; and
 2. All changes made to the application as a result of the public comment period.
 - B. Submit to the Department a certification by the Permittee that the Permittee has read the Permit in its entirety and understands all Permit conditions contained herein.
 - C. Submit to the Department a check or money order payable to the State of Missouri for any outstanding engineering review costs.
 - D. Submit to the Department a check or money order payable to the State of Missouri for \$1,000 for each year the Permit is to be in effect beyond the first year. This Permit is effective for ten years. Since the Permittee has submitted a check for \$1,000 with the RCRA Permit application, the remaining balance to be submitted by the Permittee is \$9,000 less an equivalent of \$1,000 for the period of time from the effective date of this ten year Permit to 3-15-2015. For the purpose of calculating the equivalent per day cost of \$1,000/year, the factor of 365 days/year shall be used. This check shall be directed to the Hazardous Waste Program, Permits Section.
- II. The Permittee shall update the facility's financial assurance instrument to reflect the increased cost estimate in Section K of the approved Permit Application within 60 calendar days after the effective date of this Permit. The Permittee shall submit the updated financial assurance instrument to the Department for approval within 15 days of securing the instrument.
- III. The Permittee shall submit copies to the Department of all necessary access agreements as outlined under Special Permit Condition IV. within 60 calendar days after the effective date of this Permit.

- IV. The Permittee shall comply, as necessary, with all corrective action and contingent corrective action requirements of this Permit as specified in the Corrective Action Permit Conditions section and as summarized in Table 2.
- V. The Permittee shall replace additional piping in the fire main system within six months of the date of issue of this Permit, if a leak is still detected from the leak detection system of the Battery Bunker and Paste Storage Area containment building per Special Permit Condition III.C.10. The Permittee shall then determine if liquid is still being detected coming from the leak detection system and report to the Department within 60 days. If a leak is no longer being detected, the report shall include the professional engineer's certification per Special Permit Condition III.C.10. If a leak is still detected from the Battery Bunker and Paste Storage Area leak detection system, the letter shall notify the Department of the present situation and the Permittee shall comply with Schedule of Compliance Item VI.
- VI. This item is only in effect if required by Schedule of Compliance Item V. The Permittee shall submit a schedule and plan within 60 days of the notification letter to the Department that a leak is still being detected per Schedule of Compliance Item V. The schedule and plan shall detail additional repairs, additional bricking of areas, or other construction to bring the battery bunker containment building into compliance with 40 CFR Part 264 Subpart DD standards. The Permittee shall implement the plan and then determine if liquid is still being detected coming from the leak detection system and report to the Department within 60 days of completion of the plan. If a leak is no longer being detected after completion of this plan, the report shall include the professional engineer's certification per Special Permit Condition III.C.10. If a leak is still detected from the Battery Bunker and Paste Storage Area leak detection system after completion of the plan, the letter shall notify the Department of the present situation and the Permittee shall submit a modification request for this Permit within 60 days which shall detail additional changes necessary to bring the containment building into compliance; this modification request shall include the proposed establishment of an action leakage rate (a leakage rate below which suspension of activities for repairs to the primary barrier is not mandated) for the containment building.
- VII. The Permittee shall submit design drawings and specifications for approval within 180 days of the date of issue of this Permit for the blast furnace, reverberatory furnace, and rotary melter storage areas meeting containment building criteria. The Permittee shall construct these areas according to the approved specifications and shall submit "as built" drawings of the areas within 365 days of the issue of this Permit.

SUBMITTAL OF REQUIRED INFORMATION

- I. The Permittee shall submit three copies of all reports, documents, or plans/specifications required under the terms of this Permit to:

Chief, Permits Section
Missouri Department of Natural Resources
Hazardous Waste Program
1738 E. Elm Street (lower level)
P.O. Box 176
Jefferson City, MO 65102-0176

- II. The Permittee shall submit two copies of all reports, documents, or plans/specifications required under the terms of this Permit to:

Chief, RCRA Corrective Action and Permits Branch
United States Environmental Protection Agency Region VII
Air, RCRA and Toxics Division
901 N. 5th Street
Kansas City, KS 66101

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STANDARD PERMIT CONDITION

- I. The Permittee shall comply with the requirements set forth in the Missouri Hazardous Waste Management Law (and all standards, rules, and regulations adopted under this Law), Section 260.350, et seq., RSMo, 40 CFR Part 264 Subpart H, 40 CFR 270.30, 40 CFR 270.40, 40 CFR 270.42, and 40 CFR 270.51, as incorporated and modified in 10 CSR 25-7 and 10 CSR 25-8.

GENERAL PERMIT CONDITIONS

I. The Permittee shall comply with the requirements set forth in 40 CFR Part 264 Subpart B, 40 CFR Part 264 Subpart C, 40 CFR Part 264 Subpart D, 40 CFR Part 264 Subpart E, 40 CFR Part 264 Subpart H, 40 CFR Part 268, and 40 CFR Part 270, as incorporated and modified in 10 CSR 25-7 and 10 CSR 25-8.

II. Notification of an Emergency Situation [Chapter 260.505.4, RSMo]

The Permittee shall at the earliest practical moment upon discovery of an emergency involving the hazardous waste under the Permittee's control, notify the Department's emergency response hotline at (573) 634-2436 and the National Response Center at 1-800-424-8802.

SPECIAL PERMIT CONDITIONS

The Department has established the following additional Permit conditions for the Permittee's hazardous waste facility.

I. Storage in Containers [40 CFR Part 264 Subpart I]

Two container storage areas are permitted, the East Parking Lot Storage Area and the Palletized Storage Area. These units are located as shown on figure F-1 and are subject to the requirements of 40 CFR Part 264 Subpart I.

A. Waste Identification

The Permittee shall store in containers only the hazardous wastes identified below. All stored wastes are subject to the terms of this Permit.

- | | |
|------|---|
| D004 | A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains an arsenic concentration greater than 5 milligram per liter |
| D005 | A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a barium concentration greater than 100 milligram per liter |
| D006 | A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a cadmium concentration greater than 1 milligram per liter |
| D007 | A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a chromium concentration greater than five milligram per liter |
| D008 | A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a lead concentration greater than five milligram per liter |

- | | |
|------|--|
| D010 | A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a selenium concentration greater than one milligram per liter |
| D011 | A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a silver concentration greater than five milligram per liter |
| K069 | Emissions control dust from secondary lead smelting |

B. Waste Quantities

The Permittee shall store only the following quantities of hazardous wastes in containers according to this Permit:

1. Storage of hazardous waste in the East Parking Lot Storage Area shall not exceed the lesser of 1304 fifty-five gallon drum equivalents or 9588 cubic feet. The Permittee shall not store any wastes that contain free liquids in this area.
2. Storage of hazardous waste in the Palletized Storage Area shall not exceed the lesser of 3260 fifty-five gallon drum equivalents or 23,969 cubic feet. The Permittee shall not store hazardous waste that exhibits greater than three percent free liquids, by volume, in this area.

C. Condition of Containers [40 CFR 264.171]

1. If a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects) or if it begins to leak, the Permittee shall transfer the hazardous waste from the container to a container that is in good condition or manage the waste in some other way that complies with the conditions of this Permit, such as over-packing.
2. During the entire on-site storage period, containers storing hazardous wastes shall be labeled and marked in accordance with the applicable, currently-effective U.S. Department of Transportation (DOT) regulations regarding hazardous materials, 49 CFR Part 172. [10 CSR 25-7.264(2)(I)2.]

D. Compatibility of Waste with Containers [40 CFR 264.172]

1. The Permittee shall use a container that is made of, or lined with, materials which will not react with and are otherwise compatible with the hazardous waste to be stored so that the ability of the container to contain the waste is not impaired.
2. Only DOT approved containers shall be used for storage of hazardous waste on-site.

E. Management of Containers [40 CFR 264.173].

1. A container holding hazardous waste shall always be closed during storage, except when it is necessary to add or remove waste. A container holding hazardous waste shall not be opened, handled, or stored in a manner that may rupture the container or cause it to leak or spill.
2. The Permittee shall store containers in a manner that ensures physical stability and allows for visual inspection of each container and each container's label, except for visual inspection of containers not containing free liquids where container size prohibits the inspection of center containers when palletized, provided the outermost containers are clearly labeled as to the number of containers on the pallet.

F. Inspections [40 CFR 264.174].

At least weekly, the Permittee shall inspect areas where containers are stored in accordance with the approved Permit application checklists. In the case of containers that may have free liquids, the inspection shall include looking for leaking containers and for deterioration of containers and the containment system caused by corrosion or other factors.

G. Containment [40 CFR 264.175].

The Permittee shall design and operate containment systems for the Palletized Storage Area as follows:

1. A base shall underlie the containers, which is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated precipitation until the collected material is detected and removed.

2. The base shall be sloped or the containment system shall be otherwise designed and operated to drain and remove liquids resulting from leaks, spills or precipitation unless the containers are elevated or are otherwise protected from contact with accumulated liquids.
3. Run-on into the containment system must be prevented unless the collection system has sufficient excess capacity to contain any run-on that might enter the system.
4. Spilled or leaked waste shall be removed from the sump or collection area in as timely a manner as is necessary to prevent overflow of the collection system.

H. Staging [10 CSR 25-7.264(2)(A)3.]

A container holding hazardous waste shall not be staged stored or managed in an area not addressed by this Permit for a period that exceeds 24 hours.

I. Special Requirements for Incompatible Waste [40 CFR 264.177]

1. The Permittee shall not place incompatible wastes or materials in the same container unless such action is in compliance with the requirements of 40 CFR 264.17(b).
2. The Permittee shall not place hazardous waste in an unwashed container that previously held an incompatible waste or material.
3. The Permittee shall separate by device (i.e., a dike or other physical means) containers of incompatible waste or materials. No incompatible waste or materials may be stored together in the storage areas without providing separation sufficient to prevent the mixing of any spilled materials that may be incompatible.

J. Closure [10 CSR 25-7.264(2)(G)]

At closure, the Permittee shall remove all hazardous waste and hazardous waste residues from the container storage areas and containment systems and close in accordance with the Closure Plan in the approved Permit application for the hazardous waste management facility. If the Permittee is unable to close according to the Closure Plan, then the Permittee must submit a Permit modification to the Department in accordance with 40 CFR 270.42.

II. Miscellaneous Units [40 CFR Part 264 Subpart X]

Four miscellaneous units are permitted:

- the two drum shredder units located adjacent to the existing opening in the Battery Bunker and Paste Storage Area containment building,
- the battery shredder in the Battery Bunker and Paste Storage Area containment building, and
- the slag treatment unit.

These units are located as shown on figure F-1 and are subject to the requirements of 40 CFR Part 264 Subpart X.

A. Waste Identification [40 CFR 264.601]

The Permittee shall treat only the hazardous wastes identified below. Wastes managed in the two drum shredder units shall include dry batteries but shall not include any containers with free liquids. Wastes managed in these shredder units shall only be received and managed in: steel drums, fiber drums, small metal cans and pails, gaylord containers, and sling sacks.

D004 A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains an arsenic concentration greater than 5 milligram per liter

D005 A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a barium concentration greater than 100 milligram per liter

D006 A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a cadmium concentration greater than one milligram per liter

D007 A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a chromium concentration greater than five milligram per liter

- | | |
|------|--|
| D008 | A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a lead concentration greater than five milligram per liter |
| D010 | A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a selenium concentration greater than one milligram per liter |
| D011 | A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a silver concentration greater than five milligram per liter |
| K069 | Emissions control dust from secondary lead smelting |

B. Waste Quantities [40 CFR 264.601]

The Permittee shall treat only the following quantities of hazardous wastes in miscellaneous units according to this Permit:

1. Treatment of hazardous waste in the two drum shredder units shall not exceed 840 tons of material per week each and shall not exceed 1680 tons of material per week in the aggregate.
2. Treatment of hazardous waste in the battery shredder unit shall not exceed 2400 tons of material per day.
3. Treatment of hazardous waste in the slag treatment unit shall not exceed 250 tons of material per day.

C. Operating Requirements [40 CFR 264.601 and 10 CSR 25-7.264(2)(X)1.]

1. The Permittee shall not place hazardous waste or treatment reagents in the treatments units if they could cause any component of that treatment unit to rupture, leak or otherwise fail.
2. The Permittee shall ensure operation of all automatic equipment that prevents spills, leaks, run-off from, or overflows from a treatment device or containment system.

3. The Permittee shall use only the mechanical treatment devices that are specified in the approved Permit application for treatment of hazardous waste.
4. The Permittee shall operate all miscellaneous unit equipment only in accordance with the manufacturer's applicable operating manuals and as described in the approved application.
5. Materials to be used for feed into the two drum shredder units shall be retrieved individually by a forklift equipped with material handling attachments capable of safely transporting the container. The feed rate shall be limited to an amount that does not cause a shredder to continually reverse the cutters.
6. At all times the two shredder units are operating, the air emissions control equipment for the shredder shall be operating and fully functional. The equipment shall be capable of controlling and eliminating any fugitive dust emissions resulting from the shredder units.
7. The equipment and area that are used in the operation of the two shredder units and the battery shredder unit shall be cleaned daily, after operations are completed.
8. The two shredder units shall be cleared of hazardous wastes by processing at least the volume of two 55-five gallon drums of non-hazardous lead bearing materials or scrap metal and managing these materials as a hazardous waste to prevent cross-contamination of non-hazardous wastes processed in these units. This processing shall be documented in the facility operating record per Special Permit Condition II.F.7.
9. Soda slag and other hazardous wastes placed into the slag treatment unit shall be placed directly into the unit with no outside storage of these materials until after processing.
10. Any grinding or sizing of soda slag for treatment in the slag treatment unit shall take place at the place where the slag is generated and within a containment building. This activity shall be viewed as part of the generation of the slag material.

D. Response to Leaks or Spills [40 CFR 264.601 and 40 CFR 264.196]

1. In the event of a leak or a spill from the treatment system, or from a secondary containment system, or if a system becomes unfit for continued use, the Permittee shall remove the system from service immediately and complete the following actions:

- a. Stop the flow of hazardous waste into the system, remove existing waste and inspect the system to determine the cause of the release.
- b. Remove waste from the system within 24 hours of the detection of the leak to prevent further release and to allow inspection and repair of the system. If the Permittee finds that it will be impossible or impractical to meet this time period, the Permittee shall notify the Director and demonstrate that the longer time period is required.

If the collected material is a hazardous waste, it must be managed in accordance with all applicable requirements of 40 CFR Parts 262, 263, 264, 266, and 270. The Permittee shall note that if the collected material is discharged through a point source to public waters or to a publicly owned treatment works, it is subject to requirements of the Clean Water Act.

- c. The Permittee shall immediately conduct a visual inspection of all releases to the environment and based on that inspection:
 - 1) prevent further migration of the leak or spill to soils or surface water;
 - 2) remove and properly dispose of any visible contamination of the soil or surface water; and
 - 3) determine the extent of contamination to the soil or surface water.

2. In the event of equipment failure:

- a. For a release caused by a spill that has not damaged the integrity of the treatment system, the Permittee shall remove the released waste and make any necessary repairs to fully restore the integrity of the system before returning the treatment system to service.
- b. For a release caused by a leak from a treatment unit to the secondary containment system or containment building, the Permittee shall repair the treatment unit prior to returning it to service. The material released shall be thoroughly removed from the affected area.

- c. If the Permittee replaces a component of the treatment system to eliminate the leak, that component must satisfy the requirements for new tank systems or components in 40 CFR 264.192 and 40 CFR 264.193.
 3. For all major repairs to eliminate leaks or restore the integrity of the treatment system, the Permittee must obtain a certification by an independent professional engineer registered in Missouri that the repaired system is capable of handling hazardous wastes permitted for treatment within the unit without release for the intended life of the system before returning the system to service.
- E. Inspection Schedules and Procedures [40 CFR 264.602]
 1. The Permittee shall inspect the treatment systems in accordance with the Inspection Schedule specified in the approved Permit application.
 2. The Permittee shall inspect the following components of the treatment system once each operating day:
 - a. Above ground portions of the treatment system to detect corrosion or releases of waste;
 - b. Construction materials and the area immediately surrounding the externally accessible portion of the treatment system, to detect corrosion or signs of releases of hazardous waste; and
 - c. Floors for any residual waste material that has not been removed.
 3. The Permittee shall visually inspect equipment used to manage liquids daily for leaks, spills, or other releases of hazardous waste.
 4. The Permittee shall document compliance with Special Permit Condition II.E. and record and maintain the information in the operating record for the facility.
 5. The Permittee shall remove precipitation water and process upset water from the secondary containment for the slag treatment unit within 24 hours after any event generating such water.

F. Recordkeeping and Reporting [40 CFR 264.602]

1. The Permittee shall report to the Director, within 24 hours of detection, when a leak or spill occurs from the treatment system or a secondary containment system to the environment.
 - a. A leak or spill of one pound or less of hazardous waste, that is immediately contained and cleaned-up within four hours, need not be reported.
 - b. Releases that are contained within a secondary containment system or containment building and cleaned up within 24 hours of release need not be reported.
2. Within 30 days of detecting a release to the environment from the treatment system or secondary containment system, the Permittee shall report the following information to the Director:
 - a. Likely route of migration of the release;
 - b. Results of any monitoring or sampling conducted in connection with the release. If the Permittee finds it will be impossible to meet this time period, the Permittee shall provide the Director with a schedule of when the results will be available. This schedule must be provided before the required 30-day submittal period expires;
 - c. Proximity of down gradient drinking water, surface water, and populated areas;
 - d. Description of response actions taken or planned; and
 - e. Description of countermeasures needed to preclude migration to or in any and all media including but not limited to information specified in all provisions of 40 CFR 264.601(a), (b) or (c) as deemed appropriate by the Director.
3. The Permittee shall submit to the Director all certifications of major repairs being consistent with the specifications found in the Permit application to correct releases within seven days from returning the treatment system to use.

4. The Permittee shall obtain, and keep on file at the facility, the written statements by those persons required to certify the design and installation of the treatment system.
5. The Permittee shall keep on file at the facility the written assessment of the system's integrity.
6. The Permittee shall maintain at the facility a record of the results of leak tests and integrity tests conducted.
7. The Permittee shall document non-hazardous materials processed through the shredder units as hazardous (in order to clear the shredders of hazardous waste) in the facility operating record.

G. Special Requirements for Incompatible Wastes [40 CFR 264.601 and 40 CFR 264.17]

1. The Permittee shall not place incompatible wastes, or incompatible wastes and materials, in the same treatment system or the same secondary containment system.
2. The Permittee shall not place hazardous waste in a treatment system that has not been decontaminated and that previously held an incompatible waste or material.
3. The Permittee shall not place incompatible wastes, or incompatible wastes and materials, in the same treatment system or the same secondary containment system, unless such action is in compliance with the requirements of 40 CFR 264.17(b).

H. Closure [40 CFR 264.601 and 10 CSR 25-7.264(2)(G)]

At closure of a miscellaneous unit, the Permittee shall remove or decontaminate all hazardous waste and hazardous residues from the miscellaneous unit, including, but not limited to: contaminated tank system components (liners, etc.), contaminated soils, and contaminated equipment and structures, and shall close in accordance with the Closure Plan in the approved Permit application. If the Permittee is unable to close according to the Closure Plan, then the Permittee must submit a Permit modification to the Department in accordance with 40 CFR 270.42. The Closure Plan, closure activities, cost estimates for closure,

and financial responsibility for the miscellaneous units shall meet all of the requirements specified in 40 CFR Part 264 Subparts G and H, 10 CSR 25-7.264(2)(G) and 10 CSR 25-7.264(2)(H).

III. Storage in Containment Buildings [40 CFR Part 264 Subpart DD]

Five containment buildings are permitted:

- the Rotary Melter Bunker,
- the Battery Bunker and Paste Storage Area,
- the Covered Material Storage Bins,
- the Blast Furnace Feed Storage Building,
- and the Reverberatory Furnace Feed Storage Bunker.

These units are located as shown on figure F-1 and are subject to the requirements of 40 CFR Part 264 Subpart DD. The Rotary Melter Bunker, Blast Furnace Feed Storage Bunker, and Reverberatory Feed Storage Building shall comply with these conditions after the completion of work in Schedule of Compliance item VII. of this Permit.

A. Waste Identification

The Permittee shall store in containment buildings only the hazardous wastes identified below. All stored wastes are subject to the terms of this Permit.

D004 A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains an arsenic concentration greater than five milligram per liter

D005 A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a barium concentration greater than 100 milligram per liter

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|------|---|
| D006 | A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a cadmium concentration greater than one milligram per liter |
| D007 | A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a chromium concentration greater than five milligram per liter |
| D008 | A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a lead concentration greater than five milligram per liter |
| D010 | A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a selenium concentration greater than one milligram per liter |
| D011 | A solid waste that exhibits the characteristic of toxicity, that if using the test methods described at 40 CFR 261.24 contains a silver concentration greater than five milligram per liter |
| K069 | Emissions control dust from secondary lead smelting |

The Permittee is allowed to process the following hazardous waste in the Battery Bunker and Paste Storage containment building without storage:

- | | |
|------|--|
| D002 | A solid waste that exhibits the characteristic of corrosivity, that if using the test methods described at 40 CFR 261.22 has a pH of less than or equal to two, or greater than or equal to 12.5, or which corrodes steel at a rate greater than 6.35 mm per year at 55 degrees Celsius. |
|------|--|

B. Waste Quantities

The Permittee shall store only the following quantities of hazardous wastes in containment buildings according to this Permit:

1. Storage of dry hazardous waste in the Rotary Melter Bunker containment building shall not exceed the lesser of 4060 tons or 31,600 cubic feet of material. The Permittee shall not store any wastes that contain free liquids in this area.
2. Storage of hazardous waste in the Battery Bunker and Paste Storage Area containment building shall not exceed the lesser of 8640 tons or 230,400 cubic feet of material in the Battery Bunker and storage of hazardous waste shall not exceed 3136 tons of paste in the Paste Storage Area.
3. Storage of dry hazardous waste in the Covered Material Storage Bins Area containment building shall not exceed the 20,000 tons. Storage of hazardous waste in each of the eight subdivisions of this building shall not exceed 2500 tons. The Permittee shall not store any wastes that contain free liquids in this area.
4. Storage of dry hazardous waste in the Blast Furnace Feed Storage Building containment building shall not exceed the lesser of 11,853 tons or 4390 cubic yards of material. The Permittee shall not store any wastes that contain free liquids in this area.
5. Storage of dry hazardous waste in the Reverberatory Furnace Feed Storage Bunker containment building shall not exceed the lesser of 1674 tons or 620 cubic yards of material. The Permittee shall not store any wastes that contain free liquids in this area.

C. Design and Operating Standards [40 CFR 264.1101]

1. The containment buildings shall be completely enclosed with a floor, walls, and a roof to prevent exposure to the elements (e.g., precipitation wind, run-on), and to assure containment of the maximum permitted quantity of managed waste.
2. The floors and containment walls of the buildings shall be constructed of materials of sufficient strength and thickness to support themselves, the maximum permitted quantity of waste contents, and any personnel and heavy equipment that operate within the unit.
3. All surfaces shall be chemically compatible with the wastes to be managed in the containment buildings.

4. The containment buildings shall have a primary barrier designed to withstand the movement of personnel, waste, and handling equipment during the operating life of the facility.
5. All containment buildings except the Battery Bunker and Paste Storage Area shall manage only wastes containing no free liquids (the presence of which is determined by the paint filter test, a visual examination, or other appropriate means).
6. For the Battery Bunker and Paste Storage Area the Permittee shall maintain:
 - a. a primary barrier to prevent the migration of hazardous constituents into this barrier;
 - b. a liquid collection and removal system to minimize the accumulation of liquid on the primary barrier of the containment building; and
 - c. a secondary containment system including a secondary barrier to prevent migration of hazardous constituents into this barrier, and a leak detection system that is capable of detecting failure of the primary barrier and collecting accumulated hazardous wastes and liquids at the earliest practicable time. If leaks are detected, the Permittee shall comply with Special Permit Condition III.C.10.
7. The leak detection system for the Battery Bunker and Paste Storage Area shall be maintained in accordance with the following minimum requirements:
 - a. Constructed with a bottom slope of one percent or more; and
 - b. Constructed of a granular drainage material with a hydraulic conductivity of 1×10^{-2} cm/sec or more and a thickness of 12 inches or more, or constructed of synthetic or geonet drainage materials and a transmissivity of 3×10^{-5} m²/sec or more.

8. The Permittee shall use controls and practices to ensure containment of the hazardous waste within the containment buildings; and, at a minimum:
 - a. Maintain the primary barrier free of significant cracks, gaps, corrosion, or other deterioration that could cause hazardous waste to be released from the primary barrier;
 - b. Maintain the level of the stored/treated hazardous waste within the containment walls of the unit so that material is not stored above the concrete wall of the containment system at the wall and so that if a material pile within the system collapses it will not cause a release of hazardous waste over the top of the containment system;
 - c. Operate decontamination stations at the heavy equipment exit of each containment building to prevent the tracking of wastes out of the buildings by decontaminating all waste/material-handling vehicles prior to their exiting a containment building. No waste/material-handling vehicle shall exit any containment building without being decontaminated except during periods of freezing temperatures and/or weather conditions conducive to ice formation on travel surfaces. All rinseate shall be collected and properly managed. During periods of freezing temperatures and/or weather conditions conducive to ice formation on travel surfaces, and during any period the decontamination station is inoperable, waste materials visible on any waste/material handling vehicles shall be physically removed over the decontamination station prior to exiting; and
 - d. Take measures to control fugitive dust emissions such that any opening (doors, windows, vents, cracks, and etc.) exhibit no visible emissions, including when vehicles and personnel are entering and exiting the containment building.
9. The Permittee shall obtain a certification by an independent professional engineer registered in Missouri that each containment building design meets the requirements of this Permit. These certifications shall be placed in the facility's operating record.

10. The Permittee shall evaluate whether liquid is being detected by the leak detection system of the Battery Bunker and Paste Storage Area on the date of issue of this Permit. If a leak is being detected, the Permittee shall:
 - a. operate the leak detection system for the primary barrier in the Battery Bunker and Paste Storage Area such that the amount or flow and pH of the liquid from the leak detection is recorded daily in the operating record;
 - b. comply with all provisions of Special Permit Condition III.C.11. if the flow or amount of liquid increases in excess of twice the baseline flow (the average flow or amount during the first six months of battery breaking production following the issuance of this Permit) and results in a pH less than 5.0 from the leak detection system.
 - c. replace additional piping in the fire main system within six months of the date of issue of this Permit and determine if liquid is still being detected coming from the leak detection system and report to the Department within 60 days per Schedule of Compliance Item V.
 - d. If liquid is still detected coming from the leak detection system after compliance with Special Permit Condition III.C.10.c., the Permittee shall submit a schedule and plan within 60 days for additional repairs, additional bricking of areas, or other construction to bring the containment building into compliance with 40 CFR Part 264 Subpart DD standards per Schedule of Compliance Item VI. Such plan shall include letter notification of the Department after each phase of the plan and shall be immediately executed following approval. If the plan is unsuccessful in that liquid is still detected coming from the leak detection system after the plan is implemented, the Permittee shall submit a Permit modification request to implement additional design changes to bring this unit into compliance.

Once liquid is no longer detected coming from the leak detection system for a continuous period of seven operating days, the Permittee shall comply with all provisions of Special Permit Condition III.C.11. for the Battery Bunker and Paste Storage Area containment building instead of this Special Permit Condition, III.C.10.

Upon verification that the unit meets 40 CFR Part 264 Subpart DD standards, the Permittee shall provide a verification signed by an independent professional engineer registered in Missouri that repairs have been completed in accordance with this Special Permit Condition, III.C.10.

11. If the Permittee detects a condition that could lead to or has caused a release of hazardous waste or hazardous waste constituents, the Permittee shall repair the condition promptly in accordance with the following procedures:
 - a. Enter a record of the discovery in the facility operating record;
 - b. Immediately remove the portion of the containment building affected by the condition from service (this condition does not apply to liquid detected by the leak detection system of the Battery Bunker and Paste Storage Area until after Schedule of Compliance Item V. (and VI, if applicable) except as specified in Special Permit Condition III.C.10.);
 - c. Determine what steps shall be taken to repair the containment building, remove any leakage from the secondary collection system, and establish a schedule for accomplishing the cleanup and repairs (this condition does not apply to liquid detected by the leak detection system of the Battery Bunker and Paste Storage Area until after completion of Schedule of Compliance Item V. (and VI., if applicable) except as specified in Special Permit Condition III.C.10.); and
 - d. Notify the Director within seven calendar days after the discovery of the condition, and within 14 working days, provide a written notice to the Director with a description of the steps taken to repair the containment building, and the schedule for accomplishing the work not completed at the time of the written notice (this condition does not apply to liquid detected by the leak detection system of the Battery Bunker and Paste Storage Area until after Schedule of Compliance Item V. (and VI., if applicable) except as specified in Special Permit Condition III.C.10.) .

The Director will review the information submitted, make a determination regarding whether the containment building must be removed from service completely or partially until repairs and cleanup are complete, and notify the Permittee of the determination and the underlying rationale in writing.

Upon completing all repairs and cleanup, the Permittee shall notify the Director in writing and provide a verification signed by an independent professional engineer registered in Missouri that the repairs and cleanup have been completed according to the written plan submitted in accordance with Special Permit Condition III.B.11.d.

12. Permittee shall inspect the containment building areas and area immediately surrounding the containment buildings at least once every seven calendar days for the purposes of detecting any signs of releases of hazardous waste. The Permittee shall inspect the Battery Bunker and Paste Storage Area and the Blast Furnace Feed Storage Building containment buildings and liquid collection and leak detection systems, including the collection reservoirs, each day of battery breaking operation or at least once every seven days during periods of no battery breaking activity. Inspection results shall be recorded in the facility operating record.

D. Closure [10 CSR 25-7.264(2)(G)]

At closure of a containment building, the Permittee shall remove or decontaminate all hazardous waste and hazardous residues from the containment building, including, but not limited to contaminated soils and contaminated equipment and structures, and shall close in accordance with the Closure Plan in the approved Permit application. If the Permittee is unable to close according to the Closure Plan, then the Permittee must submit a Permit modification to the Department in accordance with 40 CFR 270.42. The Closure Plan, closure activities, cost estimates for closure, and financial responsibility for the miscellaneous units shall meet all of the requirements specified in 40 CFR Part 264 Subparts G and H, 10 CSR 25-7.264(2)(G) and 10 CSR 25-7.264(2)(H).

IV. Access Agreements

The Permittee will establish written access agreements with all landowners that own a property upon which access may be required during the lifetime of this Permit. These agreements must indicate that any access that is necessary to comply with requirements of this Permit will not be denied. Activities which may require access to property which is not owned by the Permittee include monitoring, maintenance, sampling activities, and new well installation. A copy of all necessary access agreements will be submitted to the Department within 30 days of the final date of this Permit, or with a copy of the report on replacement of wells required in the Schedule of Compliance.

V. Waste Minimization

Pursuant to 40 CFR 264.73(b)(9), the facility operating record shall contain a certification by the Permittee, made no less often than annually, that the Permittee has a program in place to reduce the volume and toxicity of hazardous waste that he generates to the degree determined by the Permittee to be economically practicable; and the proposed method of treatment, storage, or disposal is that practicable method currently available to the Permittee which minimizes the present and future threat to human health and the environment.

VI. Seismic Evaluation Requirements [10 CSR 25-7.270(2)(B)4.]

The Permittee has demonstrated compliance with the seismic requirements as certified by an independent professional engineer registered in Missouri. The Permittee shall maintain the seismic evaluation in the operating record.

VII. Groundwater Detection Monitoring [40 CFR 264.90 - 40 CFR 264.100]

The Permittee, at the time of this Permit renewal, is operating a detection monitoring program for the battery bunker containment building as defined by Special Permit Condition VII.B. and C.

A. Groundwater Protection Standard, Hazardous Constituents, and Concentration Limits [40 CFR 264.92, 264.93, and 264.94].

The Groundwater Protection Standard (GPS) establishes the maximum concentration limits for hazardous constituents in the groundwater at the point of compliance during the compliance period. The groundwater monitoring constituents and maximum concentration limits specified in Table I of this Permit constitute the GPS for the battery bunker containment building. The hazardous constituents listed in Table I either have been detected in the groundwater beneath other areas of the permitted facility beyond the battery bunker containment building or are reasonably expected to be in or derived from wastes managed at the facility.

1. The maximum concentration limits for the GPS hazardous constituents listed on Table I are based on protection of human health and the environment and were derived from several different sources as explained by the footnotes to Table I.

2. The GPS maximum concentration limit for some hazardous constituents is below the lowest, reasonably achievable detection limit (due to limitations in current analytical technology) for particular hazardous constituents. In these cases, the GPS maximum concentration limit has been set at the corresponding GPS maximum detection limit.
3. The allowable GPS maximum detection limit shall never be greater than the GPS maximum concentration limit. If the GPS maximum detection limit for specific GPS parameters cannot be achieved due to matrix interferences or other reasonable analytical limitations (provided that appropriate supporting documentation is provided), the affected sample and associated chemical analyses will be exempted from this requirement. Such an exemption does not, however, in any way relieve the Permittee from complying with the GPS maximum concentration limits.
4. The Department reserves the right, based on future advances in analytical technology, to modify this Permit to require the Permittee to achieve analytical detection limits for hazardous constituents that allows for an adequate comparison with appropriate health or environmental protection-based concentration limits.
5. The Permittee may make a demonstration to the Department, at any time during the term of this Permit, for establishment of Alternate Concentration Limits (ACLs) in lieu of the GPS maximum concentration limits contained herein. Any such demonstration shall ensure that any and all ACLs proposed in lieu of the GPS maximum concentration limits are protective of human health and the environment in accordance with the requirements of 40 CFR 264.94(b). In proposing ACLs, the Permittee shall consider and formally address the factors listed in 40 CFR 264.94(b)(1) and (2). Any ACLs approved by the Department shall require a Permit modification in accordance with 40 CFR 270.42.

TABLE I - GROUNDWATER PROTECTION STANDARDS

<u>Groundwater Monitoring Constituent</u>	<u>Maximum Concentration Limit (µg/l)</u>
Antimony	(b)
Arsenic	50 (a)
Cadmium	5 (a)
Chromium	100 (a)
Copper	(b)
Lead	15 (a)
Mercury	2 (a)
Nickel	(b)
Zinc	(b)
Silver	100 (a)
Chloride	250000 (a)
Sulfate	250000 (a)
Thallium	2 (a)

(a) Denotes limits derived from state (10 CSR 60 Chapter 4, dated July 31, 2000, and 10 CSR 20) and federal public drinking water regulations.

(b) This value shall be the background value of the specific parameter. Background values shall be based on levels in up-gradient monitoring well B54 as specified in the Annual Groundwater Monitoring Report, using a statistical method detailed in the revised Groundwater Sampling and Analysis Plan (SAP).

6. For the battery bunker containment building groundwater monitoring program, the Department has determined that sulfate detected in all detection monitoring wells originated from nearby SWMUs and AOCs rather than from the regulated unit. Therefore, the level of sulfate in wells B53, B54, B55, or B56 shall continue to be monitored by the Permittee, but the sulfate parameter will not trigger a groundwater compliance or corrective action program for the regulated unit.

7. The Permittee shall propose modification of the GPS to include any additional hazardous constituent(s) (40 CFR Part 261, Appendix VIII.) in the groundwater which is/are identified during future sampling and

analysis, if such constituents may be attributed to past operation of the regulated unit(s) and/or the degradation of hazardous constituents known to be present in the groundwater. The (40 CFR Part 264, Appendix IX.) groundwater sampling and analysis requirements shall be used as the basis for determining if the addition of hazardous constituents to the GPS is necessary.

8. Any addition of hazardous constituents to the GPS as a result of the above determination shall require a Class 1 Permit modification with prior director approval. Any other changes to the GPS list of hazardous constituents shall require a Permit modification in accordance with 40 CFR 270.42.

B. Point of Compliance [40 CFR 264.95]

The point of compliance is the location at and beyond which groundwater protection standards must be achieved. The point of compliance is defined as a vertical surface that extends perpendicularly downward at the limit of the waste management area that extends into the uppermost aquifer underlying the regulated units. In the case of multiple regulated units, an imaginary line circumscribing the regulated units may be used, or a line of wells forming a polygon around them. These wells must be no further from the regulated unit than the property boundary. This definition is based upon the nature of the contaminants managed at the former regulated units and the existing sampling and monitoring results. Wells monitoring the groundwater passing the point of compliance will include compliance wells as noted in the monitoring requirements for pollutants from groundwater monitoring wells B53, B54, B55, and B56 or their replacements. Groundwater contamination at and beyond the point of compliance, which exceeds the GPS maximum concentration limits, shall be subject to the corrective action groundwater program pursuant to 40 CFR 264.100.

C. Compliance Period [40 CFR 264.96]

The compliance period for any unit shall be equal to the active life of unit. If the GPS maximum concentration limits are being exceeded at the end of the compliance period at or beyond the point of compliance, the Permittee's groundwater corrective action program shall continue until the Permittee demonstrates that these limits have not been exceeded at and beyond the point of compliance for a period of three consecutive years.

D. General Groundwater Monitoring Requirements [40 CFR 264.97]

1. Groundwater Sampling and Analysis Plan (SAP): The Permittee shall revise and resubmit for the Department's approval the Groundwater SAP within 60 days of the effective date of this Permit to reflect any additional requirements contained in this Permit. The latest approved Groundwater SAP is the Permittee's February 2000 submittal.

All Groundwater SAP procedures and techniques used in groundwater sampling, frequency, analysis, and measurement of groundwater-related parameters shall be designed to meet the requirements of 40 CFR Part 264 Subpart F, as incorporated by reference in 10 CSR 25-7.264(1), and this Permit. The Permittee's sampling, analysis, and measurement protocols shall ensure the representative nature of all analysis and measurement results.

2. The Permittee shall retain on site and comply with the sampling and analysis procedures necessary to provide a reliable indication of the groundwater quality below the waste management areas as required by 40 CFR 264.97(d). The Groundwater SAP shall set forth sample collection, preservation and shipment methodology; chain-of-custody control; and analytical methodology for field samples, trip blanks, and other quality control samples.
3. If the Permittee or the Department determines that a detection monitoring well does not adequately characterize a potential release from the unit, the Permittee shall replace the well as required by 40 CFR 264.97(a)(2) within a period of 30 days. Procedures for well redevelopment or replacement shall be detailed in the Groundwater SAP.
4. Any new groundwater monitoring well(s) installed by the Permittee to meet the requirements of this Permit shall be designed and constructed in accordance with the requirements of 40 CFR 264.97, 10 CSR 23-4, Monitoring Well Construction Code of the Missouri Well Construction Rules and/or well-specific plans and specifications approved by the Department.
 - a. The Permittee shall submit to the Department's Hazardous Waste Program, a copy of the well certification report form and the resulting certification acceptance required by 10 CSR 23-4.020 for

any new monitoring wells installed pursuant to this Permit. This information shall be reported as part of the Annual Groundwater Monitoring Report as defined in Special Permit Condition VII.G.

- b. Any change in the number of wells being monitored for the battery bunker containment system (B53, B54, B55, and B56 only) shall require a Class 2 Permit modification in accordance with 40 CFR 270.42. The Permittee may elect to submit an annual modification to incorporate changes in the number of monitoring wells in lieu of a modification for each individual change.
5. Plugging and abandonment of any groundwater monitoring well(s) operated by the Permittee pursuant to the requirements of this Permit shall meet the requirements of 10 CSR 23-4.080 and the following:
 - a. The Permittee shall submit to the Department's Hazardous Waste Program, a copy of the well registration report form and resulting registration acceptance required by 10 CSR 23-4.080 for any monitoring wells plugged pursuant to this Permit. This information shall be reported as part of the Annual Groundwater Monitoring Report as defined in Special Permit Condition VII.G.
 - b. At such time as the Permittee's well registration has been accepted by the Department's Geological Survey and Resource Assessment Division (GSRAD), the plugged wells shall be removed from the Permittee's Groundwater SAP. Within 30 days of GSRAD's registration acceptance, the Permittee shall submit appropriate Groundwater SAP revisions to the Department's Hazardous Waste Program.
 - c. Any change in the number of wells being monitored for the battery bunker containment system (B53, B54, B55, and B56 only) shall require a Class 2 Permit modification in accordance with 40 CFR 270.42. The Permittee may elect to submit an annual modification to incorporate changes in the number of monitoring wells in lieu of a modification for each individual change.
6. The Permittee shall contact the Department at least five working days prior to conducting any field work associated with the construction or modification of the groundwater monitoring system required by this

Permit. The Department will then have the option of observing any portion of the system's construction or modification. This notification requirement applies to major work such as new wells, retrofitting of existing wells, or abandonment of wells. It does not apply to minor repairs, minor maintenance, or other minor changes.

7. A monitoring well inspection and maintenance program shall be implemented for the duration of the compliance period. This program shall be designed to ensure the structural integrity of all monitoring well installations during the compliance period. The Permittee's revised Groundwater SAP shall address the details of this program in accordance with the following requirements.
 - a. Surface well integrity inspections shall be performed at the time of each sampling event and shall be documented on an inspection log sheet. Surface integrity evaluations for each monitoring well shall include a visual inspection of the outer protective casing, inner casing riser, surface well seal, well cap, and locking mechanism to document any damage or deterioration. The ground surface in the immediate vicinity of each monitoring well and the annular space between the outer protective casing and casing riser shall be inspected for visible anomalies (e.g., collection or ponding of water, ground subsidence, etc.).
 - b. Subsurface well integrity inspections shall be performed semi-annually in all wells in accordance with the provisions contained in the Permittee's Groundwater SAP and shall be documented on a well inspection log sheet. Subsurface well integrity inspections may consist of a combination of elements, including total well depth measurements, groundwater turbidity measurements, in situ hydraulic conductivity tests, casing caliper logs, down-hole television camera surveys, and/or other methods capable of verifying the subsurface integrity of the well casing and screen.
 - c. The Permittee's Groundwater SAP shall specify performance of a semi-annual wellbore siltation evaluation to assess downwell siltation and well screen occlusion in all monitoring wells. This requirement shall be designed to ensure the representative nature of the Permittee's groundwater sample analysis and field measurement results through minimization of sampling and

measurement interferences (e.g., turbidity, excessive well screen occlusion, etc.). The Permittee's Groundwater SAP shall specify a well redevelopment trigger criterion based on a percentage of well screen occlusion and the potential of such occlusion to compromise the representative nature of the Permittee's groundwater sample analysis and field measurement results. Wells demonstrating well screen occlusion equal to or in excess of the selected criterion shall be redeveloped prior to the next scheduled sampling event.

- d. Monitoring well repairs shall be undertaken within 30 days of identification of any surface or subsurface well integrity problem. If adverse weather or site conditions preclude the Permittee from gaining access to and/or repairing flood-impacted monitoring wells within the above-noted periods, then the Permittee shall take appropriate action as soon as practicable. Written justification for any delay, completed well inspection log sheets, a narrative description of any well repairs, and before and after photographic documentation (in the case of visible surface well repairs) shall be provided to the Department as part of the Annual Groundwater Monitoring Report as defined in Special Permit Condition VII.G.

8. The Permittee shall establish the method for determining background of all items designated (b) in Table I - Groundwater Protection Standards. This method shall be placed in the revised Groundwater SAP and the value of the background shall be determined and reported in the Annual Groundwater Monitoring Report. The statistical method detailed shall be based on the most recent version of the USEPA guidance document Statistical Analysis of Ground-Water Monitoring Data at RCRA Facilities.

E. Detection Monitoring Program [40 CFR 264.98]

1. The Permittee shall perform groundwater sampling/analysis and field measurement of groundwater-related parameters according to the schedule presented in Table II.
 - a. Sampling and analysis in accordance with this schedule shall begin during the next regularly scheduled sampling event following the effective date of this Permit.

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- b. Sampling and analysis of groundwater from any new wells required by 40 CFR Part 264 Subpart F and this Permit shall be performed no later than the next regularly scheduled sampling event following their installation.

TABLE II
Groundwater Monitoring,
Sampling, Analysis, and Parameter Measurement Schedule

Parameters	Type*	Maximum Detection Limit (ug/l)	Frequency
Antimony	HC	300 (1)	semi-annually
Thallium **	HC	2 (2)	semi-annually
Cadmium	HC	5.0 (1)	semi-annually
Copper	HC	18 (1)	semi-annually
Lead	HC	1 (1)	semi-annually
Nickel	NA	Not Applicable	semi-annually
Sulfate	HC	19 (1)	semi-annually
pH	HC	200 (1)	semi-annually
Specific Conductance	FM	Not Applicable	semi-annually
Static Groundwater Elevation (3)	FM	Not Applicable	semi-annually
Temperature	FM	Not Applicable	semi-annually
Total Well Depth	FM	Not Applicable	semi-annually

- (1) Detection Limit per the February 2000 Groundwater SAP or the current replacement for the February 2000 Groundwater SAP.
- (2) Detection Limit is per "Methods for the Determination of Metals in Environmental Samples-Supplement I", EPA/600/R-94/111, May 1994. The PQL for thallium is published in 57 FR 31776 at 31801 (July 17, 1992).
- (3) Potentiometric measurements shall be obtained at the time of each regularly scheduled sampling event from all monitoring wells at the facility, including those that are not being sampled regularly. Elevation shall be to the nearest 0.01 foot.

* HC = Hazardous Constituent, FM = Field Measurement, NA = Not Applicable

** If thallium is not detected during the first two sampling events following issuance of this Permit the Permittee may, with prior notice to the Department, cease analyzing for this constituent.

2. Only single sample analyses (as opposed to replicates) are required for the parameters listed in Table II, with the exception of duplicate samples taken for Quality Assurance/Quality Control (QA/QC) purposes.
3. Field parameter values measured and reported by the Permittee shall be representative of stabilized well conditions.
4. If the Permittee determines, pursuant to 40 CFR 264.98, that there is a statistically significant increase (or decrease in pH) over background levels for any parameters except flow, temperature, well depth, and groundwater elevations at any monitoring well at the compliance point, he must:
 - a. Notify the Department of this finding in writing within seven calendar days. The notification must indicate what parameters or constituents have shown statistically significant increases;
 - b. Immediately resample the groundwater in all monitoring wells at the compliance point defined in Special Permit Condition VII.B, and determine the concentration of all constituents identified in (40 CFR Part 261, Appendix IX.) that are present in groundwater;
 - c. Establish a background value for each (40 CFR Part 261, Appendix IX.) constituent that has been found at the compliance point;
 - d. Initiate within 90 days the monitoring program as specified in Special Permit Condition VII.F. to determine compliance with the groundwater protection standard at the point of compliance for a period of time as defined in Special Permit Condition VII.C.; and,
 - e. Within 180 days submit to the Department all data necessary to justify any concentration variance sought under 40 CFR 264.94(b), as well as an engineering feasibility plan for a corrective action program necessary to meet the requirements of 40 CFR 264.100. Neither of the above need be submitted if the Permittee satisfies the requirements under 40 CFR 264.98(h)(5)(ii)(A) or (B).

5. If the Permittee determines that there is a statistically significant increase of parameters (or decrease in pH) at any monitoring well at the compliance point, he may demonstrate that a source other than a regulated unit caused the increase or that the increase resulted from error in sampling, analysis, or evaluation. While the Permittee may make a demonstration under this paragraph in addition to, or in lieu of, beginning the compliance monitoring program under Special Permit Condition VII.F., he is not relieved of the requirement to begin the compliance monitoring program within the time specified in Special Permit Condition VII.E.4.d. unless the demonstration made under this paragraph successfully shows that a source other than a regulated unit caused the increase or that the increase resulted from error in the sampling, analysis, or evaluation. In making a demonstration under this paragraph, the Permittee must:
 - a. Notify the Department in writing within seven days of determining a statistically significant increase at the compliance point that he intends to make a demonstration under this paragraph;
 - b. Within 90 days, submit a report to the Department which demonstrates that a source other than a regulated unit caused the increase, or that the increase resulted from error in sampling, analysis, or evaluation; and
 - c. Continue to monitor in accordance with the detection monitoring program established in Special Permit Condition VII.E.

F. Contingent Compliance Monitoring Program [40 CFR 264.99]

This monitoring program is required throughout the compliance period if detection monitoring has indicated a release in accordance with Special Permit Condition VII.E.4. Under this program, the following conditions would apply:

1. Groundwater monitoring shall be conducted in accordance with the requirements found in 40 CFR 264.99 and the approved Permit application, Section G-2.
2. The Permittee shall determine groundwater quality on a quarterly basis.
3. The Permittee's groundwater monitoring program must include a determination of the groundwater surface elevation each time groundwater is sampled.

4. The Permittee shall determine whether the GPS is exceeded for any of the constituents each time the concentration of hazardous constituents in groundwater at the compliance point is determined. This determination must be made within 60 days after the completion of the sampling event.
5. If the Permittee determines, after sampling, that there is a statistically significant increase over the GPS at any monitoring well at the compliance point, the Permittee shall notify the Department in writing within seven calendar days. In addition, the Permittee shall submit an application for a Permit modification to establish a corrective action program meeting the requirements of 40 CFR 264.100 within 90 days. In lieu of or in addition to complying with these two requirements, the Permittee may demonstrate that a source other than a regulated unit caused the increase or that the increase resulted from an error in sampling, analysis, or evaluation. Such a demonstration should be made pursuant to the procedures and standards of 40 CFR 264.99(i).
6. The Permittee shall determine the groundwater flow rate and direction in the uppermost aquifer annually. The report shall be presented to the Department in the form of a piezometric map.
7. The groundwater monitoring program must include consistent sampling and analysis procedures that are designed to ensure monitoring results which provide a reliable indication of the groundwater quality below the waste management area. This program shall include, at a minimum, the following procedures and techniques:
 - a. sample collection;
 - b. sample preservation and shipment;
 - c. analytical procedures; and
 - d. chain of custody controls.
8. In this Permit the level for a statistically significant increase, or trigger value, shall be the following:
 - a. For all (40 CFR 264.94, Table 1) parameters the trigger value shall be the MCL level; and
 - b. For all other parameters the trigger value shall be a statistically significant increase over background concentrations.

G. Groundwater-Related Reporting Requirements.

The Permittee shall prepare and submit, on an annual basis, a comprehensive evaluation of the facility-wide groundwater monitoring program for the preceding calendar year (i.e., January through December). The Permittee's Annual Groundwater Monitoring Report shall be submitted to the Department by March 1 of each calendar year for the preceding calendar year.

1. These reports shall contain a narrative discussion of the nature and evolution of the Permittee's facility-wide groundwater monitoring program as well as conclusions concerning the overall adequacy of the program as related to its intended purpose, including any interim measures/stabilization actions. Any conclusions concerning inadequacies in the Permittee's groundwater monitoring program shall be accompanied by a discussion of proposed remedies. Specific details concerning any proposed remedies should be further developed outside of the scope of these reports and/or as otherwise specified in this Permit.
2. The Permittee's Annual Groundwater Monitoring Report shall comprehensively address all of the technical requirements of 40 CFR Part 264 Subpart F and this Permit. The Permittee shall summarize relevant groundwater monitoring information and shall present this information in the form of narrative discussions, groundwater flow calculations, and/or diagrammatic illustrations (e.g., tabular groundwater and statistical data summaries, hydrogeologic and potentiometric contour maps/cross-sections, chemical parameter trend graphs, calculated rate(s) of contaminant migration, contaminant isoconcentration maps/cross-sections, fence/isometric diagrams, groundwater flow nets, etc.), as appropriate.
3. The Permittee shall submit to the Department, in the Annual Groundwater Monitoring Report, detailed boring logs for new exploratory borings and/or detailed as-built monitoring well diagrams for any new monitoring wells installed during the corresponding reporting period.

VIII. Post-closure Care [40 CFR Part 264 Subpart G]

The Permittee shall comply with all applicable requirements of 40 CFR Part 264 Subpart G and all provisions of this Permit. Post-closure care will be conducted only if required by Special Permit Conditions I., II., or III.

- A. Post-closure care begins after completion of closure of the hazardous waste management units and continues for 30 years after that date unless otherwise specified by the Department.
- B. Post-closure care shall be in accordance with the plan contained in the approved final Permit application. The post-closure care plan may be amended at any time during the active life of the facility or the post-closure period. The Permittee must submit a written request for a Permit modification to authorize a change in the plan whenever changes in operating plans or hazardous waste management units design affect the approved plan, or events which occur during the active life of the facility including partial and final closure, affect the approved post-closure plan. Amendments are subject to the applicable Permit modification requirements of 40 CFR Part 270 Subpart D., 10 CSR 25-7.270(2)(D) and 10 CSR 25-8.124. Written requests for amendments must be submitted at least 60 days prior to the proposed change in site operations, or no later than 60 days after an unexpected event which has affected the plan. The Department may request a modification to the plan if changes in site operations affect the approved plan.

After final closure has been certified, the facility contact during the post-closure care period must keep the approved post-closure plan for the remainder of the post-closure period, as required by 40 CFR 264.118(c).

- C. No later than 60 days after the completion of the post-closure care period, the Permittee must submit to the Department, by registered mail, a certification that the post-closure care period was performed in accordance with the approved plan. The certification must be signed by the Permittee and an independent professional engineer registered in Missouri.
- D. The Permittee shall maintain a detailed written estimate, in current dollars, of the annual cost of post-closure monitoring and maintenance of the facility. The estimate must be based on the cost of hiring a third party to conduct these activities. The estimate is calculated by multiplying the annual cost estimate for the number of years of post-closure care required. During the active life of the facility, the Permittee must adjust the post-closure cost estimate for inflation

within 60 days prior to the anniversary date of the establishment of the financial instrument(s) used to comply with 40 CFR 264.145. If the company uses the financial test of a corporate guarantee, the estimate must be updated for inflation within 30 days after the close of the firm's fiscal year and before submission of updated information to the Department as specified in 40 CFR 264.145(f)(5).

- E. The Permittee must demonstrate continuous compliance with 40 CFR 264.15 and 10 CSR 25-7.264(2)(H) and the documentation requirements of 40 CFR 264.151 (with the appropriate substitution of state terms) in at least the amount of the cost estimate required in Special Permit Condition VIII.D. above. The Permittee has 60 days after a change in the post-closure estimate to obtain other financial assurance.

The Permittee must also demonstrate continuous compliance with the requirements of 40 CFR 264.147 and 10 CSR 25-7.264(2)(H)6 and the documentation requirements of 40 CFR 264.151 with the appropriate substitution of state terms.

The Permittee shall comply with the provisions in 40 CFR 264.148, incapacity of owner/operator to meet financial requirements.

- F. The groundwater monitoring program in place at the time of commencement of post-closure care shall be continued through the post-closure care period, unless otherwise amended by the Department, pursuant to 10 CSR 25-7.264(2)(G) and 40 CFR 264.118(d).

CORRECTIVE ACTION CONDITIONS

I. Identification of Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs) [40 CFR 264.101]

Figure N-1 and Table N-1 identify and show the location of the SWMUs and AOCs identified at the Doe Run Buick Resource Recovery Facility. Table N-1 also shows the current status of each SWMU and AOC.

A revised Resource Conservation and Recovery Act Facility Investigation (RFI) work plan was submitted by Doe Run in November 1991 and approved in August 1992. The RFI was conducted and an RFI report was submitted in March 1994. A supplemental RFI was conducted in 1998 and a report on the supplemental RFI was submitted in August 1999. Conditional approval of the RFI was granted in December 2000 and a Corrective Measures Study (CMS) Plan was submitted to the Department in February 2001. As of the time of this Permit renewal, the Department has not approved the CMS Plan.

Additional corrective action submittals include a revised Interim Measures Plan that was submitted in September 1990 and completed in 1994. A RCRA Corrective Action Interim Measures Report was submitted in December 1994 and additional information in response to comments was submitted in December 1996. An assessment of 20 acres of property purchased by Doe Run from Cominco Mine Company was conducted by Barr Engineering and a report titled Former Cominco Property SWMU/AOC Assessment Report was submitted in January 1999.

The approved RCRA Part B Application submitted in June 2001 contained a closure plan for the Acid Spill Berm (SWMU 13) and Sanitary Wastewater Lagoon (SWMU 24) in Attachment N-1. To facilitate expedited closure of these two SWMUs, the Permittee is subject to the following Corrective Action Permit Conditions:

- A. The Permittee shall grant the Department full access to the facility property for actions related to any future activities required by any federal or state Permit, order or other agreement governing corrective action at the facility.
- B. The Permittee shall close the Acid Spill Berm (SWMU 13) and Sanitary Wastewater Lagoon (SWMU 24) as specified in Attachment N-1 of the approved Permit application and the following conditions:
 1. The clean-up criteria for the two areas shall be the proposed Tier 1 STARC values for land use scenario B given in the September 1, 2001, Clean-up Levels for Missouri document. The Permittee shall remove all

soils from the units exhibiting greater concentrations than the clean-up criteria, and in accordance with the approved expedited corrective action closure plan in Section N-1 of the approved application.

2. The Permittee shall submit, within 30 days of the effective date of this Permit, a plan (in letter form) for the management of metal-bearing soils generated during closure of these two units. This plan shall include all details of the method of management, handling, and disposal for these soils. The Permittee shall complete closure of the two SWMUs within 180 days from the date of Department approval of the plan.
 3. The Permittee shall, within five calendar days prior to undertaking field activities under Corrective Action Permit Condition I.B., verbally notify the Department's Hazardous Waste Program, Permits Section, by telephone at (573) 751-3553.
 4. Within 60 days of completion of the SWMU closure, the Permittee shall submit to the Department, by registered mail, a SWMU closure summary report documenting that the two units have been closed in accordance with the specifications in the plans set forth above. The SWMU closure summary report shall detail all closure activities, sampling and analysis results, and ultimate disposition of soils as specified in Section N-1 of the approved application. The closure summary report shall be signed by the Permittee and by an independent professional engineer registered in Missouri.
- C. The Permittee submitted a CMS Plan to the Department in February 2001. The Department will complete review of the CMS Plan in accordance with the procedures set forth in Review and Approval Procedures, Corrective Action Permit Condition XIII.

Following approval of the CMS Plan, the Permittee shall comply with the schedule of submittals contained in the plan, including ultimate submittal of the Final CMS Report in accordance with Corrective Action Permit Condition VIII. and Final Remedy Approval per Corrective Action Permit Condition IX.

Contingent Corrective Action Permit Conditions V. and VI. apply only to newly identified SWMUs and AOCs, or newly identified releases from previously identified SWMUS and AOCs, as defined in Corrective Action Permit Conditions II. and III.

II. Notification Requirements for, and Assessment of, Newly Identified Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs)

- A. The Permittee shall notify the Department and the United States Environmental Protection Agency (USEPA) in writing of any SWMU(s) or AOC(s) identified subsequent to the issuance of this Permit no later than 15 days after discovery.
- B. The Department may require a SWMU/AOC Assessment Work Plan for conducting an investigation of any newly identified SWMU(s) or AOC(s). Within 30 days after receipt of the Department's request for a SWMU/AOC Assessment Work Plan, the Permittee shall submit a SWMU/AOC Assessment Work Plan which shall include a discussion of past waste management practices at the unit, as well as a sampling and analysis program for groundwater, land surface and subsurface strata, surface water and/or air, as necessary to determine whether a release of hazardous waste, including hazardous constituents, from such unit(s) has occurred, or is occurring. The sampling and analysis program shall be capable of yielding representative samples and must include monitoring parameters sufficient to assess the release of hazardous waste and/or hazardous constituents from the newly identified SWMU(s)/AOC(s) to the environment. The SWMU/AOC Assessment Work Plan shall specify any data to be collected to provide for a complete SWMU/AOC Assessment Report, as specified below, and shall contain a schedule for implementation of the work plan which is predicated on the date of Departmental approval of the plan.
- C. The SWMU/AOC Assessment Work Plan will be reviewed in accordance with the procedures set forth in Review and Approval Procedures, Corrective Action Permit Condition XIII. The Permittee shall complete implementation in accordance with the schedule contained in the approved plan.
- D. The Permittee shall submit a SWMU/AOC Assessment Report to the Department and the USEPA according to the schedule specified in the approved SWMU/AOC Assessment Work Plan. The SWMU/AOC Assessment Report shall present and discuss the information obtained from implementation of the approved SWMU/AOC Assessment Work Plan. At a minimum, the SWMU/AOC Assessment Report shall provide the following information for each newly identified SWMU/AOC:
 - 1. The location of the newly identified SWMU/AOC in relation to other SWMUs/AOCs;
 - 2. The type and function of the unit;
 - 3. The general dimensions, capacities, and structural description of the unit;

4. The period during which the unit was operated;
 5. The physical and chemical properties of all wastes that have been or are being managed at the SWMU/AOC, to the extent available;
 6. The results of any sampling and analysis conducted;
 7. Past and present operating practices;
 8. Previous uses of the area occupied by the SWMU/AOC;
 9. Amounts of waste handled; and
 10. Drainage areas and/or drainage patterns near the SWMU(s)/AOC(s).
- E. The Department will review the SWMU/AOC Assessment Report in accordance with the procedures set forth in Review and Approval Procedures, Corrective Action Permit Condition XIII. Based on the findings of this report, the Department will determine the need for further investigations, including stabilization or a Resource Conservation and Recovery Act Facility Investigation (RFI), at specific unit(s) identified in the SWMU/AOC Assessment Report.
- F. If the Department determines that additional investigations are needed, the Department may require the Permittee to prepare and submit for approval a work plan for such investigations. The Department will review this work plan for additional investigations in accordance with the procedures set forth in Review and Approval Procedures, Corrective Action Permit Condition XIII. The Permittee shall complete implementation in accordance with the schedule contained in the approved plan.

III. Notification Requirements for, and Assessment of, Newly Identified Releases From Previously Identified Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs)

- A. The Permittee shall notify the Department and the United States Environmental Protection Agency (USEPA), in writing, no later than 15 days after discovery, or after discovery should have been made of any newly identified release(s) of hazardous waste, including hazardous constituents from previously identified SWMUs and/or AOCs, discovered during the course of groundwater monitoring, field investigation, environmental auditing, or other activities undertaken after issuance of this Permit.
- B. The Department may require a Newly Identified Release Work Plan for conducting an investigation of the newly identified release(s). Within 30 days after receipt of notice that the Department requires a Newly Identified Release Work Plan, the Permittee shall submit a Newly Identified Release Work Plan which shall include a discussion of the waste/chemical management practices related to the release, a sampling and analysis program for groundwater, land surface and subsurface strata, surface water or air, as necessary to determine whether the release poses a threat to human health or the environment, and a proposed schedule for implementation and completion of the Newly Identified Release Work Plan. The sampling and analysis program shall be capable of yielding representative samples and must include monitoring parameters sufficient to assess the release of hazardous waste and/or hazardous constituents to the environment. The Newly Identified Release Work Plan shall identify any data to be collected to provide for a complete Newly Identified Release Report, as specified below and shall contain a schedule for implementation of the work plan which is predicated on the date of Departmental approval of the plan.
- C. The Department will review the Newly Identified Release Work Plan in accordance with the procedures set forth in Review and Approval Procedures, Corrective Action Permit Condition XIII. The Permittee shall initiate and complete implementation in accordance with the schedule contained in the approved plan.
- D. The Permittee shall submit a Newly Identified Release Report to the Department and the USEPA according to the schedule specified in the approved Newly Identified Release Work Plan. The Newly Identified Release Report shall present and discuss the information obtained during implementation of the approved Newly Identified Release Work Plan. At a minimum, the report shall provide the following information for each newly identified release:

1. The location of the newly identified release in relation to other SWMU(s);
 2. The general dimensions of the release;
 3. The period during which the release is suspected to have occurred;
 4. The physical and chemical properties of all wastes that have been determined to comprise the release;
 5. The results of any sampling and analysis conducted;
 6. Past and present operating practices near and at the location of the release;
 7. Previous uses of the area(s) occupied near and at the location of the release;
 8. Amounts of waste handled near and at the location of the release; and
 9. Drainage areas and/or drainage patterns near and at the location of the release.
- E. The Department will review the Newly Identified Release Report in accordance with the procedures set forth in Review and Approval Procedures, Corrective Action Permit Condition XIII. Based on the findings of the report and any other available information, the Department will determine the need for further investigation, including stabilization, a Resource Conservation and Recovery Act Facility Investigation, and/or a Corrective Measures Study.

IV. Interim/Stabilization Measures

These conditions apply to: current corrective action activities, activities undertaken in response to newly identified Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs), and activities undertaken in response to newly identified releases from previously identified SWMUs and AOCs.

- A. If the Permittee becomes aware of a situation that may require interim/stabilization measures to protect human health or the environment, the Permittee shall notify the Department within 24 hours of the time the Permittee becomes aware or should have become aware of the situation.

- B. If during the course of any activity initiated under this Permit, the Permittee or the Department determines that a release or potential release of hazardous waste, including hazardous constituents, poses a threat to human health or the environment, the Department may require interim/stabilization measures to slow or stop the further spread of contamination until final corrective action measures can be implemented. The Department will determine the specific action(s) that must be taken to implement interim/stabilization measures, including potential Permit modifications and the schedule for implementing the interim/stabilization requirements and will inform the Permittee of decisions regarding the action(s) in writing. This requirement shall not preclude the Permittee from responding to an emergency situation without direction of the Department.
- C. If, at any time, the Permittee determines or should have known that the interim/stabilization measures program is not effectively limiting or stopping the further spread of contamination, the Permittee shall notify the Department in writing no later than ten days after such a determination is made. The Department may require that the interim/stabilization measures program be revised to make it effective in limiting or stopping the spread of contamination; or that final corrective action measures are required to remediate the contaminated media.
- D. In cases where releases present minimal exposure concerns and/or the remedial solution is straightforward, the Permittee may propose interim/stabilization measures for review and approval by the Department. These interim/stabilization measures shall be consistent with and may supplement and/or satisfy the requirements for a final remedy(s) in specific areas.

V. Contingent Resource Conservation and Recovery Act Facility Investigation (RFI) Work Plan

These conditions apply to activities undertaken in response to newly identified Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs) and also to activities undertaken in response to newly identified releases from previously identified SWMUs and AOCs.

- A. If the Department determines that additional investigations are needed, the Department may require the Permittee to prepare and submit for approval an RFI Work Plan. The Permittee shall submit an RFI Work Plan to the Department and the United States Environmental Protection Agency within 60 days of the notification of the requirement to conduct an RFI Work Plan. The RFI Work Plan shall be designed to investigate releases of hazardous waste, including hazardous constituents, to all appropriate media of concern including soil, sediment, bedrock, groundwater, surface water, and/or air. In order to substantiate future

corrective action decisions, the RFI Work Plan shall contain provisions which are sufficient to meet the following objectives and shall contain a schedule for implementation of the work plan which is predicated on the date of Departmental approval of the plan:

1. Full characterization of the nature, vertical and horizontal extent, and rate of migration of releases of hazardous waste and/or hazardous constituents from SWMUs and AOCs, or groups of SWMUs at the facility and the actual or potential receptors of such releases; and
 2. Collection of any other pertinent data that may be utilized to substantiate future corrective action decisions.
- B. The RFI Work Plan shall be appropriate for site-specific conditions and shall be consistent with and address all applicable investigation elements described in the most recent version (currently May 1989) of the EPA guidance document entitled, RCRA Facility Investigation Guidance; EPA 530/SW-89-031. At a minimum, the RFI Work Plan shall detail all proposed activities and procedures to be conducted at the facility, a description of current conditions, the schedule for implementing and completing such investigations, and for submission of reports (including the final RFI Report), the qualifications of personnel performing or directing the investigations, including contractor personnel, and the overall management of the RFI.
- C. The RFI Work Plan shall include a Quality Assurance Project Plan (QAPP). The QAPP shall present the policies, organization, objectives, functional activities, and specific quality assurance and quality control activities designed to achieve the data quality goals of the RFI. It shall include the RFI objectives, sampling procedures, analytical methods, field and laboratory quality control samples, chain-of-custody procedures and data review, validation and reporting procedures.
- D. The Permittee shall prepare and maintain a Health and Safety Plan during the project that assures the RFI activities are conducted in a manner that is protective of human health and the environment.
- E. Due to the complexity of defining the extent of contamination, the Permittee may be required to use a phased approach that requires the submittal of supplemental RFI Work Plans.
- F. The Department will review the RFI Work Plan(s) in accordance with the procedures set forth in Review and Approval Procedures, Corrective Action Permit Condition XIII. The Permittee shall complete implementation in accordance with the schedules contained in the approved plan(s).

VI. Contingent Resource Conservation and Recovery Act Facility Investigation (RFI) Report

These conditions apply to activities undertaken in response to newly identified Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs) and also to activities undertaken in response to newly identified releases from previously identified SWMUs and AOCs.

- A. The Permittee shall submit a RFI Report to the Department and the United States Environmental Protection Agency according to the schedule contained in the approved RFI Work Plan set forth in Corrective Action Permit Condition V. The RFI Report shall present all information gathered under the approved RFI Work Plan along with a brief facility description and map showing the property boundary and all SWMUs/AOCs. The RFI Report must contain adequate information to support further corrective action decisions at the facility. Information contained in the RFI Report shall be presented in a format that is consistent with Section 5 of the most recent version (currently May 1989) of the EPA Publication entitled, RCRA Facility Investigation Guidance; EPA530/SW-89-031.
- B. The RFI Report shall provide an interpretation of the RFI information gathered, supported with documentation, to enable the Department to determine whether additional stabilization and/or a Corrective Measures Study (CMS) may be necessary.

The RFI Report shall describe the procedures, methods, and results of all Investigations of SWMUs/AOCs and associated releases, including, but not limited to, the following, as appropriate:

1. Characterization of the nature, concentration(s), horizontal and vertical extent, and direction/rate of movement of releases from SWMUs/AOCs at the facility;
2. Characterization of the environmental setting of the facility, including:
 - a. Hydrogeological conditions;
 - b. Climatological conditions;
 - c. Soil and bedrock characteristics;
 - d. Surface water and sediment quality; and
 - e. Air quality and meteorological conditions.

3. Characterization of SWMUs/AOCs from which releases have been or may be occurring, including unit and waste characteristics;
 4. Descriptions of human and environmental receptors and associated risks to the receptors which are, may have been, or, based on site-specific circumstances, could be exposed to release(s) from SWMUs/AOCs;
 5. Assessment of potential risks to the human and environmental receptors exposed to release(s) from SWMUs/AOCs;
 6. Extrapolations of future contaminant movement including description of contaminant fate and transport mechanisms, and pathways for human and environmental exposure;
 7. Laboratory, bench-scale, pilot-scale and/or appropriate tests or studies to determine the feasibility or effectiveness of treatment technologies, or other technologies that may be appropriate in implementing remedies at the facility;
 8. Statistical analyses to aid in the interpretation of data;
 9. Results of any interim/stabilization measures previously implemented; and
 10. Evaluation of data quality which may affect the nature and scope of a CMS as well as the evaluation of corrective measures alternatives thereunder (e.g., identification of any potential bias in the RFI data, and documentation of its precision, accuracy, representativeness, completeness, comparability, validation, etc.)
- C. The Department will review the RFI Report in accordance with the procedures set forth in Review and Approval Procedures, Corrective Action Permit Condition XIII. After review of the RFI Report, if the Department determines that the objectives of the RFI have not been met, the Department may require additional investigation. Upon approval of the RFI Report by the Department, the Department shall advise the Permittee as to the next step in the corrective action process that may include submittal of a CMS Work Plan pursuant to Corrective Action Permit Condition VII.

VII. Current and Contingent Corrective Measures Study (CMS) Plan

A CMS Plan was submitted in February 2001 for previously identified Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs). These conditions apply to:

current corrective action activities, activities undertaken in response to newly identified SWMUs and AOCs, and activities undertaken in response to newly identified releases from previously identified SWMUs and AOCs.

- A. If the Department determines that there has been a release of hazardous waste and/or hazardous constituents from a SWMU and/or AOC that may present a threat to human health or the environment, the Department may require a CMS Plan and will notify the Permittee in writing of this decision. This notice will identify the hazardous constituent(s) of concern and may specify remedial alternatives to be evaluated by the Permittee during the CMS Plan.
- B. The Department may require the Permittee to evaluate, as part of the CMS Plan, one or more specific potential remedies. These remedies may include a specific technology or combination of technologies that, in the Department's judgment, may be capable of achieving standards for protection of human health and the environment.
- C. The Permittee shall submit a CMS Plan to the Department and the United States Environmental Protection Agency within 45 days of notification of the requirement to conduct a CMS. The CMS Plan shall be consistent with guidance contained in the EPA document entitled: RCRA Corrective Action Plan (Final), May 1994, OSWER Directive 9902.3-2A. At a minimum, the CMS Plan shall provide the following information and shall contain a schedule for implementation of the work plan which is predicated on the date of Department approval of the plan:
 1. A description of the general approach to investigating and evaluating potential remedies;
 2. A definition of the specific objectives of the study;
 3. A description of the remedies which will be studied;
 4. A description of those potential remedies that were preliminarily considered, but were dropped from further consideration including the rationale for elimination;
 5. The specific plans for evaluating remedies to ensure compliance with remedy standards;
 6. The schedules for conducting the study and submitting a CMS Report;
 7. The proposed format for the presentation of information; and

8. Laboratory, bench-scale, pilot-scale and/or appropriate tests or studies to determine the feasibility or effectiveness of treatment technologies, or other technologies that may be appropriate in implementing remedies at the facility.
- D. The Department will review any CMS Plan required by this Permit in accordance with the procedures set forth in Review and Approval Procedures, Corrective Action Permit Condition XIII. The Permittee shall initiate implementation of the plan and complete implementation in accordance with the schedule contained in the approved plan.

VIII. Current and Contingent Corrective Measures Study (CMS) Report

A CMS Plan was submitted in February 2001 for previously identified Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs). These conditions apply to: current corrective action activities, activities undertaken in response to newly identified SWMUs and AOCs, and activities undertaken in response to newly identified releases from previously identified SWMUs and AOCs.

- A. The Permittee shall submit a CMS Report to the Department and the United States Environmental Protection Agency according to the schedule contained in the approved CMS Plan. The CMS Report shall present all information gathered under the approved CMS Plan and shall be consistent with guidance contained in the EPA document entitled, RCRA Corrective Action Plan (Final), May 1994, OSWER Directive 9902.3-2A. The CMS Report shall summarize the results of the investigations for each remedy studied and of any bench-scale or pilot tests conducted. The CMS Report shall include, but not be limited to, the following information:
1. Evaluation of performance, reliability, ease of implementation, and potential impacts of each remedy studied, including safety impacts, cross media impacts, and control of exposure to any residual contamination;
 2. Assessment of the effectiveness of each remedy in achieving adequate control of sources and cleanup of the hazardous waste or hazardous constituents released from the SWMU(s)/AOC(s);
 3. Assessment of the time required to begin and complete each remedy;
 4. Estimation of the costs of implementing each remedy;
 5. Recommendation of remedy and rationale for selection; and

6. Assessments of institutional requirements, such as state or local Permit requirements, or other environmental or public health requirements that may substantially affect implementation of the remedy.
- B. The CMS Final Report shall contain adequate information to support the Department in the remedy approval decision-making process.
- C. The Department will review the CMS Final Report in accordance with the procedures set forth in Review and Approval Procedures, Corrective Action Permit Condition XIII. Upon approval thereof by the Department, the Department will approve a final remedy as specified in Corrective Action Permit Condition IX.

IX. Final Remedy Approval

This corrective action Permit condition applies to: current corrective action activities, activities undertaken in response to newly identified Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs), and activities undertaken in response to newly identified releases from previously identified SWMUs and AOCs.

Following the approval of the CMS Final Report or equivalent, the Department will prepare a Statement of Basis (SB) summarizing the corrective measures alternatives that were evaluated by the Permittee, including justification for the proposed final remedy selected by the Department.

Following preparation of the SB by the Department, a Permit modification will be initiated pursuant to 40 CFR 270.41 or 270.42(c), as applicable, to implement the final remedy.

Upon completion of the public participation activities associated with the Permit modification to implement the proposed final remedy, the Department will approve a final remedy that will: 1) be protective of human health and the environment; 2) control and/or eliminate the source(s) of contaminants so as to reduce or eliminate, to the maximum extent practicable, further contaminant releases, exposures or migration that might pose a threat to human health and the environment; and 3) meet all applicable federal, state, and local laws and regulations.

X. Annual Progress Reports

These corrective action conditions apply to: current corrective action activities, activities undertaken in response to newly identified Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs), and activities undertaken in response to newly identified releases from previously identified SWMUs and AOCs.

- A. The Permittee shall submit to the Department and the United States Environmental Protection Agency (USEPA) signed Annual Progress Reports summarizing all permitted corrective action activities undertaken during each calendar year. Each Annual Progress Report shall be due to the Department by March 1 of each calendar year for the preceding calendar year.

The Annual Progress Reports shall continue to be submitted until such time as the Permittee's corrective action activities (including any long-term operation, maintenance and monitoring activities) are complete. The Annual Progress Reports shall include the following information for the time period being reported:

1. A description of the work completed;
 2. Summaries of all findings, including summaries of laboratory data;
 3. Summaries of all problems or potential problems encountered during the reporting period and actions taken to rectify problems;
 4. Projected work for the next reporting period; and
 5. Any instances of noncompliance with the corrective action requirements of this Permit not otherwise required to be reported elsewhere in this Permit.
- B. If the Department determines that further corrective action is required pursuant to Corrective Action Permit Conditions II. through X., the frequency of submittal of progress reports may increase. If an increase in reporting frequency is necessary, the Department will provide written notification of the new reporting frequency to the Permittee.

As part of any additional corrective action activities undertaken pursuant to this Permit, detailed technical information required to be submitted as part of interim/stabilization measures, Resource Conservation and Recovery Act Facility Investigation and/or Corrective Measures Study reports and work plans need not be reproduced as part of the Permittee's Progress Reports.

- C. Copies of other reports (e.g., inspection reports), information or data shall be made available to the Department and USEPA upon request.

XI. Supplemental Data

This corrective action Permit condition applies to: current corrective action activities, activities undertaken in response to newly identified Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs), and activities undertaken in response to newly identified releases from previously identified SWMUs and AOCs.

All raw data, such as laboratory reports, drilling logs, bench- or pilot-scale data, and other supporting information gathered or generated during activities undertaken pursuant to this Permit shall be maintained by the Permittee during the term of this Permit, including the term of any re-issued Permits.

XII. Financial Assurance for Corrective Action

- A. Within 120 days after this Permit has been modified to include a final remedy, the Permittee shall demonstrate continuous compliance with the financial assurance requirements in effect at that time for corrective action being performed under state law. The effective financial assurance requirements for corrective action shall be consistent with and/or substantially equivalent to that specified in either 40 CFR Part 264 Subpart S corrective action regulations or 40 CFR Part 264 Subpart H, as incorporated by reference in 10 CSR 25-7.264. The amount of financial assurance shall be based on the Permittee's cost estimate for the approved final remedy as contained in the approved Corrective Measures Study Final Report or equivalent.
- B. Annually, by March 1, the Permittee shall adjust the corrective action cost estimate to account for inflation in accordance with 40 CFR 264.142(b) and any other changes in the costs associated with the implementation, operation, maintenance, and monitoring of the approved final remedy. If the cost estimate increases, documentation of adequate financial assurance for that increase shall be submitted to the Department within 60 days following the increase in the cost estimate.

XIII. Review and Approval Procedures

Following submission of any plan or report pertaining to corrective action activities (excluding the Annual Progress Reports), the Department will review and either approve or disapprove the plan or report in writing. If the Department does not approve the plan

or report, the Department will notify the Permittee in writing of the plan or report's deficiencies and specify a due date for submittal of a revised plan or report.

If the Department does not approve the revised plan or report, the Department may modify the plan or report and notify the Permittee of the modifications. The plan or report as modified by the Department is the approved plan or report.

If the Permittee disagrees with any Department-initiated plan or report modifications, and a mutually acceptable resolution of such modifications cannot be informally reached, any appeal of the Department initiated modifications shall be filed in accordance with Section 260.400, RSMo, and 10 CSR 25-8.

FACILITY SUBMISSION SUMMARY

TABLE 1 - Planned Submittal Requirements Pursuant to the Permit and Schedule of Compliance

SUBMITTAL REQUIREMENTS	DUE DATE	PERMIT CONDITION
Biennial Report with information required by 40 CFR 264.75	March 1 of each even numbered calendar year.	General Permit Condition I.
Consolidated Permit Application	Within 60 calendar days of effective date of Permit.	Schedule of Compliance Item I.
Certification that Permittee has read and understands this Permit	Within 60 calendar days of effective date of Permit.	Schedule of Compliance Item I.
Check or money order for \$9000 and all outstanding engineering review costs.	Within 60 calendar days of effective date of Permit.	Schedule of Compliance Item I.
Submission of Financial Assurance Update Documentation	Within 60 calendar days of effective date of Permit.	Schedule of Compliance Item II.
Submission of Access Agreements per Special Permit Condition IV.	Within 60 calendar days of effective date of Permit.	Schedule of Compliance Item III.

SUBMITTAL REQUIREMENTS	DUE DATE	PERMIT CONDITION
Replace Additional Piping in Fire Main System and Report	Within 180 calendar days of effective date of Permit.	Schedule of Compliance Item V.
Schedule and Plan for Battery Bunker Compliance	Within 60 calendar days of effective date of Permit.	Schedule of Compliance Item VI.
Design Drawings and Specifications for New Containment Buildings	Within 180 calendar days of effective date of Permit.	Schedule of Compliance Item VII.
As Built Drawings for New Containment Buildings	Within 365 days of effective date of Permit.	Schedule of Compliance Item VII.
Groundwater Sampling and Analysis Plan (SAP)	Within 60 calendar days of effective date of Permit.	Special Permit Condition VII.D.
Annual Groundwater Monitoring Report	March 1 of each calendar year.	Special Permit Condition VII.G.
SWMU #13 and #24 Management Plan	Within 30 calendar days of effective date of Permit.	Corrective Action Permit Condition I.B.2.
SWMU #13 and #24 Closure Summary Report	Within 60 calendar days of completion of unit closure activities.	Corrective Action Permit Condition I.B.4.
Corrective Measures Study (CMS) Report	In accordance with the schedule in the approved CMS Plan.	Corrective Action Permit Condition VIII.A.
Annual Progress Report	March 1 of each calendar year.	Corrective Action Permit Condition X.

TABLE 2 - Summary of the corrective action submittal requirements pursuant to the Contingent Corrective Action Conditions of this Permit.

CONTINGENT SUBMITTAL REQUIREMENTS	DUE DATE	CORRECTIVE ACTION CONDITION
Written Notification of Newly Identified SWMU(s) and AOC(s)	No later than 15 days after discovery.	II.A.
SWMU/AOC Assessment Work Plan	Within 30 calendar days of notice by the Department that a work plan is required.	II.B.
SWMU/AOC Assessment Report	In accordance with the schedule in the Assessment Work Plan.	II.D.
Written Notification of Newly Identified Releases from SWMU(s) and AOC(s)	No later than 15 days after discovery.	III.A.
Newly Identified Release Work Plan	Within 30 calendar days of notice by the Department that a work plan is required.	III.B.
Newly Identified Release Report	In accordance with the schedule in the approved Newly Identified Release Work Plan.	III.D.
Stabilization Notification	Within 24 hours of discovery of need for stabilization.	IV.A.
Stabilization Not Effective Notification	Within ten calendar days of determination by Permittee.	IV.C.
Contingent RCRA Facility Investigation (RFI) Work Plan	Within 60 calendar days of notice that the Plan is required.	V.A.
Contingent RCRA Facility Investigation (RFI) Report	In accordance with the schedule in the approved RFI Work Plan.	VI.A.
Contingent Corrective Measures Study (CMS) Work Plan	In accordance with the schedule in the approved RFI Report	VII.A.
Contingent Corrective Measures Study (CMS) Report	In accordance with the schedule in the approved CMS Plan.	VIII.A.