

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Mel Carnahan, Governor • David A. Shorr, Director

OFFICE OF THE DIRECTOR
P.O. Box 176 Jefferson City, MO 65102-0176

**MISSOURI HAZARDOUS WASTE MANAGEMENT FACILITY PERMIT
PART I
PERMIT NUMBER: MOD981123391**

PERMITTEE

Facility Owner

Haz-Mat Response
Disposal, Inc.
6300 Stadium Drive
Kansas City, MO 64129

Facility Operator

Haz-Mat Response
Disposal, Inc.
6300 Stadium Drive
Kansas City, MO 64129

Facility Location

Jackson County
T49N, R33W
North Latitude -
39°03'30"
West Longitude -
94°30'34"

FACILITY DESCRIPTION

Haz-Mat Response Disposal, Inc., operates a storage facility located in Kansas City, Missouri, for the storage of compatible solids, sludges, and liquid wastes in containers, tanks, and laboratory waste packs.

PERMITTED ACTIVITY

The facility is permitted to store various F, K, P, and U "listed" hazardous wastes as well as ignitable, reactive, corrosive, and toxic "characteristic" hazardous wastes in containers and tanks as specified in the Permit in accordance with all of the requirements of this Part I Permit.

EFFECTIVE DATES OF PERMIT: February 3, 1997 to February 3, 2007

[Original signed by David A. Shorr]

February 3, 1997
Date

David A. Shorr, Director
DEPARTMENT OF NATURAL RESOURCES

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INTRODUCTION

After public notice according to 10 CSR 25-8.010 and 40 CFR Part 124, and review of the Haz-Mat Response Disposal, Inc., RCRA Permit Application, the Missouri Department of Natural Resources (hereafter referred to as the Department) has determined that the application substantially conforms with the provisions of the Missouri Hazardous Waste Management Law (and all standards, rules, and regulations adopted under this act), Section 260.350, et seq., RSMo. Following Section 260.375.13, RSMo, the Department hereby approves the application and issues Permit Number MOD981123391 to Haz-Mat Response Disposal, Inc., as the facility owner and facility operator (hereafter referred to jointly as the Permittee) for the construction and operation of the hazardous waste management facility as set forth in the application. Part I of this Permit is issued under state authority and Part II is issued under federal authority. Part I shall remain in effect even if Part II is terminated or has expired.

The Permit application that was submitted by the Permittee and received by the Department on August 8, 1996, with one revision dated August 20, 1996, 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 SCHEDULE OF COMPLIANCE Item I.A. are defined as the "consolidated Permit application".

Construction and operation of this hazardous waste management facility shall be in accordance with the provisions of this Permit, the Missouri Hazardous Waste Management Law (Sections 260.350 through 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, the approved Permit application which is incorporated into the conditions of this Permit, and any other conditions, changes, or additions to the engineering plans, specifications and operating procedures as specified in this Permit. All conditions specified in this Permit supersede any conflicting information in the approved 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 reissuance, or modification of this Permit in accordance with 40 CFR Part 270 Subpart D, incorporated by reference in 10 CSR 25-7.270(2)(D), and for

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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 and 40 CFR Part 270 Subpart D, incorporated by reference in 10 CSR 25-7.270(1).

The Permittee is required to comply with all applicable environmental laws and regulations enforced by the Missouri Department of Natural Resources. These environmental laws and regulations are administered by the Air Pollution Control Program, the Hazardous Waste Program, the Land Reclamation Program, the Public Drinking Water Program, the Solid Waste Management Program, and the Water Pollution Control Program. Noncompliance with these environmental laws and regulations 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 and closure activities is issued only to the Permittee named above. This Permit is issued for a period of ten (10) years and expires at midnight on February 3, 2007. This Permit is subject to review and modification by the Department in accordance with 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 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. The appeal shall be

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filed with the Missouri Hazardous Waste Management Commission within thirty (30) days from the date of this Permit.

As cited in Federal Register dated February 23, 1994, the United States Environmental Protection Agency (EPA) has delegated interim authorization for the Hazardous and Solid Waste Amendments (HSWA) requirements under Section 3006(g), 42 U.S.C. 6926(g) to the State of Missouri's Hazardous Waste Management Program. Thus, some of the EPA's authorities from the HSWA of 1984 authorized to the State of Missouri have been incorporated into Part I of this Permit under the Department's authority while other authorities have not been authorized and are still retained by EPA, under federal authority as Part II of the Permit.

This Permit requires that corrective action be taken by the facility owner or operator beyond the facility boundary when necessary to protect human health and the environment, unless the owner or operator demonstrates that permission to undertake such action, despite the owner/operator's best efforts, was denied. The Permittee is required to conduct further investigations and take corrective action as deemed appropriate by the Director on potential and/or future releases occurring at the facility.

DEFINITIONS

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

"Facility" means all contiguous property under the control of the owner or operator.

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

"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.

"Hazardous waste" means a solid waste, or combination of solid wastes, which because of its quantity, concentration, or 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 pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed. The term "hazardous waste" also includes "hazardous constituent" as defined below.

"Hazardous constituent" means any constituent identified in Appendix VIII of 40 CFR Part 261.

"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.

STANDARD PERMIT CONDITIONS

I. Duty to Comply [40 CFR 270.30(a)]

The Permittee shall comply with all conditions of this Permit and with all applicable state laws and regulations, except to the extent and for the duration such noncompliance is authorized in an emergency Permit. Any Permit noncompliance, except under the terms of an emergency Permit, constitutes a violation of the appropriate Law or Act and is grounds for enforcement action; for Permit termination, revocation and reissuance, or modification; or for denial of a Permit renewal application.

II. Duty to Reapply [40 CFR 270.30(b) and 270.51]

If the Permittee wishes to continue an activity regulated by this Permit after the expiration date, the Permittee shall apply for and obtain a new Permit. This Permit and all conditions herein will remain in effect beyond the Permit's expiration date if the Permittee has submitted a timely, complete application [40 CFR 270.14 and 10 CSR 25-7.270(2)(B)] and, through no fault of the Permittee, the Department has not issued a new Permit as set forth in 40 CFR Part 270 Subpart E.

III. Need to Halt or Reduce Activity Not a Defense [40 CFR 270.30(c)]

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

IV. Duty to Mitigate [40 CFR 270.30(d)]

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

V. Proper Operation and Maintenance [40 CFR 270.30(e)]

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

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

VI. Permit Actions [40 CFR 270.30(f)]

This Permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any Permit condition.

VII. Property Rights [40 CFR 270.30(g)]

This Permit does not convey any property rights of any sort, or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local law or regulations.

VIII. Duty to Provide Information [40 CFR 270.30(h)]

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

IX. Inspection and Entry [40 CFR 270.30(i)]

The Permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:

- A. Enter, at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Permit;

- B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
 - C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
 - D. Sample or monitor at reasonable times for the purpose of assuring Permit compliance or as otherwise authorized by Sections 260.350 through 260.434, RSMo, any substances or parameters at any location.
- X. Monitoring and Records [40 CFR 270.30(j)]
- A. Samples and measurements taken for the purpose of monitoring, or required for compliance, shall be sufficient to yield data which are representative of the monitored activity. The accompanying approved engineering plans, specifications and operating procedures and appropriate special Permit Conditions specify the type, intervals, and frequency of sampling.
 - B. The Permittee shall retain records of all monitoring information including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports and records required by this Permit, the certification required by 40 CFR 264.73(b)(9), and records of all data used to complete the application for this Permit, for a period of at least three (3) years from the date of the sample, measurement, report, certification, or application. This period may be extended by request of the Director at any time and is automatically extended during the course of any unresolved enforcement action regarding this facility. The Permittee shall maintain records from all groundwater monitoring wells and associated groundwater surface elevations, for the active life of the facility, and for disposal facilities, for the post-closure care period as well.
 - C. Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements;

2. The individual(s) who performed the sampling or measurements;
3. The date(s) analyses were performed;
4. The individual(s) who performed the analyses;
5. The analytical techniques or methods used; and
6. The results of such analyses.

XI. Signatory Requirements [40 CFR 270.30(k)]

All applications, reports, or information submitted to the Director shall be signed and certified as required in 40 CFR 270.11.

XII. Reporting Requirements [40 CFR 270.30(l)]

- A. **Planned Changes.** The Permittee shall give notice to the Director as soon as possible of any planned physical alteration or additions to the permitted facility. Alterations or additions may require changes to the Permit under 40 CFR Part 270 Subpart D and 10 CSR 25-8.
- B. **Anticipated Noncompliance.** The Permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with Permit requirements. Certain changes to the facility may require Permit modifications under 40 CFR Part 270 Subpart D and 10 CSR 25-8. For a new facility, the Permittee shall not treat, store, or dispose of hazardous waste; and for a facility being modified, the Permittee shall not treat, store, or dispose of hazardous waste in the modified portion of the facility, except as provided in 40 CFR 270.42, until:
 1. The Permittee has submitted to the Director by certified mail or hand delivery a letter signed by the Permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with the Permit; and

2. The Director has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the Permit; or within fifteen (15) days of the date of the Director's receipt of the letter in Standard Permit Condition XII.B.1. of this Permit, the Permittee has not received notice from the Director of his or her intent to inspect, prior inspection is waived and the Permittee may commence treatment, storage, or disposal of hazardous waste.
- C. Monitoring Reports. Monitoring results shall be reported at the intervals specified elsewhere in this Permit.
- D. Compliance Schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Permit shall be submitted no later than fourteen (14) days following each scheduled date.
- E. Twenty-four (24) Hour Reporting. The Permittee shall report any noncompliance which may endanger health or the environment to the Department at (314) 634-2436 within twenty-four (24) hours from the time the Permittee becomes aware of the circumstances. Included in this report would be information concerning release of any hazardous waste that may cause an endangerment to public drinking water supplies, air quality, and any information of a release or discharge of hazardous waste, or of a fire or explosion from the hazardous waste management facility which could threaten the environment or human health outside the facility. The description of the occurrence and its cause shall include:
1. Name, address, and telephone number of the owner or operator;
 2. Name, address, and telephone number of the facility;
 3. Date, time, and type of incident;
 4. Name and quantity of material(s) involved;
 5. The extent of injuries, if any;

6. An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and
7. Estimated quantity and disposition of recovered material that resulted from the incident.

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

- F. Manifest Discrepancy Report. If a significant discrepancy in a manifest is discovered, the Permittee shall attempt to reconcile the discrepancy. If not resolved within fifteen (15) days, the Permittee shall submit a letter report, including a copy of the manifest, to the Director, as required in 40 CFR 264.72. All efforts to reconcile manifest discrepancies shall be kept in the facility operating record.
- G. Unmanifested Waste Report. This report shall be submitted to the Director within fifteen (15) days of receipt of unmanifested waste, as required in 40 CFR 264.76.
- H. Biennial Report. A biennial report shall be submitted covering facility activities during odd numbered calendar years, as required in 40 CFR 264.75.

- I. Other Noncompliance. The Permittee shall report all instances of noncompliance not reported under Standard Permit Conditions XII.C., D., and E. of this Permit at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Condition XII.E. of this Permit.
- J. Other Information. Where the Permittee becomes aware that it failed to submit any relevant facts in a Permit application, or submitted incorrect information in a Permit application or any report to the Director, it shall promptly submit such facts or information.

XIII. Financial Requirements [40 CFR 264.140 and 10 CSR 25-7.264(H)]

The Permittee shall comply with the financial requirements of 40 CFR Part 264 Subpart H, and 10 CSR 25-7.264(2)(H) and any other financial requirements contained in this Permit.

XIV. Transfers [40 CFR 270.30(1)(3) and 10 CSR 25-7.270(2)(D)]

- A. This Permit may be transferred by the Permittee to a new owner or operator only if the Permit has been modified or revoked and reissued [under Standard Permit Condition XIV.B. of this Permit or 40 CFR 270.41(b)(2)] to identify the new Permittee and incorporate such other requirements as may be necessary under Missouri Hazardous Waste Management Law.
- B. Changes in the ownership or operational control of the facility may be made as a Class I modification with prior written approval of the Director in accordance with Standard Permit Condition XIV.B. of this Permit. The new owner or operator shall submit a revised Permit application no later than ninety (90) days prior to the scheduled change. A written agreement containing a specific date for transfer of Permit responsibility between the Permittee and the new owner or operator shall also be submitted to the Director. When a transfer of ownership or operational control occurs, the Permittee shall comply with the requirements of 40 CFR Part 264 Subpart H and 10 CSR 25-7.264(2)(H) (Financial Requirements) until the new owner or operator has demonstrated that he or she is complying with the

requirements of that Subpart. The new owner or operator shall demonstrate compliance with financial requirements within six (6) months of the date of the change of ownership or operational control of the facility. Upon demonstration to the Director by the new owner or operator of compliance with the financial requirements, the Director of the Department shall notify the Permittee that he or she no longer needs to comply with financial requirements as of the date of the demonstration.

- C. In addition to the requirements of Standard Permit Condition XIV.B. of this Permit, the Department shall determine, in accordance with 10 CSR 25-7.270(2)(H), whether the proposed owner or operator, including an officer or management employee of the proposed owner or operator, is a person as defined in Section 260.395.16, and/or 260.379, RSMo, and whether any of the conditions specified in Section 260.395.17., RSMo, would exist if the proposed transfer were to take place. The proposed owner or operator shall submit information required in 10 CSR 25-7.270(2)(H) with the revised Permit application no later than ninety (90) days prior to the scheduled change.

GENERAL PERMIT CONDITIONS

I. Design and Operation of Facility (40 CFR 264.31)

The Permittee shall design, construct, maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, groundwater, or surface water which could threaten human health or the environment. This includes adherence to operating conditions and procedures, and emergency shutdown procedures specified in the Permit application and in this Permit.

II. Required Notice (40 CFR 264.12)

- A. Before transferring ownership or operation of a facility during its operating life, or of a disposal facility during the post-closure care period, the owner or operator shall notify the Department and the new owner or operator. The owner or operator shall also notify the new owner or operator in writing of the requirements of 10 CSR 25-7.
- B. The Permittee shall notify the Director in writing at least four (4) weeks in advance of the date the Permittee expects to receive hazardous waste from a foreign source. Notice of subsequent shipments of the same waste from the same foreign source is not required.
- C. When the Permittee is to receive hazardous waste from an off-site source (except where the Permittee is also the generator), the Permittee shall inform the generator in writing that the Permittee has the appropriate Permits for, and will accept, the waste the generator is shipping. The Permittee shall keep a copy of this written notice as part of the operating record.

III. Security (40 CFR 264.14)

The Permittee shall comply with the security provisions of 40 CFR 264.14(b) and (c), and 40 CFR 264.117(b), which include:

- A. The Permittee shall prevent the unknowing entry, and minimize the possibility for the unauthorized entry, of persons or livestock onto the plant site. An artificial or natural barrier which completely surrounds the plant site, and a means to control entry through gates or other entrances to the active portion of the facility, shall be maintained at all times.
- B. The Permittee shall post signs bearing the legend "Danger - Unauthorized Personnel Keep Out" at each entrance to the plant site and at other locations in sufficient numbers to be seen from any approach to the site. This legend shall be written in English and shall be legible from a distance of at least twenty-five (25) feet.
- C. The Permittee shall advise the Department if unauthorized entry occurred at the facility which caused hazardous waste to be discharged, the nature of problems, if any, that resulted from this occurrence and the corrective action taken by the facility to prevent future occurrences. This includes any tampering, destruction, or loss at the facility which caused a release of hazardous waste.

IV. General Inspection Requirements (40 CFR 264.15)

- A. The Permittee shall inspect the facility, as per the inspection schedules and checklists in the approved Permit application, for malfunctions and deterioration, operator errors and discharges which may be causing, or may lead to, the release of hazardous waste constituents to the environment, or a threat to human health.
- B. The Permittee shall follow the approved inspection schedules in the approved Permit application for the inspection of monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment that are important to preventing, detecting, or responding to the environment or human health hazards. The Permittee shall keep these schedules at the facility.
- C. The Permittee shall remedy any observed deterioration or malfunction of equipment or structures which the inspection reveals on a schedule which ensures that the problem does not lead to an environmental or

human health hazard. Where a hazard is imminent or has already occurred, remedial action shall be taken immediately.

- D. The Permittee shall record inspections in an inspection log or summary. The log or summary shall be kept for at least three (3) years from the date of inspection. At a minimum, these records shall include the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or other remedial actions.
- V. Personnel Training (40 CFR 264.16)
- A. Facility personnel shall successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the Permit. The Permittee shall ensure that this program includes all the elements described in the Personnel Training Program outline.
 - B. This program shall be directed by a person trained in hazardous waste management procedures, and shall include instruction which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed.
 - C. Facility personnel shall successfully complete the training program within six (6) months after the date of their employment or assignment to the facility, or to a new position at the facility, whichever is later. New employees shall not work in unsupervised positions until they have completed the training program.
 - D. Facility personnel shall take part in an annual review of the initial training program.
 - E. The Permittee shall maintain at the facility the training documents and records required by 40 CFR 264.16(d) for the time periods described in 40 CFR 264.16(e).

VI. Preparedness and Prevention (40 CFR Part 264 Subpart C)

- A. The facility shall maintain the emergency equipment called for in the consolidated Permit application.
- B. Testing and Maintenance of Equipment (40 CFR 264.33). The Permittee shall test and maintain the equipment specified in General Permit Condition VI.A. of this Permit as necessary to assure its proper operation in time of emergency.
- C. Access to Communications or Alarm System (40 CFR 264.34). The Permittee shall maintain personnel access to the communications or alarm system.
 - 1. Whenever hazardous waste is handled, the Permittee shall ensure that all personnel involved in the operation will have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee.
 - 2. If there is ever just one (1) employee on the premises while the facility is operating, this person shall have immediate access to a device, such as a telephone (immediately available at the scene of operation), or a hand-held two-way radio or similar communication device capable of summoning external emergency assistance.
- D. Arrangements with Local Authorities (40 CFR 264.37).
 - 1. The Permittee shall attempt to make the following arrangement with local authorities:
 - a. Arrangements to familiarize police, fire departments, and emergency response teams with the layout of the facility, properties of hazardous wastes handled at the facility and associated hazards, places where facility personnel will normally be working, entrances to and roads inside the facility, and possible evacuation routes.
 - b. Where more than one (1) police and fire department might respond to an emergency, agreements designating primary emergency

authority to a specific police and a specific fire department, and agreements with any others to provide support to the primary emergency authority.

- c. Agreements with state emergency response teams, emergency response contractors, and equipment suppliers.
- d. Arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and types of injuries or illness which could result from fires, explosions, or releases at the facility.

- 2. Where state or local authorities decline to enter into such arrangements, the Permittee shall document the refusal in the operating record.

VII. Contingency Plan and Emergency Procedures (40 CFR Part 264 Subpart D)

- A. Implementation of Plan [40 CFR 264.51(b)]. The Permittee shall immediately carry out the provisions of the Contingency Plan and follow the emergency procedures described in 40 CFR 264.56 and 10 CSR 25-7.264(2)(D)1. whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.
- B. Content of the Contingency Plan [40 CFR 264.52(c)]. The plan shall describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services as required by 40 CFR 264.37.
- C. Copies of Contingency Plan (40 CFR 264.53). The Permittee shall keep a copy of the approved Contingency Plan and all revisions of this plan at the facility, and submit the Contingency Plan and all revisions to all local police departments, fire departments, hospitals, and state and local emergency response teams or organizations that may be called to provide emergency services.

- D. Amendment of Contingency Plan (40 CFR 264.54).
1. The Permittee shall review, and immediately amend, if necessary, the approved Contingency Plan, whenever:
 - a. The facility Permit is revised;
 - b. The plan fails in an emergency;
 - c. The facility changes its design, construction, operation, maintenance, or other circumstances in a way that materially increases the potential for fires, explosions, or release of hazardous waste or hazardous waste constituents, or changes the response necessary in an emergency;
 - d. The list of emergency coordinators changes;
or
 - e. The list of emergency equipment changes.
 2. Amendments to the Contingency Plan 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. The Permittee shall send a copy of the amendments to the Contingency Plan to emergency response agencies at least annually on the anniversary of the date of this Permit.
- E. Emergency Coordinator (40 CFR 264.55). The Permittee shall comply with the requirements of 40 CFR 264.55 concerning the emergency coordinator. The Permittee shall ensure that at all times there will be at least one (1) employee either on the premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures. The emergency coordinator shall carry out the responsibilities specified in 40 CFR 264.56 and 10 CSR 25-7.264(2)(D) and be thoroughly familiar with all aspects of the facility's Contingency Plan, all operations and activities at the facility, location and characteristics of waste handled, the location of all records within the facility, and the facility layout.

In addition, this person shall have the authority to commit the resources needed to carry out the approved Contingency Plan.

VIII. Recordkeeping and Reporting [40 CFR Part 264 Subpart E and 10 CSR 25-7.264(2)(E)]

- A. Operating Record [40 CFR 264.73 and 10 CSR 25-7.264(2)(E)1]. The Permittee shall keep a written operating record at the facility. The following information, as applicable, shall be recorded, as it becomes available, and maintained in the operating record until closure of the facility:
1. A description and the quantity of each hazardous waste received, and the method(s) and date(s) of its treatment, storage, or disposal at the facility as required by Appendix I of 40 CFR Part 264;
 2. The location of each hazardous waste within the facility and the quantity at each location. For disposal facilities, the location and quantity of each hazardous waste shall be recorded on a map or diagram of each cell or disposal area. For all facilities, this information shall include cross-references to specific manifest document numbers if the waste was accompanied by a manifest;
 3. Records and results of waste analysis performed as specified in 40 CFR 264.13, 40 CFR 264.17, 40 CFR 264.314, 40 CFR 264.341, 40 CFR 264.1034, 40 CFR 264.1063, 40 CFR 268.4(a) and 40 CFR 268.7;
 4. Summary reports and details of all incidents that require implementation of the Contingency Plan as specified in 40 CFR 264.56(j);
 5. Records and results of inspections as required by 40 CFR 264.15(d) (except these data need to be kept only three (3) years);
 6. Monitoring, testing, or analytical data, and corrective action where required by 40 CFR Part 264 Subpart F and 40 CFR 264.19, 264.191, 264.193, 264.195, 264.222, 264.223, 264.226, 264.252-264.254, 264.276, 264.278, 264.280, 264.302-264.304, 264.309, 264.347, 264.602,

264.1034(c)-264.1034(f), 264.1035,
264.1063(d)-264.1063(i), and 264.1064;

7. For off-site facilities, notices to generators as specified in 40 CFR 264.12(b);
 8. All closure cost estimates under 40 CFR 264.142, and, for disposal facilities, all post-closure cost estimates under 40 CFR 264.144; and
 9. A certification by the Permittee no less often than annually, that the Permittee has a program in place to reduce the volume and toxicity of hazardous waste that the Permittee generates to the degree determined by the Permittee to be economically practicable; and the proposed method of treatment, storage or disposal that is the practicable method currently available to the Permittee which minimizes the present and future threat to human health and the environment.
- B. Manifests (40 CFR 264.71). If the Permittee receives hazardous waste accompanied by a manifest, the Permittee, or his agent, shall:
1. Sign and date each copy of the manifest to certify that the hazardous waste covered by the manifest was received;
 2. Note any significant discrepancies in the manifest [as defined in (40 CFR 264.72(a))] on each copy of the manifest;
 3. Immediately give the transporter at least one (1) copy of the signed manifest;
 4. Within thirty (30) days after the delivery, send a copy of the manifest to the generator;
 5. Retain at the facility a copy of each manifest for at least three (3) years from the date of delivery;
 6. Whenever a shipment of hazardous waste is initiated from the facility, the Permittee shall comply with the generator requirements in 40 CFR Part 262 [40 CFR 264.71(c)]; and

7. If the facility receives hazardous waste from a rail or water transporter, the Permittee shall comply with the manifest requirements in 40 CFR 264.71(b).
- C. Closure Cost Estimate [10 CSR 25-7.264(2)(E)3]. The Permittee shall submit annually to the Department as required in 10 CSR 25-7.264(2)(E)4, the most recent closure cost estimate for the previous year by March 1.
- D. Availability, Retention, and Disposition of records [40 CFR 264.74]. All records, including plans, required by this Permit shall be furnished upon request and made available at all reasonable times for inspection by Department employees. Records are to be retained for a minimum of three (3) years. The retention period for all records required by this Permit is extended automatically during the course of any unresolved enforcement action pertaining to the environment regarding the facility, or as requested by the Director. The Permittee shall maintain at the facility the following documents and amendments, revisions, and modifications to these documents as specified below:
1. Personnel training documents and records as required by 40 CFR 264.16;
 2. Contingency Plan as required by 40 CFR 264.53;
 3. Post-closure Plan as required by 40 CFR 264.118;
 4. Operating record as required by General Permit Condition IX.A.;
 5. Inspection schedules as required by 40 CFR 264.115;
 6. Waste Analysis Plan as required by 40 CFR 264.13;
 7. Closure Plan as required by 40 CFR 264.112;
 8. Cost estimates for facility closure as required by 40 CFR 264.142 and for facility post-closure as required by 40 CFR 264.144; and

9. A copy of records of waste disposal locations and quantities as required by 40 CFR 264.73(b)(2) shall be submitted to the Director and local land authority upon closure of the facility.

IX. Post-Closure Notices [10 CSR 25-7.264(2)(G) and 40 CFR 264.119]

The Permittee shall comply with all applicable provisions in 10 CSR 25-7.264(2)(G) and 40 CFR 264.119.

X. General Waste Analysis (40 CFR 264.13)

The Permittee shall follow the procedures described in the Waste Analysis Plan in the approved Permit application. Waste analyses shall comply with the requirements of 40 CFR 264.13 and 40 CFR 264.17.

XI. General Requirements for Ignitable, Reactive or Incompatible Waste [40 CFR 264.17(a)]

- A. The Permittee shall take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste shall be separated and protected from sources of ignition or reaction including, but not limited to: open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, mechanical or electrical), spontaneous ignition (e.g., from heat-producing chemical reactions, sunlight, etc.), and radiant heat. While ignitable and reactive waste is being handled, the Permittee shall confine smoking and any open flame to specially designated locations. "No Smoking" signs shall be conspicuously placed where there is a hazard from ignitable or reactive waste.
- B. The Permittee shall document compliance with the requirements of 40 CFR 264.17(a) and 40 CFR 264.17(b) as outlined in 40 CFR 264.17(c).
- C. Required Aisle Space (40 CFR 264.35). The Permittee shall maintain aisle space to allow unobstructed movement of personnel, fire protection equipment, spill control equipment and decontamination equipment to any area of the facility in an emergency situation.

XII. Closure (40 CFR Part 264 Subpart G)

- A. Performance Standard (40 CFR 264.111). The Permittee shall close the hazardous waste management units referenced in this Permit as required by 10 CSR 25-7.264(2)(G) and 40 CFR 264.111 and in accordance with the approved Closure Plan. The permitting of any additional hazardous waste management units at this facility will require closure plans as addressed in 10 CSR 25-7.270 and 40 CFR 270.14(b)(13).
- B. Closure Plan (40 CFR 264.112).
1. A copy of the approved Closure Plan and all revisions to the Closure Plan shall be kept at the facility until closure is completed and certified by the Permittee and by an independent registered professional engineer.
 2. The Closure Plan may be amended at any time during the active life of the facility (the active life of the facility is that period during which wastes are periodically received). The Permittee shall amend the plan whenever changes in operating plans or facility design affect the Closure Plan, or whenever there is a change in the expected year of closure. When the Permittee requests a Permit modification to authorize a change in operating plans or facility design, the Permittee shall request a modification of the Closure Plan at the same time. If a Permit modification is not needed to authorize the change in operating plans or facility design, the request for modification of the Closure Plan shall be made within sixty (60) days after the change in plans or design occurs.
 3. Amendments to the Closure Plan are subject to the Permit modification requirements of 40 CFR 270.41 and 40 CFR 270.42.
- C. Notification of Closure [40 CFR 264.112(d)]. The Permittee shall notify the Director at least sixty (60) days prior to the date on which the Permittee expects to begin closure.
- D. Time Allowed for Closure (40 CFR 264.113). Within ninety (90) days after receiving the final volume of hazardous wastes at a hazardous waste management

unit, the Permittee shall treat, remove from the facility, or dispose of on-site, all hazardous wastes in accordance with the approved Closure Plan. The Permittee shall complete partial or final closure activities in accordance with the approved Closure Plan and within one hundred eighty (180) days after receiving the final volume of hazardous wastes at the hazardous waste management unit. The Director may approve extensions to this schedule in accordance with 10 CSR 25-7.264(2)(G) and 40 CFR 264.113.

- E. Disposal or Decontamination of Equipment (40 CFR 264.114). The Permittee shall decontaminate or dispose of all hazardous waste management unit equipment as required by 40 CFR 264.114 and the Closure Plan in the approved Permit application.
- F. Certification of Closure (40 CFR 264.115). Within sixty (60) days of completion of closure, the Permittee shall submit to the Director certification both by the Permittee and by an independent registered professional engineer that the hazardous waste management unit has been closed in accordance with the specifications in the approved Closure Plan.

XIII. Cost Estimate for Facility Closure (40 CFR 264.142)

The Permittee's closure cost estimate, prepared in accordance with 40 CFR 264.142(a), is specified in the final approved Permit application.

- A. Inflation adjustments in the closure cost estimate shall be made within sixty (60) days prior to the anniversary date of the establishment of the financial instrument(s) used to comply with 40 CFR 264.143. If the Permittee uses the financial test or a corporate guarantee to comply with 40 CFR 264.143, the closure cost estimate shall be updated within thirty (30) days after the close of the corporation's fiscal year and before submission of updated information to the Director pursuant to 40 CFR 264.143(f)(3).

The annual inflation adjustment of the closure cost estimate is not subject to the Permit modification requirements of 40 CFR Part 270.

- B. If the change in the Closure Plan increases the cost of closure, the Permittee shall revise the closure

cost estimate no later than thirty (30) days after the Director has approved a request to modify the Closure Plan.

This type of revision is subject to the Permit modification requirements of 40 CFR 270.41 and 40 CFR 270.42.

C. The Permittee shall keep at the facility the latest adjusted closure cost estimate as required by 40 CFR 264.142(d).

XIV. Financial Assurance for Facility Closure (40 CFR 264.143)

The Permittee shall demonstrate continuous compliance with 40 CFR 264.143 by providing documentation of financial assurance as required by 40 CFR 264.149 and/or 40 CFR 264.151, in the amount and manner required by 10 CSR 25-7.264(2)(H) and 40 CFR 264.143.

XV. Liability Requirements (40 CFR 264.147)

The Permittee shall demonstrate continuous compliance with the requirements of 40 CFR 264.147 and the documentation requirements of 40 CFR 264.149 and 264.151, including the requirements to have and maintain liability coverage for sudden accidental occurrences in the amount of at least one million dollars per occurrence with an annual aggregate of at least two million dollars, exclusive of legal defense costs. Pursuant to 40 CFR 264.147(d) and 10 CSR 25-7.264, the Director may adjust the level of financial responsibility.

XVI. Incapacity of Owners or Operators, Guarantors or Financial Institutions (40 CFR 264.148)

The Permittee shall comply with 40 CFR 264.148 whenever necessary.

XVII. 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 their control, notify the Department's emergency response hotline at (573) 634-2436 and the National Response Center.

SPECIAL PERMIT CONDITIONS

I. Location standards

A. Seismic Considerations [10 CSR 25-7.270(2)(B)4].

1. The Permittee shall submit a certification under the provisions of 10 CSR 25-7.270(2)(B)4 for all existing tank storage regarding its ability to withstand stresses due to earthquake loading.
2. All new tank storage shall comply with the provisions of 10 CSR 25-7.270(2)(B)4. The Permittee shall incorporate such recommendations as an analysis may show.
3. The Permittee shall incorporate and comply with the recommendations of the seismic analysis made in the approved Permit application and further elaborated in Schedule of Compliance Item I.A.7.

B. Floodplain [40 CFR 264.18(b) and 270.14(b)(11)].

1. The Permittee shall submit a copy of the relevant Federal Insurance Administration (FIA) flood map, if used, or provide the calculations and maps used to decide that it is within a one hundred (100) year floodplain. This documentation shall be provided with the consolidated Permit application.
2. The Permittee has chosen to evacuate all container storage and hazardous wastes stored in Tanks T7 and T8 if a flood may occur that threatens the facility, and to show the ability of the existing bulk storage tanks and their contents to withstand the effects of a one hundred (100) year flood. Therefore, the Permittee shall submit an engineering analysis to show the various hydrodynamic forces expected to result at the site because of a one hundred (100) year flood [40 CFR 270.14(b)(11)(iv)(A)] and provide a structural or other engineering study showing the design and flood protection devices of the tank system (TT1 and TT2) and how these will prevent washout [40 CFR 270.14(b)(11)(iv)(B)].

3. In the event the Permittee makes the decision to evacuate all container storage due to the possibility of a flood or other event, the Permittee shall attempt to use transporters who are appropriately licensed for hazardous waste transport. The Permittee shall document the refusal or inability of transporters to provide these services.
4. The Permittee currently does not comply with 40 CFR 264.18(b) [40 CFR 270.14(b)(11)(v)]. The Permittee shall modify the construction schedule provided in Appendix 3-A of the approved Permit application to include the modification of the existing perimeter tank walls to raise them to a finished elevation sufficient to provide the wall with a height that is at least one (1) foot higher than the elevation of the one hundred (100) year flood, and of sufficient strength and integrity to withstand the various hydrostatic and hydrodynamic forces at the site because of such a flood. The revised construction schedule shall propose a date by which this perimeter tank wall modification will be completed. The date specified in the revised construction schedule for completion of this construction modification shall be a date that is one (1) year or less after the date this Permit is issued. This revision of the construction schedule will complete the requirements for compliance with 40 CFR 264.18(b).

II. Health Profile

The Permittee shall submit a health profile according to the provisions of 10 CSR 25-7.264(2)(P) as part of the Permit modification required by Special Permit Condition IV.F. to include the blending operation in Tanks T7 and T8 and the shredder that operates with Tanks T7 and T8.

III. Container Storage

- A. Waste Identification. The Permittee may store only wastes described by the waste codes listed in Part A of the approved Permit application in containers at the facility, subject to the terms of this Permit.
- B. Waste Quantities. The maximum inventory of wastes that may be stored at each hazardous waste container

storage area is below, unless otherwise provided in this Permit.

1. Storage Room A: The total capacity of Room A shall be and not exceed 268, 55-gallon containers or 14,740 gallons, whichever is less. Storage Room A includes the container staging area and drum crusher area as depicted in drawing 93-067-4-2.
 2. Storage Room B: The total capacity of Room B shall be and not exceed 100, 55-gallon containers or 5,500 gallons, whichever is less.
 3. Storage Room C: The total capacity of Room C shall be and not exceed 92, 55-gallon containers or 5,060 gallons, whichever is less.
 4. Containers shall be managed in rows within the storage rooms in an orderly arrangement. Appropriate aisle spaces between rows shall be maintained. Every container shall be accessible to emergency equipment. Every container shall be adjacent to a row, and the marking and labelling of each container shall be visible from the aisle. Containers shall be managed according to all other applicable provisions of this Permit. The location of the container storage rooms shall be as provided in Drawing 93-067-4-2 of the approved Permit application. All containers in the container storage areas, including the staging area, shall be stored on pallets. Containers 55 gallon and larger shall be stacked no more than two (2) high. Containers smaller than 55 gallons shall not be stacked higher than the equivalent 55 gallon container stacking height. Regardless of size, no containers shall be stacked in a way that is unstable or that places them closer than three (3) feet from the ceiling of the container storage room. All container storage rooms shall have a minimum of three (3) inch curbing.
- C. Condition of Containers [40 CFR 264.171, 10 CSR 25-7.264(2)(I)2., 10 CSR 25-5.262(2)(C) and 40 CFR 262.32].
1. Any container with hazardous waste contents that is not in good condition (e.g., severe rusting,

apparent structural defects, and such like) or found leaking shall have its contents transferred to a container that is in good condition. The Permittee may manage the hazardous waste contents in another way that complies with the conditions of this Permit and is protective of human health and the environment such as over-packing.

2. Containers shall be labeled following the applicable, currently-effective U.S. Department of Transportation (DOT) regulations regarding hazardous materials pursuant to 49 CFR Part 172 during the entire on-site storage period.
3. Containers shall be marked following the applicable, currently-effective DOT regulations regarding hazardous materials pursuant to 49 CFR Part 172 during the entire period the containerized hazardous waste is in storage on-site.

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

1. The Permittee shall use a container made of or lined with materials that will not react with and are otherwise compatible with the hazardous waste to be stored therein, so that the ability of the container to contain the hazardous waste is not jeopardized.
2. Each container shall be packaged following the applicable currently-effective DOT regulations regarding hazardous materials pursuant to 49 CFR Part 172 during the entire period the containerized hazardous waste is in storage on-site.

E. Management of Containers [40 CFR 264.173]. Any container holding a hazardous waste shall always be closed during storage unless it is necessary to add or remove waste. A container holding hazardous waste shall not be opened, handled or stored in a way that may rupture the container or cause it to leak.

F. Inspections (40 CFR 264.174). The Permittee shall inspect container storage rooms according to the inspection schedules and inspection log sheets in

Appendix 5-A and Appendix 5-B of the approved Permit application. These inspections shall check for leaking containers and for deterioration of containers and the containment system caused by corrosion and other factors. The Permittee shall use inspection log sheets identical in content and format to the inspection log sheets described in Appendix 5-B of the approved Permit application; however, the Permittee may add additional inspection items depending on the frequency of inspection. The format of added inspection items to a log sheet shall conform to the format of the log sheets described in Appendix 5-B.

- G. Containment (40 CFR 264.175). The Permittee shall design and operate containment systems for the container storage areas according to the approved Permit application.
1. A base shall underlie the container storage areas that is free of cracks or gaps and is sufficiently impervious to contain leaks, spills and accumulated precipitation until the detection and collection of collected material. The Permittee shall provide an impervious, compatible chemical coating for the containment systems, including all floors and curbs, in the approved container storage rooms including Storage Room A (including the container staging areas as depicted on Drawing 93-067-4-2), Storage Room B and Storage Room C (including the lab pack area).
 2. The Permittee shall elevate all types of waste containers stored in the container storage areas and all staging areas by use of pallets or other means to prevent any direct contact of the waste containers and the floor.
 3. The containment system shall have sufficient capacity to contain ten (10) percent of the volume of the maximum number of containers allowed or the volume of the largest container, whichever is greater.
 4. The run-on of precipitation into the containment system of any container storage room shall be prevented.

5. Spilled or leaked waste and any accumulated precipitation shall be removed from the collection area in as timely a manner as is necessary to prevent exposure of employees, volatilization of waste and overflow of the collection system.
- H. Special Requirements for Ignitable or Reactive Waste [40 CFR 264.176 and 10 CSR 25-7.264(2)(I)].
1. The Permittee shall comply with requirements specified in 10 CSR 25-7.264(2)(I)5 for the storage and bulking of containers that contain ignitable or reactive waste that are less than fifty (50) feet from the facility property line. The Permittee has addressed these requirements in Section 3.4.1 and Drawing 93-067-4-2 of the approved Permit application.
 2. The Permittee shall monitor flammable and explosive gas concentrations within the flammable container storage room as depicted by Section 3.4.1 and Drawing 93-067-4-2.
 3. The Permittee shall install equipment as described in the approved Permit application to continuously monitor explosive gas levels within the flammable storage area (Storage Room A).
- I. Special Requirements for Incompatible Wastes (40 CFR 264.177).
1. The Permittee shall not place incompatible wastes or incompatible wastes and materials in the same container unless such action complies with 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 a 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. Overpack drums compatible with the contents of

the primary container may be used for separation. The Permittee shall follow container management practices described in Section 3 of the approved Permit application. At a minimum, the Permittee shall use the criteria contained in Appendix V of 40 CFR Part 264 entitled "Examples of Potentially Incompatible Waste" to prevent any interaction or mixing of incompatible wastes or incompatible materials.

- J. Closure [40 CFR 264.178, 10 CSR 25-7.264(2)(G), 10 CSR 25-7.264(2)(N)1.A., 40 CFR Part 264 Subpart N, 40 CFR 264.228(b)].
1. At closure, the Permittee shall remove all hazardous wastes and hazardous waste constituents from the container storage areas and containment systems and close according to the approved Closure Plan for the hazardous waste management facility. Additional activities shall be done to prove compliance with state and federal laws and regulations concerning closure.
 2. If the Permittee finds that not all hazardous wastes and hazardous waste constituents can be practicably removed or decontaminated as required by Special Permit Condition III.J.1. above, then the Permittee shall close the container storage areas according to the post-closure requirements that apply to landfills. Those container storage rooms which the Permittee intends to close without removing the hazardous wastes shall meet the requirements of 10 CSR 25-7.264(2)(N)1.A. and 40 CFR Part 264 Subpart N. If the site location for these container storage rooms cannot meet the site-specific location requirements and contamination exists, then the Permittee shall clean up contaminated residues and hazardous constituents to the greatest extent practicable during closure. If the Department determines based on the potential impact to human health and the environment that it is neither necessary nor feasible to remove contaminated material from a site to meet the closure performance standard, then the Permittee shall comply with 40 CFR 264.228(b) or shall submit a delisting petition

and obtain approval from the EPA for that delisting petition pursuant to 40 CFR 260.20 and 40 CFR 260.22 for the contaminated material not removed during closure.

IV. Tank Storage

- A. Waste Identification. The Permittee may store only hazardous wastes described by the waste codes listed in Part A of the approved Permit application in tanks at the facility, subject to the terms of this Permit.
- B. Waste Quantities. The Permittee may store only the quantities of hazardous wastes in tank storage that this Permit authorizes. The tank storage capacity authorized by this Permit is ten (10) liquid storage tanks. The authorized storage capacity of each individual tank shall be as shown on Table 3-4, "Proposed Facility Tank Summary," on page 3-44 of the approved Permit application using the corresponding volume listed under the column titled "Working Volume."
- C. Design and Installation of New Tank Systems or Components [40 CFR 264.192].
 1. After moving Tanks T7 and T8 to comply with Special Permit Condition IV.E.1., the Permittee must comply with the specific requirements of 40 CFR 264.192(b) through (f), as applicable, before putting hazardous wastes in these tanks. Before hazardous wastes are put in these tanks, the Permittee shall provide a certification that these tanks at their new location meet the requirements of 40 CFR 264.192(b) through (f) and provide copies of all statements required under 40 CFR 264.192(g). These documents shall be provided by registered mail to: Director, Hazardous Waste Program, Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, MO 65102.
 2. All tanks with the exception of T7 and T8 shall be tightness tested according to American Petroleum Institute (API) Standard 620.
 3. Tanks T7 and T8 shall be leak tested according to API Standard 650.

4. A final set of as-built construction drawings certified by a registered professional engineer under 10 CSR 25-7.270(2)(B)6. shall be submitted to the Department prior to operating Tanks T1 through T6. A final set of as-built construction drawings certified by a registered professional engineer under 10 CSR 25-7.270(2)(B)6. shall be submitted for Tanks T7 and T8 after being moved to comply with Special Permit Condition IV.E.1.
 5. The notification required by Standard Permit Condition XII.B. shall include the construction drawings required by Special Permit Condition IV.C.4. and the documents required by Special Permit Condition IV.C.1.
- D. Containment and Detection of Releases (40 CFR 264.193).
1. The Permittee shall provide an impervious, compatible chemical coating for the surface of the secondary containment systems in all approved tank storage systems.
 2. Ancillary equipment must be provided with secondary containment that meets the requirements of 40 CFR 264.193(b) and (c) unless meeting an exception listed under 40 CFR 264.193(f)(1) through (4).
 3. The Permittee shall make the following modifications to the secondary containment system for Tanks T7 and T8.
 - a. A roof shall be constructed over the work platform for Tanks T7 and T8. Both tanks must be included under this roof. This roof must be sufficient size to cover the entire secondary containment system of these tanks and provide drainage of precipitation from its roof away from and outside of the secondary containment system beneath it. The Permittee shall submit to the Department design drawings for this roof for review and approval. These drawings shall be certified by a registered professional engineer under 10 CSR 25-7.270(2)(B)6. The Permittee shall modify the construction schedule provided in

Appendix 3-A of the approved Permit application to include this construction.

- b. The curb of the secondary containment system shall be modified as necessary to provide the secondary containment capacity specified in Tables 3-1 and 3-3, that is, to modify the curb to ensure a minimum of 5 1/2" curb height around the entire perimeter of the secondary containment system for these tanks.
- E. Special Requirements for Ignitable or Reactive Wastes (40 CFR 264.198).
1. The Permittee shall make alterations to the existing tank storage by relocating storage Tanks T7 and T8 to comply with the requirements for the maintenance of protective distances between the tanks and other structures on the facility as required in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code" (1977 or 1981 or current edition) [40 CFR 270.32(b)(2)].
 2. The Permittee shall modify Drawings 93-067-4-2 and 93-067-4-8 to depict the appropriate locations of the repositioned tanks in order to comply with this Permit condition.
 3. The Permittee shall comply with the requirements for the maintenance of protective distances between the waste management area and any public ways, streets, alleys or an adjoining property line that can be built upon as required in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code," (1977 or 1981).
 4. After the Department has authorized use of Tanks T1-T6 in the new tank system according to 10 CSR 25-7.270(2)(C)1.B., Tanks TT1 and TT2 shall not contain any hazardous wastes possessing the characteristic of ignitability or reactivity as defined under 40 CFR 261.21 or 40 CFR 261.22. This restriction shall begin on the second day after the Permittee receives said authorization from the Department.

- F. Treatment [10 CSR 25-7.264(2)(J)6., 10 CSR 25-7.264(2)(X) and 10 CSR 25-7.266(2)(H)5]. The Permittee shall submit a Permit modification to add the operations of blending and shredding hazardous wastes in Tanks T7 and T8 to the activities authorized by this Permit.
- G. Closure [40 CFR 264.178, 10 CSR 25-7.264(2)(G), 10 CSR 25-7.264(2)(N)1.A., 40 CFR Part 264 Subpart N, 40 CFR 264.228(b)].
1. At closure, the Permittee shall remove all hazardous wastes and hazardous waste constituents from the tank storage areas and containment systems and close these units following the approved Closure Plan for the hazardous waste management facility. Additional activities shall be done to prove compliance with state and federal laws and regulations concerning closure.
 2. If the Permittee finds that not all hazardous wastes and hazardous waste constituents can be practicably removed or decontaminated as required by Special Permit Condition IV.G.1. above, then the Permittee shall close the tank storage areas according to the post-closure requirements that apply to landfills. Those tank storage areas which the Permittee intends to close without removing the hazardous wastes shall meet the requirements of 10 CSR 25-7.264(2)(N)1.A. and 40 CFR Part 264 Subpart N. If the site location for these tank storage areas cannot meet the site-specific location requirements and contamination exists, then the Permittee shall clean up contaminated residues and hazardous constituents to the greatest extent practicable during closure. If the Department determines based on the potential impact to human health and the environment that it is neither necessary nor feasible to remove contaminated material from a site to meet the closure performance standard, then the Permittee shall comply with 40 CFR 264.228(b) or shall submit a delisting petition and obtain approval from the EPA for that delisting petition pursuant to 40 CFR 260.20 and 40 CFR 260.22 for the contaminated material not removed during closure.

- H. General Operating Requirements [40 CFR 264.194]. All tanks shall be equipped with overfill prevention controls as described in the approved Permit application. During all tank loading and unloading operations, there shall be an individual responsible for the overall operation, and that person shall be present and in a position to continually assess the overfill danger during the entire operation during the entire operation until the operation is completed.
1. Tanks TT1 and TT2 and Tanks T1 through T6 shall be equipped with a level alarm system with the capabilities described by the approved Permit application. At a minimum, the level alarm system capabilities for each tank shall include:
 - a. A high level alarm;
 - b. A low level alarm;
 - c. Instrumentation that continuously monitors the liquid level in the tank and provides a level indication to the individual responsible for the loading and unloading operation;
 - d. Automatically shut off the tank-loading pump at a preset maximum level; and
 - e. All alarms shall provide both an audible and visual indication to the individual responsible for the loading or unloading operation.
 2. Tank T8 shall be equipped with a level alarm system with the capabilities described by the approved Permit application. At a minimum, the level alarm system capabilities for each tank shall include:
 - a. A high level alarm;
 - b. A level indicator;

- c. The capability to automatically shutoff the tank-loading pump at a preset maximum level; and
- d. All alarms shall provide both an audible and visual indication to the individual responsible for the loading or unloading operation. Alarm and operation indications shall be provided the individuals operating the shredder system.

V. Loading/Unloading and Container Staging Areas

- A. All hazardous wastes received at the facility shall be loaded and unloaded according to procedures outlined in Section 3.5 of the approved Permit application. Loading and unloading of hazardous wastes shall use the location that is labeled in Drawing 93-067-4-2 of the approved Permit application as "Existing Loading Dock."
- B. The following requirements apply to any truck and trailer cleaning done at the facility.
 - 1. Truck and trailer cleaning at the facility shall only be done in the existing loading dock area of the facility as labeled in Drawing 93-067-4-2 of the approved Permit application.
 - 2. The loading dock area shall be thoroughly cleaned of all waste residues immediately after a truck or trailer has been cleaned and before any other loading or unloading operations are done using the loading dock area.
 - 3. Personnel involved in the truck and trailer cleaning operation and the cleaning of the loading dock area shall wear appropriate personal protective equipment.
 - 4. Waste residues from the truck and trailer cleaning operations will be collected and managed as hazardous waste until characterized and an appropriate regulatory status is determined.

- C. The following requirements apply to the container staging area:
1. The Permittee shall construct a permanent curb within Storage Room A to provide a separate secondary containment system for the container staging area. The secondary containment system for the container staging area shall be capable of containing at least ten percent (10%) of the total volume of containers to be temporarily stored in the container staging area or total volume of the largest container, whichever is larger. The Permittee shall revise Drawing 93-067-4-2 to clearly depict this curbing and the extent of this secondary containment system. Also, the curbing for the staging area shall be installed in such a way as to provide adequate secondary containment capacity for the remainder of Storage Room A. The identified staging area shall be the only area in the facility used for staging incoming or outgoing container.
 2. The container staging area shall be considered part of Storage Room A and, therefore, shall be considered permitted storage. However, containers shall not be stored in the container staging area more than twenty-four (24) hours. Therefore, containers in the staging area shall not be counted against the total allowable number of containers that can be managed at the facility.
 3. All requirements in the consolidated Permit application and this Permit which apply to Storage Room A shall be considered to include the container staging area.
 4. Incompatible wastes shall not be placed in the container staging area.
 5. The maximum number of containers allowed in the storage area is 80, 55-gallon size containers or the equivalent capacity of larger or smaller containers or a combination of container sizes. Containers shall be stored on pallets. Containers in the staging area shall be stacked no more than two (2) high. Containers smaller than 55 gallons shall not be stacked higher than the equivalent 55 gallon container stacking

height. Regardless of size, no containers shall be stacked in a way that places them closer than three (3) feet from the ceiling of the staging area. Appropriate aisle spacing and arrangement of containers shall be done in the staging area as it is in other container storage areas.

6. Potentially incompatible wastes shall not be placed in the staging area. Containers to be placed in the staging area shall be evaluated for potential incompatibility based on the information available provided with the material and the Handbook of Chemical Hazard Analysis Procedures, 40 CFR Part 264, Appendix V, "Examples of Potentially Incompatible Waste," or historical experience. Containers with potentially incompatible wastes shall be moved to an appropriate storage area for further processing.

VI. Containers-In-Container Management (Laboratory Waste Packs, or "Lab Packs")

A. Definitions.

1. Lab pack container. "Lab pack container" means a container or drum, for example, a 55-gallon container, which contains a smaller container or containers that contains hazardous waste.
2. Accumulation container. "Accumulation container" means a container or drum, for example, a 55-gallon container, which serves as a container in which to bulk compatible hazardous wastes for subsequent storage, treatment, or disposal. A container in which laboratory wastes are repacked for shipment is also an accumulation container.

B. Lab Pack Requirements.

1. The Permittee shall designate a specific area within container Storage Room C that shall be used to conduct lab pack operations (Lab Pack Area). The area so designated shall not interfere with the arrangement of containers as depicted on Drawing 93-067-4-2. Drawing 93-067-4-2 shall be modified to depict the location and size of this area.

- a. The Lab Pack Area shall be physically marked in container storage area C by fixed, permanent markings that are readily visible and show the areal extent of the Lab Pack Area. The physically marked area shall correspond to its location and size as depicted on the modified Drawing 93-067-4-2.
 - b. A base shall underlie the Lab Pack Area that is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated precipitation until detection and removal of the collected material. The Permittee shall provide an impervious, compatible chemical coating for the floor of the Lab Pack Area.
2. The Permittee shall develop a lab packing plan with procedures that include, but are not necessarily limited to, a pre-approval process, paperwork and documentation review, quality control and quality assurance review procedures, inspection of the classification and segregation of the containers within the pack according to the hazards of the wastes, labeling verification of the individual containers and pack, tracking mechanisms, a lab pack log and repacking or compositing procedures. The Permittee shall keep this plan at the facility.
 3. The Permittee shall modify Appendix 5-A, "Inspection Schedule," and Appendix 5-B, "Inspection Log Sheets," of Section 5 to include a daily visual inspection of the Lab Pack Area to meet the following requirements.
 - a. The physical markings to show the specific area used for lab packing operations are intact and that there are no obstructions (for example, by dirt or debris) or deterioration (for example, by abrasion or lacerations) of the marking or markings. The markings shall be clearly visible.
 - b. The floor of the Lab Pack Area is free of cracks, gaps, stains, or residue from lab packing operations.
 - c. The Lab Pack Area is clean and orderly.

- d. There is no degradation or compromising of the chemical coating of the floor.
- C. The Permittee shall comply with the following requirements besides the lab packing procedure specified above under Special Permit Condition VI.B.2.
1. Upon receipt each lab pack container shall be stored in one (1) of the permitted container storage rooms appropriate to the contents of the lab pack container.
 2. Only one (1) lab pack container may be moved to the Lab Pack Area whenever repacking or compositing.
 3. The date and time moving a lab pack container into the Lab Pack Area shall be logged into the lab pack log. The date and time of completion of the packing or compositing procedure also shall be logged into the lab pack log.
 4. One (1) accumulation container shall be allowed in the Lab Pack Area. One (1) accumulation container and one (1) lab pack container are the maximum number of containers allowed in the Lab Pack Area contemporaneously. The accumulation container shall always remain closed unless transferring waste to it from a lab pack container.
 5. Neither a lab pack container nor an accumulation container shall remain in the Lab Pack Area after an operating day or longer than twenty-four (24) hours, whichever is less. The Lab Pack Area is not to be used as a container storage area.
 6. Any lab pack container and any accumulation container in the Lab Pack Area shall be elevated to prevent any direct contact of either container with the floor.

VII. Drum Crusher

- A. The Permittee shall crush only containers or drums that are empty as defined by 40 CFR 261.7.

- B. Residues from the drum crushing operation shall be collected and managed as hazardous wastes.

VIII. Preparedness and Prevention [40 CFR Part 264, Subpart C]

- A. The Permittee shall develop and submit an addendum for Section 5.0 of the approved Permit application. This addendum shall specify the following items.
 - 1. The gas concentration or percent of the lower explosive limit that constitutes the set points for each alarm level of the explosive gas monitor.
 - 2. The gas monitor location, with remote sensors/transmitters located as depicted on Drawing 93-067-4-2.
- B. The Permittee shall modify Appendix 5-A, "Inspection Schedule," and Appendix 5-B, "Inspection Log Sheets," of Section 5 to include the following items.
 - 1. A daily inspection of the appropriate features and characteristics of the explosive gas monitoring system to assure reliable operation.
 - 2. A calibration at an appropriate interval according to the manufacturer's specifications and procedures.
- C. The Permittee shall not conduct container handling operations in Storage Room A unless the monitoring system is in operation and currently calibrated.

IX. Contingency Plan [40 CFR Part 264, Subpart D]

The Permittee shall modify the Contingency Plan to include appropriate procedures that the Emergency Coordinator shall carry out and measures the Emergency Coordinator shall take in response to each alarm level of the explosive gas monitor.

X. Closure Plan [40 CFR Part 264, Subpart G]

- A. The following are modifications to the sampling procedures under Section 7.0, "Closure Plan" of the approved Permit application.

1. Concrete Sampling.

- a. Three (3) concrete core samples shall be collected from each location below, also identified on Figure 7-1, "Site Plan," on page 7-2 of the approved Permit application.
 - (1) Container Storage Rooms A, B and C. The three (3) samples from Container Storage Room C shall include one (1) sample from the Lab Pack Area.
 - (2) Bulk Storage Area. The three (3) samples from the Bulk Storage Area shall include one (1) sample from the lowest point in the secondary containment system.
 - (3) Fuel Blending Process Area.
- b. The proposed fuel blending storage tank area depicted in Figure 7-1, "Site Plan," on page 7-2 of the approved Permit application shall have concrete core samples collected according to section 7.14.1, "Concrete Sampling," of the approved Permit application.
- c. The existing loading dock depicted on Drawing 93-067-4-2 of the approved Permit application shall have one (1) concrete core sample collected from that area.
- d. Three (3) concrete core samples shall be taken from a location near to, but unaffected by, the active portion of the facility. These samples shall be analyzed and the results used to establish a "background" concentration of hazardous metal constituents. EPA hazardous waste numbers D004 through and including D011 identify the hazardous metal constituents.

2. Soil Sampling.

- a. Two (2) soil samples shall be collected from each concrete core sample location identified in Special Permit Conditions IX.A.1.a, b, and c. One (1) soil sample

shall be collected between one (1) and two (2) feet beneath the surface of the overlying concrete and a second soil sample shall be collected at a depth of between two (2) feet and four (4) feet beneath the surface.

- b. Additional soil samples at other locations shall be collected as specified in Section 7.7.2, "Soil Sampling," of the approved Permit application for the existing facility and at other locations as specified in Section 7.14.2, "Soil Sampling," of the approved Permit application for the proposed expansion.
- c. Soil samples to establish a "background" concentration of hazardous metals constituents (i.e., substances identified by EPA hazardous waste numbers D004 through and including D011) shall be collected according to Section 7.7.2, "Soil Sampling," and Section 7.14.2, "Soil Sampling," of the approved Permit application.

3. Wipe Sampling.

- a. The Permittee shall make the following modifications to Section 7.7.3, "Wipe Samples," and Section 7.14.3, "Wipe Samples," of the approved Permit application.

- (1) The Permittee shall modify the method of determining the number of wipe samples collected from the ceiling of the existing and proposed facility to include at least one (1) wipe sample collected from the ceiling of each container storage room. In determining the number of wipe samples to collect from each container storage room, one (1) wipe sample shall be collected from each two thousand five hundred (2,500) square feet of ceiling area or fraction of it.

- (2) Besides the wipe samples specified for the existing tanks as described in Section 7.7.3, "Wipe Samples," of the approved Permit application, the Permittee shall include the following samples.
 - (a) One (1) wipe sample collected from the interior bottom plate of each tank under consideration.
 - (b) Wipe samples for the two (2) fuel blending process area storage Tanks T7 and T8, shall be collected using the method described in Section 7.7.3 of the approved Permit application for determining the number and location of wipe samples for Tanks TT1 and TT2.
- b. Besides the wipe samples specified for Tanks TT1 and TT2 as described in section 7.14.3, "Wipe Samples," of the approved Permit application the Permittee shall include the following additional wipe samples.
 - (1) One (1) wipe sample collected from the surface of the bottom plate of the interior of TT1 and TT2.
 - (2) Wipe samples for the proposed fuel blending storage Tanks T1 through T6 shall be collected using the method described in Section 7.14.3 of the approved Permit application for determining the number and location of wipe samples for Tanks TT1 and TT2. An additional wipe sample shall be collected from the interior bottom plate of each proposed fuel blending storage tank.
 - (3) Wipe samples for the two (2) fuel blending process area storage Tanks T7 and T8 shall be collected using the method described in section 7.14.3 of the approved Permit application for determining the number and location of wipe samples for Tanks TT1 and TT2.

- B. The Permittee shall use the following criteria to confirm adequate decontamination of each hazardous waste management unit.
1. In all samples except samples collected by wipe sampling, the concentration of hazardous metals constituents D004 through D011 shall be at or below background concentrations established by like samples (e.g., background concentrations in concrete established by concrete samples collected for that purpose.)
 - a. The background concentrations of hazardous metal constituents in concrete shall be determined by the numeric average of the concentrations of the hazardous metal constituents in the concrete core samples collected for this purpose.
 - b. The background concentrations of hazardous metal constituents in soil shall be determined by the concentrations of hazardous metal constituents in a minimum of four (4) independent soil samples collected from areas adjacent to, but not affected by, the active portion of the facility. To establish a background concentration, the concentrations of hazardous metal constituents of each independent soil sample shall be statistically compared as described in section 7.7.2, "Soil Sampling," and Section 7.14.2, "Soil Sampling," of the approved Permit application.
 - c. Wipe samples shall not be analyzed for the presence of hazardous metal constituents.
 2. In all samples including samples collected by wipe sampling, the concentration of hazardous organic constituents listed in 40 CFR Part 261, Appendix VIII, shall not exceed the Practical Quantitation Limits as listed in the applicable SW-846 test methods.
- C. Decontamination procedures shall be modified to require the steam cleaning of all secondary containment structures.

XI. Closure Cost Estimates [40 CFR Part 264, Subpart H]

- A. The Permittee shall modify the closure cost estimate and Tables 7-1 through 7-9, as appropriate, to include the following changes to the facility closure cost estimate and submit these modifications with the consolidated Permit application.
1. The Permittee shall modify the closure cost estimate using a maximum waste inventory of four hundred sixty (460) drummed waste containers.
 2. The Permittee shall modify the closure cost estimate including estimated sampling and analysis costs for nineteen (19) concrete core samples, forty-four (44) soil samples and ninety (90) wipe samples for the existing facility.
 3. The Permittee shall modify the closure cost estimate including estimated sampling and analysis costs for twenty-two (22) concrete core samples, fifty (50) soil samples and two hundred forty (240) wipe samples for the proposed facility.
 4. These specified numbers of concrete core samples, soil samples, and wipe samples are only a basis for estimating the costs involved in closure of the existing and proposed facilities. They do not represent absolute numbers of samples to be collected when the facility closes.
- B. The Permittee shall modify Appendix 7-B, "Financial Assurance Mechanisms," of the approved Permit application to provide for the modified closure cost estimate developed under Special Permit Condition XI.A.

XII. Air Emission Standards for Equipment Leaks [40 CFR Part 264, Subpart BB]

- A. The Permittee shall submit information required under 40 CFR 270.25(a) and (d) for the following equipment as an addendum to Section 13.0 of the approved Permit application. The Permittee shall use the respective regulatory cites to figure out the requirements that shall be met for the equipment listed.

1. Pumps in Light Liquid Service, 40 CFR 264.1052.
 - a. The chopping pump associated with Tank T7 depicted on Drawing 93-067-4-3.
 - b. The diaphragm pump and disbursing pump associated with Tank T8 depicted on Drawing 93-067-4-3.
2. Pressure Relief Devices, 40 CFR 264.1054.
 - a. The one (1) each pressure relief vent associated with Tanks TT1 and TT2 depicted on Drawing 93-067-4-6.
 - b. The one (1) each pressure relief vent associated with Tanks T1 through T6 depicted on Drawing 93-067-4-4.
3. Sampling Connecting Systems, 40 CFR 264.1055.
 - a. The sampling connecting system for Tank T7 depicted on Drawing 93-067-4-3.
 - b. The two (2) sampling connecting systems for Tank T8 depicted on Drawing 93-067-4-3.
4. Open-Ended Valves or Lines, 40 CFR 264.1056.
 - a. The tanker truck loading/unloading lines depicted on Drawings 93-067-4-3, 93-067-4-4, and 93-067-4-5.
 - b. The portable pump connection depicted on Drawings 93-067-4-6 and 93-067-4-7.
5. Valves in Gas/Vapor or Light Liquid Service, 40 CFR 264.1057.
 - a. The three (3) valves associated with Tank TT1 depicted on Drawings 93-067-4-6 and 93-067-4-7.
 - b. The three (3) valves associated with Tank TT2 depicted on Drawings 93-067-4-6 and 93-067-4-7.
 - c. The eight (8) valves associated with Tank T7 depicted on Drawing 93-067-4-3.

- d. The fourteen (14) valves associated with Tank T8 depicted on Drawing 93-067-4-3.
 - e. The one (1) valve associated with the diaphragm pump on Drawing 93-067-4-3.
 - f. The check valve associated with the disbursing pump on Drawing 93-067-4-3.
6. Flanges and other connections, 40 CFR 264.1058. The flange connection associated with Tank TT1 depicted on Drawing 93-067-4-7.
7. Closed vent systems and control devices, 40 CFR 264.1060. For these devices, the Permittee shall include with the information required by this Special Permit Condition XII.A the additional documentation required under 40 CFR 270.25(3).
- a. The one (1) pressure relief valve associated with Tank T8 vented to a carbon absorber depicted on Drawing 93-067-4-3.
 - b. Each conservation vent that vents to a carbon absorber associated with Tanks T1 through T6 as depicted on Drawing 93-067-4-4.
 - c. Each conservation vent that vents to a carbon absorber associated with Tanks TT1 and TT2 as depicted on Drawing 93-067-4-4.
- B. The Permittee shall modify the "the Permittee Weekly/Monthly Inspection Form," pages 13-4 through 13-7 in Section 13.0 of the approved Permit application, to include the equipment and any other equipment, existing or proposed, to which the provisions of 40 CFR Part 264 Subpart BB applies.
- C. The Permittee shall modify drawings 93-067-4-3, 93-067-4-4, 93-067-4-5, 93-067-4-6, and 93-067-4-7 of the approved Permit application to include the designation assigned to the equipment listed above

and assigned to any other equipment that is subject to the provisions of 40 CFR Part 264, Subpart BB with the equipment identification number required by 40 CFR 270.25(a)(1).

XIII. Non-Hazardous Solid Waste

- A. All non-hazardous solid waste storage and management shall be limited to a specific location at the Permittee's facility and shall remain segregated from the permitted hazardous waste activities to prevent cross-contamination of nonhazardous solid waste with hazardous waste. No non-hazardous solid waste shall be stored in the areas identified by this Permit.
- B. Collection and processing of solid wastes that are non-hazardous are not addressed by this Permit, but may be regulated by §260.200, et seq., RSMo and 10 CSR 80.

XIV. Hazardous Waste Importation [10 CSR 25-5.262(2)(F)]

The Permittee shall comply with all applicable requirements specified in 10 CSR 25-5.262 regarding importation of foreign hazardous wastes.

XV. Modification [40 CFR 270.42 and 10 CSR 25-7.270(2)(D)]

All modifications to Part I of this Permit at the request of the Permittee shall be submitted according to 40 CFR 270.42, 10 CSR 25-7.270(2)(D) and the provisions of this Permit. Any modification the Permittee desires to make to Part I of this Permit shall require the submission of the appropriate documentation to the Director of the Missouri Department of Natural Resources. A copy shall be sent to the Kansas City Regional Office of the Missouri Department of Natural Resources and to the U.S. EPA Region VII office.

XVI. Operating Record [40 CFR 264.73]

- A. The Permittee shall maintain a log as a part of the facility Operating Record for each shipment of hazardous waste. This log shall consist of:
1. A daily log for all bulk movement in or out of any storage tank, and
 2. A daily log describing any movement of containers within the facility, into or out of the facility, and processing of containers.

SCHEDULE OF COMPLIANCE

- I. No later than sixty (60) days after the date of final Permit issuance the Permittee shall:
 - A. Submit two (2) copies of the consolidated Permit application to the Department as required by 10 CSR 25-7.270(2)(B)7, and one (1) copy to the U.S. EPA Region VII office. This consolidated Permit application shall include the following:
 1. The approved Permit application received by the Department.
 2. A revised Part A Permit Application with the revisions as indicated in Schedule of Compliance Item I.B.
 3. The corrections, modifications and addendums to Part B of the approved Permit application as indicated in Schedule of Compliance item I.C.
 4. The certifications required by Special Permit Conditions I.A.1. and I.A.2.
 5. The floodplain determination documentation required by Special Permit Condition I.B.1.
 6. The engineering analysis required by Special Permit Condition I.B.2.
 7. The Lab Packing Plan required by Special Permit Condition VI.B.2.
 8. Letter, Burns & McDonnell Waste Consultants, Inc., (S. Busch) to Missouri Department of Natural Resources (D. Walker), subject: Hazardous Waste Recovery, Inc. - RCRA Part B Application, dated April 18, 1994.
 - B. Revisions and Corrections to EPA Hazardous Waste Permit Application Part A, EPA Form 8700-23(01-90).
 1. The Permittee shall modify and consolidate the two Part A forms in the approved Permit application and submit a single Part A with the information indicated by this item.

2. The modified Part A shall include the information of either of the two (2) Part A forms in the approved Permit application for all items of the Part A form except for items XII, XIV and XVIII.
3. Item XII, "Process-Codes and Design Capacities," shall be modified to contain only the information specified below.
 - a. Item XII, line 1, page 4 of 7 of the Part A shall contain the following entries.
 - b. Under Column A, "Process Code" shall be entered S01.
 - (1) Under Column B.1, "Amount" shall be entered 25,300.
 - (2) Under Column B.2, "Unit of Measure" shall be entered G.
 - (3) Under Column C, "Process Total Number of Units" shall be entered 460.
 - c. Item XII, line 2, page 4 of 7 of the Part A shall contain the following entries.
 - (1) Under Column A, "Process Code" shall be entered S02.
 - (2) Under Column B.1, "Amount" shall be entered 81,750.
 - (3) Under Column B.2, "Unit of Measure" shall be entered G.
 - (4) Under Column C, "Process Total Number of Units" shall be entered 10.
4. Item XIV, "Description of Hazardous Wastes" shall be modified as indicated below:

- a. The following Hazardous Waste Numbers and all associated entries in adjoining columns are deleted:

D099

- b. The following EPA Hazardous Waste Numbers and associated entries shall be entered as indicated:

| Column A | Column B | Column C | Column D(1) and D(2) |
|----------|----------|----------|----------------------|
| D098 | 10000 | T | S01, S02, T01, T04 |
| F006 | 10000 | T | S01 |
| F012 | 10000 | T | S01 |
| F019 | 10000 | T | S01 |
| U003 | 10000 | T | S01 |
| U021 | 10000 | T | S01 |
| U055 | 10000 | T | S01, S02, T01, T04 |
| U069 | 10000 | T | S01, S02, T01, T04 |
| U133 | 10000 | T | S01 |
| U138 | 10000 | T | S01, S02, T01, T04 |
| U143 | 10000 | T | S01, S02, T01, T04 |
| U144 | 10000 | T | S01 |
| U145 | 10000 | T | S01 |
| U155 | 10000 | T | S01, S02, T01, T04 |
| U168 | 10000 | T | S01 |
| U170 | 10000 | T | S01 |
| U188 | 10000 | T | S01 |

5. Item XVIII, "Certifications" shall be signed and dated by the owner and operator.

C. Revisions and Corrections to Part B of the Approved Permit Application.

1. Revisions and Corrections to Section 1.0.

- a. In Section 1.8 on page 1-14, the sentence which reads "The facility's container storage capacity is 458 drums" shall be changed to read "The facility's container storage capacity is 460 drums."
- b. In Section 1.10 on page 1-17, delete the phrase "Alluvial materials consist predominantly of fine-grained material such as."
- c. In Section 1.12.1 on page 1-19, delete the words "Wind Rose."

2. Revisions and Corrections to Section 2.0.

- a. In Section 2.0 in Appendix 2-A delete the Hazardous Waste Numbers listed under Schedule of Compliance Item I.B.4.a. and all associated entries in adjoining columns.
- b. In Section 2.0 in Appendix 2-A on page 2A-14, the footnote which reads "***Missouri Hazardous Waste Numbers D098 and D099 (as per 10 CSR 25) refer to Waste Oils and Non-Hazardous Wastes respectively" shall be changed to read "***Missouri Hazardous Waste Number D098 (as per 10 CSR 25) refers to Waste Oils."
- c. In Section 2.0, page 2-12, the sentence "Appendix 2-B contains a notice form and certification of sampling and analysis which will be used for both imported hazardous waste and domestic hazardous waste." that follows the sentence "Appendix 2-E contains HWR foreign waste information." shall be deleted.
- d. In Section 2.5 on page 2-32, in the last sentence of the second paragraph which reads

"Testing and characterization will be performed as outlined in Section." shall be changed to read "Testing and characterization will be performed as outlined in Section 2.2."

- e. In Section 2.2.2 on page 2-17, the first sentence of the second paragraph that reads:

"Every drum in each shipment is to be sampled, with a maximum of 10 drum samples (from the same waste stream) being composited into one sample for analysis."

shall be changed to read:

"Shipments of drums shall be sampled in accordance with the frequencies specified in Section 2C-10, Appendix 2C of the permit application."

- f. In Section 2C-10 on page 2C-14, the first paragraph of the section that reads:

"As specified in the Waste Analysis Plan, each container of waste shipped to the HWR facility shall be sampled. Composite samples of a single waste stream collected will not exceed 10 aliquots. Samples from different waste streams will not be composited."

shall be changed to read:

"As specified in the Waste Analysis Plan, each container of waste shipped to the HMRDI facility shall be sampled according to the frequency specified in this section. Every container from a new generator or a new waste stream shall be sampled for the first two shipments. After the two shipments from a new generator or a new waste stream have undergone 100 percent sampling with no identifiable problems, HMRDI shall then perform random sampling as specified in Attachment 2C-1. HMRDI shall perform 100 percent sampling on any waste streams that

HMRDI suspects have changed, or when non-conforming wastes are discovered during processing. That generator's shipments shall subsequently be subject to 100 percent sampling again. Also, recharacterization of a waste stream, whether annually or more frequently, shall require 100 percent sampling; however, unless a discrepancy is found between the analysis of the sample and the generator's profile sheet, the two subsequent shipments of that waste stream need not be 100 percent sampled. Composite samples of a single waste stream collected shall not exceed 10 aliquots. Shipments of containers may contain more than a single waste stream from a generator or generators. Care shall be taken that samples from different waste streams are not composited."

- g. In Section 2.2.1 on page 2-11, the following sentence is added:

"At least annually, a detailed chemical and physical evaluation of each generators waste stream shall be made by HMRDI and/or a third party laboratory and results of the laboratory analyses recorded on a copy of the form provided in Appendix 2-B. The results of this recharacterization of each generators waste stream shall be compared to the current generator profile sheet for that waste stream."

This sentence shall be added to the first paragraph, after the sentence that reads "A copy of the form to be completed during the laboratory analyses is provided in Appendix 2-B.

3. Revisions and Corrections to Section 3.0.
- a. In Section 3.2 on page 3-2, in the last sentence of the second paragraph the reference to Section 3.4.1.1 shall be changed from "Section 3.4.1.1" to "Section 3.4.2."

- b. In Appendix 3-A of Section 3.0 on page 3A-1, all references to the construction or completion of construction of any proposed building or buildings shall be deleted.
- c. In Appendix 3-A of Section 3.0 on page 3A-1, insert the dates determined below:
 - (1) the proposed date for completion of the perimeter tank wall modification required by Special Permit Condition I.B.4.
 - (2) the proposed date for completion of the roof for Tanks T7 and T8 as required by Special Permit Condition IV.D.3,
 - (3) a proposed date determined by the Permittee for completion of installation of equipment to monitor explosive gas levels within the flammable storage area, and
 - (4) a proposed date determined by the Permittee for completion of installation of a motion sensor alarm system for the facility.
- d. In Section 3.5, on page 3-20, in the second paragraph, the following sentence:

"The Fuel Blending Process Tanks are emptied into the Existing Bulk Storage Tanks."

shall be modified to read:

"The Fuel Blending Process Tanks are emptied into the Existing Bulk Storage Tanks; however, after authorization is received to operate tanks T1-T6, no ignitable or reactive wastes shall be stored in Tanks TT1 or TT2."
- e. In Section 3.6.4, on page 3-37, in the second paragraph, the following sentence:

"However, after authorization is received to operate Tanks T1-T6, no ignitable or reactive wastes shall be stored in Tanks TT1 or TT2."

shall be added before the sentence:

"The location of these existing tanks is shown on Drawing 93-067-4-2."

- f. In Section 3.5, page 3-19, the sentence in the fourth paragraph that reads "This includes incoming drums or outgoing drums that may be in the staging area." is deleted.
4. Revisions and Corrections to Section 4.0
- a. The Permittee shall submit modifications to Section 4.0, the Contingency Plan, required by Special Permit Condition IX.
 - b. In Section 4.0, on page 4-1, the sentence that reads:

"Records of employee plan training will be kept until closure."

shall be modified to read:

"Records of current employees' plan training shall be kept until closure, and records of former employees shall be kept for at least three years from the date the employee last worked at the facility."
5. Revisions and Corrections to Section 5.0.
- a. The Permittee shall submit an addendum to Section 5.0 addressing the requirements under Special Permit Condition VIII.A.
 - b. Appendices 5-A and 5-B shall be modified as described under Special Permit Conditions VI.B.3. and VIII.B.

- c. In Section 5.4.3 on page 5-11 the sentence that reads:

"Main aisles inside the secondary containment areas will have a clearance width of at least 8 feet and branch aisles will allow for a clearance width of at least 4 feet."

shall be modified to read:

"Main aisles inside the secondary containment areas shall have a clearance width of at least 8 feet, and branch aisles shall allow for a clearance width of at least 4 feet for ignitable and reactive materials and 3 feet for all other hazardous wastes."

6. Revisions and Corrections to Section 7.0.
- a. The Permittee shall submit a revised Closure Plan containing the modifications required under Special Permit Condition X.
- b. Special Permit Condition X.C shall be applied to the approved Permit application by modifying the Decontamination Procedures under Section 7.4.2, page 7-4, by inserting the words "and secondary containment structures" between "equipment" and "will" in the sentence of the fourth paragraph of that section.
- c. The Permittee shall submit a modified closure cost estimate and modified Tables 7-1 through 7-9, as appropriate, and a modified Appendix 7-B as required by Special Permit Condition XI.
- d. In Section 7.4.2 on page 7-4 the sentence that reads:
- "The vacuum cleaner bag(s) and collected waste will be containerized and disposed of as a hazardous waste at an off-site permitted facility."

is modified to read:

"The vacuum cleaner bag(s) and collected waste shall be containerized and handled as hazardous wastes until an analysis is done that properly characterizes the wastes. The wastes shall be disposed of according to the appropriate regulatory classification."

7. Revisions and Corrections to Section 13.0.
 - a. The Permittee shall submit the information required under Special Permit Condition XII.A.
 - b. The "Permittee Weekly/Monthly Inspection Form," pages 13-4 through 13-7, shall be modified as required under Special Permit Condition XII.B.
8. Revisions and Corrections to Drawings 93-067-4-2 Through 93-067-4-8.
 - a. Drawings 93-067-4-2 shall be modified as required by Special Permit Conditions IV.E.2., V.C.1. and VI.B.1.
 - b. Drawings 93-067-4-3, 93-067-4-4, 93-067-4-5, 93-067-4-6 and 93-067-4-7 shall be modified as required by Special Permit Condition XII.C.
 - c. Drawings 93-067-4-7 and 93-067-4-8 shall be modified as required by Special Permit Condition IV.E.2.
 - d. Drawings 93-067-4-6 and 93-067-4-7 shall be modified to indicate use of Tanks TT1 and TT2 and process flow both before and after authorization to operate Tanks T1-T6 is received from the Department.
- D. Submit a lab packing plan meeting the requirements under Special Permit Condition VI.B.2 and have in place in the facility a lab packing area meeting the requirements under Special Permit Condition VI.B.1.

- E. Submit a certification signed by the Permittee that he has read this Permit in its entirety and understands all Permit conditions contained herein.
 - F. Submit a check or money order payable to the State of Missouri for any outstanding engineering review costs.
 - G. Submit a check or money order payable to the State of Missouri for \$1,000.00 for each year the Permit is to be in effect beyond the first year. This Permit is effective for ten (10) years. Since the Permittee has submitted a check for \$1,000.00 with the Permit application, the remaining balance to be submitted by the Permittee is \$9,000.00 for this ten (10) year Permit.
 - H. Submit proof to the Department that the financial assurance, as required in 40 CFR Part 264, Subpart H and 10 CSR 25-7.264(2)(H), has been obtained, and reflects the approved closure cost estimate as determined after the appropriate modifications have been accomplished in accordance with Schedule of Compliance Item I.C.6.
 - I. Submit a transition schedule for placing into operation Tanks T1-T6 and ending use of Tanks TT1 and TT2 for storage of ignitable or reactive wastes. The schedule shall include, at a minimum:
 - 1. emptying TT1 and TT2, if necessary;
 - 2. any cleaning or decontaminating of Tanks TT1 and TT2, if necessary; and
 - 3. lastly, submitting a written request to the Department for authorization to begin operating the new Tanks T1-T6.
 - J. Submit the proposed tank system roof design for Tanks T7 and T8 as required by Special Permit Condition IV.D.3.
- II. No later than one hundred twenty (120) days after the date of final Permit issuance the Permittee shall submit the health profile required under Special Permit Condition II and a Permit modification request to the

Director, Missouri Department of Natural Resources to include the blending operation in Tanks T7 and T8 and the shredder which is operated in conjunction with Tanks T7 and T8.

- III. No later than one (1) year after the date of final Permit issuance the Permittee shall:
- A. Complete modification of existing perimeter tank walls to a height one (1) foot above the one hundred (100) year flood elevation as described in the consolidated Permit application.
 - B. Complete modifications of the facility as indicated by Special Permit Condition I.A., including any modifications recommended to the existing tank storage as a result of an analysis performed in compliance with Special Permit Condition I.A.1.
 - C. Complete construction of the six (6) proposed blended fuel and waste storage tanks as described in the consolidated Permit application and completed in compliance with applicable Special Permit Conditions.
 - D. Complete modification of the secondary containment system for Tanks T7 and T8 as described in Special Permit Condition IV.D.3, including the construction of a roof over the work platform and modification of the curb for the secondary containment.
 - E. Complete modifications of the existing tank storage including Tanks T7 and T8 to comply with Special Permit Condition IV.E.
 - F. Submit or have submitted the documentation required by Special Permit Condition IV.C.
 - G. Complete the modifications necessary to add all vapor emissions control equipment to the existing facility operations and to the new construction as described in the consolidated Permit application.
 - H. Complete modifications to the container storage areas secondary containment systems as required by Special Permit Condition III.G.1 and V.C.1.

- I. Complete installation of equipment to continuously monitor explosive gas levels within the flammable storage area (Storage Room A) as required by Special Permit Condition III.H.3.
- J. Complete installation of a motion sensor alarm system for the facility.
- K. Complete modifications to the existing tank storage to comply with Special Permit Conditions IV.D.1 and IV.H.

CORRECTIVE ACTION

- I. Identification of Solid Waste Management Units (SWMUs)
 - A. The EPA has conducted a RCRA Facility Assessment (RFA) to identify and gather information on releases or potential releases from any SWMU at the facility. Review of the final RFA report dated January 9, 1992, has identified two (2) SWMUs requiring further investigation. The following SWMUs are:
 1. The loading dock and adjacent parking lot immediately located behind the facility building (SWMU #8).
 2. The former bulk tank area located west of the facility building (SWMU #4). (See Figure 1).
 - B. This Permit requires the Permittee to conduct further investigation and take corrective action as deemed appropriate by the Director on any releases or potential releases at the facility.
- II. Notification Requirements for, and Assessment of, Newly-Identified SWMU(s)
 - A. The Permittee shall notify the Director and EPA in writing of any SWMU(s), identified subsequent to the issuance of this Permit no later than fifteen (15) calendar days after discovery.
 - B. The Director may require a Work Plan for conducting an investigation of the newly-identified SWMU(s). Within thirty (30) calendar days after receipt of the Director's request for a SWMU Assessment Work Plan, the Permittee shall submit a SWMU 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 parameters sufficient to identify migration of hazardous waste including hazardous constituents from

the newly-discovered SWMU(s) to the environment. The Work Plan shall specify any data to be collected to provide for a complete SWMU Assessment Report, as defined below.

- C. The SWMU Assessment Work Plan will be reviewed in accordance with the procedures set forth in Permit Condition XIII herein. Upon approval thereof by the Department, the Permittee shall implement said plan in accordance with the schedules contained therein.
- D. The Permittee shall submit a SWMU Assessment Report to the Director and EPA according to the schedule specified in the approved SWMU Assessment Work Plan. The SWMU Assessment Report shall present and discuss the information obtained from implementation of the approved SWMU Assessment Plan. At a minimum, the report shall provide the following information for each newly-identified SWMU:
 - 1. The location of the newly-identified SWMU in relation to other SWMUs;
 - 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, to the extent available;
 - 6. The results of any sampling and analysis conducted;
 - 7. Past and present operating practices;
 - 8. Previous uses of area occupied by the SWMU;
 - 9. Amounts of waste handled; and
 - 10. Drainage areas and/or drainage patterns near the SWMU(s).

- E. The report will be reviewed in accordance with the procedures set forth in Permit Condition XVI.M herein. Based on the findings of this report, the Director will determine the need for further investigations, including stabilization or a RCRA Facility Investigation, at specific unit(s) identified in the SWMU Assessment.
- F. If the Director determines that additional investigations are needed, the Director may require the Permittee to prepare and submit for approval a Work Plan for such investigations. This Work Plan for additional investigations will be reviewed in accordance with the procedures set forth in Permit Condition XIII herein. Upon approval thereof the Permittee shall implement the plan in accordance with the schedule contained therein.

III. Notification Requirements for Newly-Identified Releases

- A. The Permittee shall notify the Director, in writing, of any release(s) of hazardous waste, including hazardous constituents, discovered during the course of groundwater monitoring, field investigation, environmental auditing, or other activities undertaken after issuance of this Permit, no later than fifteen (15) calendar days after discovery.
- B. The Director may require a Work Plan for conducting an investigation of the newly-identified release(s). Within thirty (30) calendar days after receipt of notice that the Director requires a Newly-Identified Release Work Plan, the Permittee shall submit a Newly-Identified Release Work Plan which shall include a discussion of past waste management practices at the release; a sampling and analysis program for groundwater, land surface and subsurface strata, surface water or air, as necessary to determine whether it is harmful to human health or the environment; and a proposed schedule for implementation and completion of the Work Plan. The sampling and analysis program shall be capable of yielding representative samples and must include parameters sufficient to identify migration of the release to the environment. The Work Plan shall

specify any data to be collected to provide for a complete Newly-Identified Release Report, as defined below.

- C. The Newly-Identified Release Work Plan will be reviewed in accordance with the procedures set forth in Permit Condition XIII herein. Upon the Department's approval, the Permittee shall implement said plan in accordance with the schedules contained therein.
- D. The Permittee shall submit a Newly-Identified Release Report to the Director 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 from implementation of the approved Newly-Identified Release Work Plan. At a minimum, the report shall provide the following information of each newly-identified release:
 - 1. The location of the newly-identified release in relation to other SWMUs;
 - 2. The general dimensions of the release;
 - 3. The period during which the release was 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 release; and
 - 9. Drainage areas and/or drainage patterns near and at the release.

- E. The report will be reviewed in accordance with the procedures set forth in Permit Condition XVI.M herein. Based on the findings of the report and any other available information, the Director will determine the need for further investigation, including stabilization or a RCRA Facility Investigation.

IV. Stabilization

- A. If the Permittee becomes aware of a situation that may require stabilization measures to protect human health or the environment, he/she shall notify the Director and EPA within twenty-four (24) hours of the time the Permittee becomes aware of the situation.
- B. If during the course of any activity initiated under this Permit, the Director determines that a release or potential release of hazardous waste including hazardous constituents poses a threat to human health or the environment, the Director may require stabilization measures to slow or stop the further spread of contamination until corrective action measures can be initiated. The Director will determine the specific action(s) that must be taken to implement stabilization, including potential Permit modifications and the schedule for implementing the stabilization requirements and will inform the Permittee of the action(s) in writing.
- C. If at any time, the Permittee determines that the stabilization program is not effectively limiting or stopping the further spread of contamination, the Permittee must notify the Director in writing no later than ten (10) calendar days after such a determination is made. The Director may then, at his/her discretion, require that the stabilization program be revised to make it effective in limiting or stopping the spread of contamination; or that final corrective action measures be implemented to remediate the contaminated media.

V. RCRA Facility Investigation (RFI) Workplan

- A. Within ninety (90) calendar days of the effective date of this Permit the Permittee shall submit a RCRA Facility Investigation (RFI) Work Plan to the

Director and the EPA to address the SWMU(s) identified in Permit Condition I.A above. The RFI Workplan shall be designed to investigate releases of hazardous waste, including hazardous constituents, to all media of concern which include soil, groundwater, surface water, and air.

1. The RFI Workplan shall describe the objectives of the investigation and the overall technical and analytical approach to completing all actions necessary to characterize the nature, direction, extent, rate, movement, and concentration of releases of hazardous waste including hazardous constituents from specific SWMU(s) or groups of SWMU(s), and their actual or potential receptors. The RFI Workplan shall detail all proposed activities and procedures to be conducted at the facility and shall include the following:
 - a. A description of current conditions;
 - b. A detailed map indicating the exact location (to the greatest extent possible) of all SWMU(s) identified in this Permit;
 - c. Parameters to be monitored and rationale for selection of parameters;
 - d. Sample locations, number of samples, and depth(s) of samples;
 - e. Documentation of stabilization measures that were or are being undertaken at the facility;
 - f. Procedures necessary to characterize the contaminant source and the environmental setting, including potential receptors;
 - g. Details on all proposed activities and procedures to be conducted at the facility as necessary to characterize the vertical and horizontal extent of each release, including the type, number, and location of groundwater monitoring wells proposed and how the installation of these wells will

allow the Permittee to evaluate hydrogeologic conditions at the facility;

- h. The schedule for implementing and completing investigations under the RFI, and for submission of reports including the final RFI Report; and
 - i. The qualification requirements of personnel to perform or direct the investigations, including contractor personnel, and the person(s) designated to oversee the overall management of the RFI. Specific qualifications of actual personnel chosen to conduct the work must be submitted as a supplement to the workplan prior to commencement of the RFI.
- 2. The RFI Workplan shall include the submittal of 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, data review, and validation and reporting procedures.
 - 3. The Permittee shall prepare and maintain a health and safety plan during the project that assures the RFI activities are conducted in a safe manner.
- B. The RFI Workplan will be reviewed in accordance with the procedures set forth in Condition XIII of this Permit. Upon approval thereof by the Department, the Permittee shall implement the Workplan in accordance with the schedules contained therein.

VI. RCRA Facility Investigation (RFI) Report

- A. The Permittee shall submit an RFI Report to the Director and the EPA according to the schedule contained in the approved RFI Workplan. The RFI Report shall present all information gathered under

the approved RFI Workplan along with a brief facility description and map showing the property boundary and all SWMU(s). The RFI Report must contain adequate information to support further corrective action decisions at the facility. The RFI Report shall describe the procedures, methods, and results of all investigations of SWMU(s) and their releases, including but not limited to the following:

1. Characterization of the extent, nature, direction, rate, movement and concentration of releases from the facility.
2. Characterizations of the environmental setting at the facility, including:
 - a. Hydrogeological conditions;
 - b. Climatological conditions;
 - c. Soil characteristics;
 - d. Surface water and sediment quality; and
 - e. Air quality and meteorological conditions.
3. Characterization of SWMU(s) from which releases have been or may be occurring, including unit and waste characteristics.
4. Descriptions of human and environmental systems which are, may have been, or, based on site-specific circumstances, may be exposed to release(s).
5. Information that will assist the Director in assessing risks to human health and the environment from releases from SWMU(s).
6. Extrapolations of future contaminant movement.
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 stabilization measures.
- B. After the Permittee submits the RFI Report, the Director will review the RFI Report in accordance with the procedures set forth in Permit Condition XIII of this Permit. After review of the RFI Report, if the Director determines that the objectives of the RFI have not been met, the Director may require additional investigation.

VII. Corrective Measures Study (CMS) Plan

- A. If the Director determines that there has been a release of hazardous waste and/or hazardous constituents from a SWMU that may present a threat to human health or the environment given site-specific exposure conditions, the Director may require a Corrective Measures Study (CMS) and will notify the Permittee in writing.
- B. The Permittee shall submit a CMS Workplan to the Director and EPA within forty-five (45) calendar days of notification of the requirement to conduct a CMS. The CMS Work Plan shall be consistent with the most recent version of the EPA document entitled, RCRA Corrective Action Plan; EPA/530-SW-88-028. At a minimum, the CMS Work Plan shall provide the following information:
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. The specific plans for evaluating remedies to ensure compliance with remedy standards;
 5. The schedules for conducting the study and submitting a CMS;

6. The proposed format for the presentation of information; and
 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.
- C. The Director will review the CMS Workplan in accordance with the procedures set forth in Permit Condition XIII herein. Upon approval thereof by the Department, the Permittee shall implement the plan in accordance with the schedule contained therein.

VIII. Corrective Measures Study (CMS) Report

- A. The Permittee shall submit a CMS Report to the Director and the EPA according to the schedule contained in the approved CMS Workplan. The CMS Report shall present all information gathered under the approved CMS Workplan and shall be consistent with the most recent version of the EPA document entitled, RCRA Corrective Action Plan; EPA/530-SW-88-028. 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 constituents released from solid waste management units.
 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.
 6. Assessment of institutional requirements, such as state or local Permit requirements, or other environmental or public health requirements which may substantially affect implementation of the remedy.
- B. The Director may require the Permittee to evaluate as part of the CMS one or more specific potential remedies. These remedies may include a specific technology or combination of technologies that, in the Director's judgment, achieves the standards for protection of human health and the environment.
 - C. The final report must contain adequate information to support the Director in the remedy selection decision making process.
 - D. The CMS Final Report will be reviewed in accordance with the procedures set forth in Permit Condition XIII herein.

IX. Remedy Selection

The Director will select a remedy that will (1) be protective of human health and the environment; (2) control the source(s) of release(s) so as to reduce or eliminate, to the maximum extent practicable, further releases that might pose a threat to human health and the environment; and (3) meet all applicable federal, state, and local laws and regulations. After the Director selects the remedy, a Permit modification will be initiated pursuant to 40 CFR 270.41 or 270.42 Class 3, as applicable.

X. Financial Assurance for Corrective Action

- A. Within one hundred twenty (120) days after this Permit has been modified to include a remedy, the Permittee shall demonstrate continuous compliance with the RCRA financial assurance requirements in effect at that time for corrective action being performed under Section 3004(u) of HSWA. The effective financial assurance requirement shall be

that as specified in either final regulations or regulations proposed in the Federal Register. Other financial assurance amounts and mechanisms may be used if approved by the Director or his or her designee. The amount of the financial assurance shall be based on the cost estimate required by Permit Condition VIII of this Permit.

- B. If the cost estimate increases, documentation of financial assurance for that increase shall be provided sixty (60) days following the increase in the cost estimate. Annually by March 1, the Permittee shall also adjust the cost estimate for inflation in accordance with 40 CFR 264.142(b).

XI. Supplemental Data

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

XII. Quarterly Progress Reports

- A. The Permittee shall submit to the Director and EPA a signed quarterly progress report covering all activities (e.g., SWMU Assessment, Interim Measures, RCRA Facility Investigation, Corrective Measures Study) conducted pursuant to the provisions of this Permit. Each report shall be due on the last day of the calendar quarter in accordance with Table 1. The reports shall be submitted quarterly until such time that the activities are completed. The reports shall contain:
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; and
 4. Projected work for the next reporting period.

- B. Copies of other reports (e.g., inspection reports), drilling logs and laboratory data shall be made available to the Director and EPA upon request.

XIII. Review and Approval Procedures

After submission of any plan or report, the Director will either approve or disapprove the plan or report in writing. The Permittee shall implement all approved plans according to the schedule contained in the plan.

If the Director disapproves the plan or report, the Director will notify the Permittee in writing of the plan's deficiencies and specify a due date for submittal of a revision.

If the Director disapproves the revised plan or report, the Director will modify the plan or report and notify the Permittee of the modifications. The plan or report as modified by the Director is the approved plan or report, and shall become part of this Permit.

CORRECTIVE ACTION FACILITY SUBMISSION SUMMARY

Table 1. Summary of the Planned Reporting Requirements Pursuant to this Permit.

| SUBMISSION REQUIREMENTS | DUE DATE | PERMIT CONDITIONS |
|---|---|-------------------|
| Progress Report | The last day of each calendar quarter, beginning with the calendar quarter in which the final Permit is issued. | XII |
| RFI Workplan | Within 90 calendar days of the effective date of the Permit. | V.A |
| RFI Report | According to the schedule in the approved RFI Workplan. | VI.A |
| CMS Plan | 45 calendar days after notice from the Director. | VII.B |
| CMS Report | In accordance with the schedule in the approved CMS plan. | VIII.A |
| Financial Assurance for Corrective Action | 120 calendar days after this Permit has been modified to include a remedy. | X.A |

CORRECTIVE ACTION FACILITY SUBMISSION SUMMARY (CONTINUED)

Table 2. Summary of Possible Reporting Requirements Pursuant to this Permit.

| CONDITIONAL REQUIREMENTS | DUE DATE | PERMIT CONDITIONS |
|--|--|-------------------|
| Written Notification of Newly-Identified SWMU(s) | 15 calendar days after discovery. | II.A |
| SWMU Assessment Work Plan | 30 calendar days after receipt of Director's request. | II.B |
| SWMU Assessment Report | According to the schedule in the SWMU Assessment Work Plan. | II.D |
| Written Notification of Newly-Identified Releases | 15 calendar days after discovery. | III.A |
| Newly-Identified Release Work Plan | 30 calendar days after receipt of Director's request. | III.B |
| Newly-Identified Release Report | According to the schedule in the Newly-Identified Release Work Plan. | III.D |
| Stabilization Notification | Within 24 hours of discovery of need for stabilization. | IV.A |
| Written Notification that Stabilization is not Effective | 10 calendar days after discovery. | IV.C |
| Financial Assurance Cost Estimate Increase | Within 60 calendar days following the increase of the cost estimate. | X.B |

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Figure I - SWMU Location

Figure not available due to size.
Please see hard copy.