

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES



**MISSOURI HAZARDOUS WASTE MANAGEMENT FACILITY
PART I PERMIT**

PERMIT NUMBER: MOD981127319

PERMITTEE

Owner: Lone Star Industries, Incorporated
dba Buzzi Unicem USA
100 Broadhead Road, Suite 230
Bethlehem, PA 18017

Operator: Lone Star Industries, Incorporated
dba Buzzi Unicem USA
2524 South Sprigg Street
Cape Girardeau, MO 63701

FACILITY LOCATION

Lone Star Industries, Incorporated
2524 South Sprigg Street
Cape Girardeau, MO 63701
Cape Girardeau County
North Latitude – 37°16'09"
West Longitude – 89°32'16"

FACILITY DESCRIPTION

Lone Star Industries, Incorporated operates a dry process rotary cement kiln with a four-stage preheater/precalciner at its Cape Girardeau facility. The kiln produces clinker, the main ingredient in Portland cement. Coal is the main fuel used to heat the kiln system; however, solid and liquid hazardous wastes have been used as supplemental fuel since April 1992. Most of the hazardous waste comes from off-site hazardous waste generators or third party hazardous waste blenders or brokers. The liquid hazardous wastes are blended with other hazardous waste to achieve the desired fuel characteristics, such as BTU value, metals, and chlorine content. The

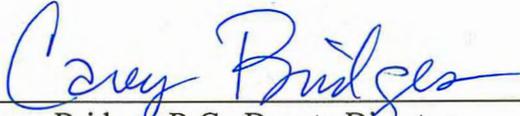
resulting wastes are stored in tanks until they are used as liquid fuel. The general facility location is shown in Figure 1. The facility property boundaries are shown in Figure 2.

PERMITTED ACTIVITIES

This Permit allows Lone Star Industries, Incorporated to store and treat “characteristic” hazardous waste and various F-, K-, P-, and U-listed hazardous wastes as specified in the Part A Permit Application. This Permit requires Lone Star Industries, Incorporated to maintain a plan for cement kiln dust handling and management. This Permit also contains contingent corrective action conditions to address any newly identified release(s) to the environment from previously or newly identified Solid Waste Management Units and Areas of Concern, as necessary and appropriate.

EFFECTIVE DATES OF PERMIT: January 30, 2020 to January 29, 2030

January 30, 2020
Date



Carey Bridges, R.G., Deputy Director
DIVISION OF ENVIRONMENTAL QUALITY

TABLE OF CONTENTS

	<u>Page</u>
INTRODUCTION	5
DEFINITIONS.....	8
SCHEDULE OF COMPLIANCE	10
SUBMITTAL OF REQUIRED INFORMATION	13
STANDARD PERMIT CONDITIONS.....	14
GENERAL PERMIT CONDITIONS.....	15
SPECIAL PERMIT CONDITIONS	16
I. 100-Year Floodplain Requirements	16
II. Storage in Containers	17
III. Storage and Treatment in Tanks	26
IV. Miscellaneous Treatment Units	35
V. Railcar Operations	44
VI. Industrial Furnace	44
VII. Waste Minimization	45
VIII. Air Emission Standards for Equipment Leaks, Tanks, and Containers	45
CORRECTIVE ACTION CONDITIONS.....	46
I. Identification of SWMUs and AOCs.....	46
II. Notification Requirements for, and Assessment of, Newly Identified SWMU(s) and AOC(s)	48
III. Notification Requirements for, and Assessment of, Newly Identified Releases from Previously Identified SWMUs and AOCs	51
IV. Interim/Stabilization Measures (ISMs).....	54
V. RCRA Facility Investigation (RFI) Work Plan	55
VI. RCRA Facility Investigation (RFI) Report.....	57
VII. Corrective Measures Study (CMS) Work Plan.....	58
VIII. Corrective Measures Study (CMS) Report.....	60
IX. Site Operation, Maintenance and Monitoring (OM&M) Plan.....	62
X. Activity and Use Limitations (AULs).....	64
XI. Annual Progress Reports.....	67

XII.	Planned and Contingent Activities.....	68
XIII.	Data.....	68
FINANCIAL ASSURANCE CONDITIONS.....		69
I.	Cost Estimates.....	69
II.	Financial Assurance.....	72
III.	Liability Requirements.....	83
FACILITY SUBMISSION SUMMARY		84

FIGURES

Figure 1 - Facility Location	88
Figure 2 - Facility Property Boundaries.....	89
Figure 3 - Location of Permitted Hazardous Waste Management Units	89
Figure 4 - Location of SWMUs and AOCs at the Facility	91

TABLES

Table 1 - Container Storage Area (CSA) Maximum Volumes.....	18
Table 2 - Storage/Treatment Tank Identification.....	26
Table 3 - Miscellaneous Units	36
Table 4 - Units Subject to Subpart CC Standards.....	45
Table 5 - Planned Submittal Requirements	84
Table 6 - Contingent Corrective Action Submittal Requirements Pursuant to the Corrective Action Conditions of this Permit.....	86

INTRODUCTION

After public notice, according to Code of State Regulations 10 CSR 25-8.124, and review of Lone Star Industries, Incorporated's *RCRA Hazardous Waste Permit Application* (hereafter referred to as the permit application), the Missouri Department of Natural Resources (hereafter referred to as the Department) determined the permit application conforms to the provisions of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (RCRA), the Missouri Hazardous Waste Management Law Sections 260.350 through 260.433, Revised Statutes of Missouri (RSMo), et seq., and all standards, rules, and regulations adopted under these acts. The federal regulations, promulgated by the U.S. Environmental Protection Agency (hereafter referred to as EPA), are codified and to be codified in Title 40 of the Code of Federal Regulations. The state rules and regulations, promulgated under the Missouri Hazardous Waste Management Law, are published in Title 10, Division 25, of the Code of State Regulations (10 CSR 25).

Pursuant to Section 260.375.13, RSMo, and the Solid Waste Disposal Act, the Department hereby approves the permit application and issues this Missouri Hazardous Waste Management Facility Part I Permit (hereafter referred to as the Permit), Permit Number MOD981127319, to Lone Star Industries, Incorporated, as the facility owner and operator (hereafter referred to as the Permittee), for operation of the hazardous waste management facility, as described in the permit application and this Permit. This Permit also includes "contingent" corrective action requirements that may be triggered, if necessary, for Solid Waste Management Units and Areas of Concern, pursuant to the state-equivalent requirements of the federal Hazardous and Solid Waste Amendments of 1984 (HSWA) to RCRA, as administered and enforced by the Department. The Department is issuing this Permit under state authority.

On July 6, 1999, Missouri received final authorization for revisions to its hazardous waste management program, including the corrective action portion of the HSWA Codification Rule (July 15, 1985, 50 FR 28702), which the state previously adopted. Thus, the corrective action requirements implemented by Missouri, in lieu of EPA, are incorporated into this Permit and are under state authority. Authority for other HSWA requirements for which Missouri has not adopted or been authorized to implement by EPA are retained by EPA. EPA is issuing a HSWA Part II Permit under federal authority, to address those HSWA regulatory requirements. This Permit shall remain in effect even if the HSWA Part II Permit is terminated or expires.

All citations to federal regulations throughout this Permit are for the sake of convenient reference. The federal regulations are incorporated by reference in 10 CSR 25. Applicable regulations are found in 10 CSR 25-3, 25-4, 25-5, 25-6, 25-7, and 25-8; and 40 C.F.R. Parts 260 through 264, 266, 268, and 270, as specified in this Permit. In instances where state regulations are more stringent, the appropriate state reference is given and shall apply.

Any appeals of this Permit, or specific permit conditions based on state authority, shall be filed according to 10 CSR 25-8.124(2). Any parties adversely affected or aggrieved by this decision may be entitled to pursue an appeal before the Administrative Hearing Commission (AHC). To appeal, the party shall file a petition with the AHC within 30 calendar days after the date this Permit was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, then it will be deemed filed on the date it is mailed. If it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC. Contact information for the AHC can be found online at ahc.mo.gov, or by calling 573-751-2422. The Department also requests a copy of any appeal request be provided to the Missouri Department of Natural Resources, Waste Management Program Director, P.O. Box 176, Jefferson City, MO 65102-0176.

The provisions of this Permit are severable. 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.

This Permit is for hazardous waste treatment, storage, and “contingent” corrective action activities, and is issued only to the Permittee named above. This Permit is issued for a period of 10 years and expires at midnight on January 29, 2030. This Permit is subject to review and modification by the Department, according to Section 260.395.12, RSMo, and 40 C.F.R. § 270.41. According to 40 C.F.R. § 270.51, if the Permittee submits a timely and complete application for a new permit and the Department, through no fault of the Permittee, is unable to issue a new permit on or before the expiration of this Permit, the conditions of this Permit will continue in force until the effective date or denial of a new permit.

All permit application information shall be made available to the public, unless the Permittee requests nondisclosure, in writing, as described in Section 260.430, RSMo, and 10 CSR 25-7.270(2)(B)2. This Permit and accompanying materials shall be available for public review at the Department’s office in Jefferson City, Missouri, and the EPA Region 7 office in Lenexa, Kansas.

The following shall collectively be referred to as the “approved permit application”:

- RCRA Part B Permit Renewal Application, Lone Star Industries, Inc. dba Buzzi Unicem USA, dated February 13, 2019.
- Additional technical information, and response to Department comments, dated September 9, 2019.

Consolidated Site Operation, Maintenance and Monitoring Plan (OM&M Plan), dated February 5, 2013, with revisions dated April 10, 2017.

The “consolidated permit application” is defined as the approved permit application, any changes resulting from the public comment period, and all additional documents required to be submitted under the Schedule of Compliance contained in this Permit. The Permittee shall maintain a copy of all documents outlined above with the consolidated permit application at the facility.

Section 260.395.12, RSMo, and 40 C.F.R. § 270.32(b)(2), require each permit issued under that section to contain terms and conditions as the Department determines necessary to protect human health and the environment. Operation of this hazardous waste management facility and any future required corrective action activities shall be according to the provisions of this Permit; the Missouri Hazardous Waste Management Law and the rules and regulations promulgated thereunder as effective on the date of this Permit; all final engineering plans, petitions, specifications, and operating procedures submitted to the Department during the permit application review process, which are included in the approved permit application; and any other conditions, changes, or additions to the engineering plans, specifications, and operating procedures as specified in this Permit. The consolidated permit application, which includes the approved permit application, is therefore incorporated by this reference into the conditions of this Permit. All conditions specified in this Permit supersede any conflicting information in the consolidated permit application. Where conflicts arise between documents, the latest revision shall be effective.

According to 40 C.F.R. Part 270 Subpart D, any inaccuracies found in information submitted by the Permittee may be grounds for terminating, revoking and reissuing, or modifying this Permit, and for potential enforcement action. The Permittee shall inform the Department of any deviation from, or changes in, the information in the application that 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 this Permit. All such changes to this Permit shall be handled according to the requirements of 10 CSR 25-8.124 and 40 C.F.R. Part 270 Subpart D.

40 C.F.R. § 264.101(a) requires all owners or operators of facilities seeking a permit for treating, storing, or disposing hazardous waste, to institute corrective action as necessary to protect human health and the environment from all releases of hazardous wastes or hazardous constituents from any Solid Waste Management Unit, regardless of the time at which waste was placed in such unit. 40 C.F.R. § 264.101(b) requires that permits issued under the Missouri Hazardous Waste Management Law contain a schedule of compliance for corrective action (where corrective action cannot be completed before permit issuance) and assurances of financial responsibility for

completing such corrective action. 40 C.F.R. § 264.101(c) requires corrective action to be taken by the facility owner or operator beyond the facility property boundary, where necessary to protect human health and the environment, unless the owner or operator demonstrates that, despite the owner or operator's best efforts, the owner or operator was unable to obtain the necessary permission to undertake such actions. 40 C.F.R. § 264.101(c) further stipulates that the owner or operator is not relieved of any responsibility to cleanup a release that has migrated beyond the facility boundary where off-site access is denied. On-site measures to address such releases shall be determined on a case-by-case basis. In addition, assurances of financial responsibility for completing such corrective action shall be provided.

The Permittee is required to comply with all applicable environmental laws and regulations enforced by the Department. These environmental laws and regulations are administered by the Air Pollution Control Program, Environmental Remediation Program, Land Reclamation Program, Missouri Geological Survey, Waste Management Program, and Water Protection Program. Failure to comply with these environmental laws and regulations may, in certain circumstances, result in suspending or revoking this Permit and may subject the permit holder to civil and criminal liability.

DEFINITIONS

For purposes of this Permit, terms used herein shall have the same meaning as those in RCRA and 40 C.F.R. Parts 260, 261, 264, 266, 268, and 270, and 10 CSR 25, unless this Permit specifically provides otherwise. Where terms are not defined in RCRA, the regulations, this 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.

“Approved Permit Application” means the original permit application and all subsequent revisions or addenda to the permit application, and any completeness and technical information submitted as referenced in the Introduction of this Permit.

“Area of Concern (AOC)” means any area where an actual or potential release of hazardous wastes or hazardous constituents that is not from a Solid Waste Management Unit, has occurred or is occurring and is determined by the Department to pose a current or potential threat to human health or the environment. Investigating and/or remediating AOCs may be required pursuant to Section 260.395, RSMo, and 40 C.F.R. § 270.32(b)(2).

“Consolidated Permit Application” means the approved permit application, any changes resulting from the public comment period, and all additional documents required to be submitted under the Schedule of Compliance contained in this Permit.

“Corrective Action” means the investigation and remediation of hazardous wastes and hazardous constituents from any past and present release(s), including contamination that may have migrated beyond the boundaries of the permitted property.

“Facility” means:

- (1) All contiguous land and structures, other appurtenances, and improvements on the land used for treating, storing, or disposing hazardous waste; and
- (2) All contiguous property under the control of the owner or operator, for the purpose of implementing corrective action under 40 C.F.R. § 264.101, and as specified in this Permit.

“Hazardous Constituent” means any chemical compound listed in 40 C.F.R. Part 261, Appendix VIII.

“Hazardous Waste” means any waste, or combination of wastes, as defined by or listed in 40 C.F.R. Part 261, that may cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness or that may pose a threat to the health of humans or other living organisms because of its quantity, concentration, physical, chemical, or infectious characteristics.

“Hazardous Waste-Derived Fuel (HWF)” means, (for the purposes of this Permit), a liquid or solid waste-derived material (as determined by the facility operating procedures, Section 18, and waste analysis plan, Section 2, in the approved permit application), that has been treated to meet the criteria for HWF as described in the approved permit application.

“Interim/Stabilization Measures (ISMs)” means actions to control or abate threats to human health or the environment from releases at hazardous waste treatment, storage, or disposal facilities, or to prevent or minimize the further spread of contamination while long-term remedies are pursued.

“Polychlorinated Biphenyl (PCB)” means any chemical substance limited to the biphenyl molecule that has been chlorinated to varying degrees, or any combination of substances that contain this substance, as described in 10 CSR 25-13.010.

“Release” means any spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping, or disposing hazardous wastes or hazardous constituents into the environment, outside of permitted primary or secondary containment. This includes

abandoning or discarding 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 managing solid or hazardous waste. Such units include any area at a facility at which solid wastes have been routinely and systematically released.

SCHEDULE OF COMPLIANCE

- I. Within 60 calendar days after the effective date of this Permit, the Permittee shall:
 - A. Submit to the Department two paper copies and one searchable electronic copy of the consolidated permit application, incorporating any changes resulting from comments on the draft Permit, as required by 10 CSR 25-7.270(2)(B)7., and defined in the Introduction of this Permit.
 - B. Submit to the Department for approval, a revised Part A permit application, including all changes resulting from comments on the draft Permit, all permitted units at the facility, and a diagram of the facility clearly outlining where each permitted unit is located.
 - C. Submit to the Department a certification signed by the Permittee that the Permittee has read this Permit in its entirety and understands all permit conditions contained in this Permit.
 - D. Submit to the Department, to the attention of the Waste Management Program, a check or money order payable to “State of Missouri” for any outstanding engineering review costs.
 - E. Submit to the Department, to the attention of the Waste Management Program, a check or money order payable to “State of Missouri” for \$1,000 for each year this Permit is to be in effect beyond the first year. This Permit is effective for 10 years. Since the Permittee submitted a \$1,000 deposit with the permit application and paid a \$1,000 permit continuation fee for the current year, the remaining balance to be submitted by the Permittee is calculated as:

$$\text{Remaining balance} = \$9,000.00 - ((\$1,000.00 \div 365 \text{ days}) \times N_d)$$

where N_d equals the number of calendar days from the expiration date of the continued permit (which coincides with the anniversary date of the original permit issuance) to the date of permit reissuance. An invoice based on the foregoing formula is included with this Permit.

- F. Submit to the Department for evaluation, an updated closure cost estimate, according to 40 C.F.R. § 264.142. This update shall include closure costs for the newly permitted tanks and railcar unloading areas, and also update the closure cost estimate for the entire facility.
 - G. Submit to the Department for approval, an updated OM&M Plan. The OM&M Plan shall comply with the requirements of this Permit, as specified in Corrective Action Condition IX.
- II. Within 30 calendar days after receiving the Department's final written response regarding review of the updated closure cost estimate, the Permittee shall submit to the Department for evaluation, all documentation necessary to demonstrate the Permittee satisfies the financial assurance criteria in 40 C.F.R. § 264.143.
 - III. Within 10 calendar days after receiving the Department's final written response regarding the draft financial assurance instrument(s), the Permittee shall execute or otherwise finalize all instruments or other documents required in order to make the selected financial assurance legally binding, as specified in Financial Assurance Condition II.B.2.
 - IV. Within 30 calendar days after receiving the Department's final written response regarding the draft financial assurance instrument(s), the Permittee shall ensure the issuing institution submits all original executed and/or otherwise finalized instruments or other documents required in order to make the selected financial assurance legally binding, as specified in Financial Assurance Condition II.B.3.
 - V. The Permittee shall maintain financial assurance for closure until such time as the Department accepts the closure certification report for all permitted hazardous waste management units at the facility, and notifies the Permittee, in writing, that the financial assurance mechanism for closure may be terminated.
 - VI. The Permittee shall comply, as necessary, with all planned and contingent corrective action requirements of this Permit, as specified in the Corrective Action Conditions of this Permit and as summarized in Table 6.

- VII. Within 90 calendar days after the effective date of this Permit, the Permittee shall submit an updated combustion risk assessment outline/protocol for the cement kiln.
- VIII. Within 270 calendar days after receiving the Department's approval of the updated risk assessment for the cement kiln, the Permittee shall submit updates to the previously approved 1998 Risk Assessment Report indicating the adequacy of the characterized risk posed by the kiln system's emissions, as modified by Schedule of Compliance Item VII.
- IX. Within two years of the effective date of this permit, the Permittee shall construct, and notify the Department of, the proposed South Railcar Unloading Area. This area shall be constructed according to the design documents included in the approved permit application.
- X. Prior to using the proposed South Railcar Unloading Area, the Permittee shall:
 - A. Submit to the Department an updated closure cost estimate for the Railcar Unloading Area;
 - B. Submit to the Department for evaluation, draft updates to the financial assurance instrument to reflect the increased closure cost estimate;
 - C. After receiving the Department's final written response regarding the draft financial assurance instrument updates, the Permittee shall execute or otherwise finalize the updates in order to make the updated financial assurance legally binding, as specified in Financial Assurance Condition II.B.2.;
 - D. Ensure the issuing institution submits all original executed and/or otherwise finalized financial assurance instruments or other documents to the Department, as specified in Financial Assurance Condition II.B.3.; and
 - E. Comply with Special Permit Condition II.B.3.a. and b.
- XI. Within two years of the effective date of this permit, the Permittee shall construct, and notify the Department of completion of construction of the South Railcar Unloading Area Unloading Tank (SF-9000) and Wash Tank (SF-10000). These tanks shall be constructed according to the design documents included in the approved permit application.

- XII. Prior to using the South Railcar Unloading Area tanks, the Permittee shall:
- A. Submit to the Department an updated closure cost estimate for the additional tanks;
 - B. Submit to the Department for evaluation, draft updates to the financial assurance instrument to reflect the increased closure cost estimate;
 - C. After receiving the Department’s final written response regarding the draft financial assurance instrument updates, the Permittee shall execute or otherwise finalize the updates in order to make the updated financial assurance legally binding, as specified in Financial Assurance Condition II.B.2.;
 - D. Ensure the issuing institution submits all original executed and/or otherwise finalized financial assurance instruments or other documents to the Department as specified in Financial Assurance Condition II.B.3;
 - E. Comply with Special Permit Condition III.F.1. through 5.;
 - F. Request authorization to operate the South Railcar Unloading Area tanks, according to 40 C.F.R. § 270.30(1)(2); and,
 - G. Allow the Department to inspect the newly constructed South Railcar Unloading Area tanks to ensure they are in compliance with the conditions of this Permit;

or

If, within 15 calendar days of the date of submitting the letter in Schedule of Compliance Item XII.F., the Permittee has not received notice of the Department’s intent to inspect, prior inspection is waived and the Permittee may begin using the South Railcar Unloading Area tanks.

SUBMITTAL OF REQUIRED INFORMATION

- I. Unless otherwise requested by the Department, the Permittee shall submit two paper copies and one searchable electronic copy of all reports, documents, plans/specifications, and consolidated permit application, required under the terms of this Permit to:

Chief, Engineering Section
Missouri Department of Natural Resources
Waste Management Program
P.O. Box 176
Jefferson City, MO 65102-0176

- II. The Permittee shall submit one paper copy and one searchable electronic copy of all reports, documents, plans/specifications, and consolidated permit application required under the terms of this Permit to:

Chief, RCRA Oversight, Authorization Grants & PCB Branch
U.S. Environmental Protection Agency Region 7
Land, Chemical & Redevelopment Division
11201 Renner Boulevard
Lenexa, KS 66219

- III. If the Permittee requires additional time to submit a scheduled document or perform other activities required by this Permit, the Permittee shall submit a written extension request to the Department according to General Permit Condition V.

STANDARD PERMIT CONDITIONS

- I. The Permittee shall comply with the requirements set forth in the Missouri Hazardous Waste Management Law and all corresponding standards, rules, and regulations adopted under this Law, Sections 260.350 through 260.433, RSMo, et seq.; 10 CSR 25-8; 40 C.F.R. Part 264 Subpart H; and 40 C.F.R. §§ 264.101, 270.10, 270.30, 270.40, 270.42, and 270.51.

- II. Application for Permit Reissuance [40 C.F.R. § 270.32(b)(2)]

According to 40 C.F.R. § 270.10(h)(1), the Permittee may submit a permit renewal application to the Department at least 180 calendar days before the expiration date of this Permit, unless the Department allows a later date. However, in order not to jeopardize timely reissuance, according to 40 C.F.R. § 270.32(b)(2), the Permittee shall submit a permit renewal application to the Department at least 24 months before the expiration date of this Permit, unless the Department allows a later date pursuant to General Permit Condition V.

GENERAL PERMIT CONDITIONS

- I. The Permittee shall comply with the applicable requirements described in 40 C.F.R. Part 264 Subparts B, C, D, E, F, G, H, I, J, X, BB, and CC; 40 C.F.R. Part 268; and 40 C.F.R. Part 270.

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

The Permittee shall, at the earliest practical moment upon discovery of an emergency involving the hazardous waste or hazardous constituents under the Permittee's control, implement the facility contingency plan, including notifying the Department's emergency response hotline at 573-634-2436 and the National Response Center at 800-424-8802.

Within 15 calendar days of the incident occurrence, the Permittee shall submit a written report to the Department providing details. The content of the written report shall conform to 40 C.F.R. § 264.56(i) and be provided to the addressees listed in the "Submittal of Required Information" provision of this Permit.

- III. This Permit does not authorize managing any non-hazardous solid waste outside the hazardous waste management processes and units described herein. Handling non-hazardous solid waste outside the requirements of this Permit is subject to regulation under Missouri's Solid Waste Management Law and regulations.

- IV. Review and Approval Procedures

- A. Financial assurance cost estimates and draft financial assurance mechanisms submitted for closure activities shall be reviewed and responded to by the Department, according to the procedures described in the Financial Assurance Conditions of this Permit.

- B. Following submission of any plan or report pertaining to sampling and analysis of hazardous waste, residues, emissions, plant sampling, odor testing, or closure or corrective action activities (excluding Annual Progress Reports, unless proposed actions to address corrective action program inadequacies are contained therein), the Department shall review and either approve or provide written comments on the plan or report. If the Department does not approve the plan or report, the Department shall notify the Permittee, in writing, of the deficiencies and specify a due date for submitting a revised plan, report, or associated activity schedule.

- C. If the Department does not approve the revised plan, report, or associated activity schedule, the Department may modify the plan, report, or schedule and notify the Permittee, in writing, of the modifications. The plan, report, or schedule, as modified by the Department, shall be the approved plan, report, or schedule.
 - D. If the Permittee disagrees with any Department-initiated plan, report, or schedule modifications, and a mutually acceptable resolution of such modifications cannot be reached informally, the Permittee may file an appeal of the Department-initiated modifications according to Sections 260.395.11 and 621.250, RSMo.
- V. Document and Activity Extension Requests
- A. If the Permittee requires additional time to submit a scheduled document or perform other activities required by this Permit, the Permittee shall submit a written extension request to the Department. Hard copy letter or e-mail are acceptable. The Department shall receive the extension request at least 15 calendar days before the scheduled document due date or activity completion date. The Permittee's extension request shall specify the amount of additional time needed and shall be accompanied by the Permittee's justification for the extension.
 - B. The Department shall review and approve the extension request according to the procedures described in General Permit Condition IV.
 - C. If the Department does not approve the extension request, the Department may modify the request and notify the Permittee, in writing, of the modification. The extension request, as modified by the Department, shall be the approved schedule.

SPECIAL PERMIT CONDITIONS

The Department established the following permit conditions for the Permittee and the hazardous waste management facility at the location specified in this Permit.

- I. 100-Year Floodplain Requirements [40 C.F.R. § 264.18(b)]
 - A. The Permittee submitted information, as required in 40 C.F.R. § 270.14(b)(11)(iii), that identifies a portion of the facility as being located in

the 100-year floodplain. As such, the Permittee shall design, construct, operate, and maintain the facility in such a manner so as to prevent washout of any hazardous waste by a 100-year flood, as required by 40 C.F.R. § 264.18(b).

- B. According to 40 C.F.R. § 270.14(b)(11)(iv), facilities located in the 100-year floodplain shall provide one of the following:
1. Demonstration that the engineering design of the facility is adequate to withstand the forces of a 100-year flood event; or
 2. Demonstration that hazardous waste can be removed in a safe and timely manner to a facility eligible to receive such waste according to hazardous waste laws and regulations.

The Permittee has chosen to comply with Special Permit Condition I.B.2. for the hazardous waste management units located within the 100-year floodplain. To fully satisfy this requirement, the Permittee shall keep, as part of the Railcar Management Plan, a detailed description of procedures to be followed to remove hazardous waste to safety before the facility is flooded, according to the requirements of 40 C.F.R. § 270.14(b)(11)(iv)(C).

II. Storage in Containers [40 C.F.R. 264 Subpart I]

Five container storage areas currently are permitted at the facility: Container Staging Area, Container Storage Room, Solids Processing Area, Bulk Truck Unloading Area, and South Railcar Unloading Area. The South Railcar Unloading Area is permitted, but not yet constructed, and shall not be operated until the requirements of Special Permit Condition II.B.3.a. and b. have been met. These areas are located as shown on Figure 3, and are subject to the requirements of 40 C.F.R. Part 264 Subpart I.

A. Waste Identification

The Permittee shall store, in the permitted container storage areas, only the hazardous wastes identified in Part A of the approved permit application. All stored wastes are subject to the terms of this Permit.

B. Waste Quantities

The maximum quantity of wastes that may be stored in each permitted container storage area is listed in Table 1:

Table 1 - Container Storage Area (CSA) Maximum Volumes

Identification	Maximum Volume (gallons)
Container Staging Area*	14,080
Container Storage Room*	50,160
Solids Processing Area*	16,720
Bulk Truck Unloading Area	30,000
South Railcar Unloading Area	120,000

For inspection purposes, the Total Stored Volume in these areas may be calculated by:

A	Number of 5-gallon containers
B	Number of 16-gallon containers
C	Number of 30-gallon containers
D	Number of 55-gallon containers
E	Number of gallons stored in off-sized containers

$$(A \times 5) + (B \times 16) + (C \times 30) + (D \times 55) + E = \text{Total Stored Volume (gallons)}$$

1. *Container Storage Building

The Container Staging Area, Container Storage Room, and Solids Processing Area are located in the Container Storage Building. The maximum quantity of wastes that may be stored at any time is 54,000 gallons between the combined areas. The individual storage areas shall be managed not to exceed the maximum volumes as listed in Table 1. The Permittee may store materials that contain free liquids in these areas, as described in this Permit and the approved permit application.

2. Bulk Truck Unloading Area

The maximum quantity of wastes that may be stored at any time is 30,000 gallons. The Permittee may store materials that contain free liquids in this area, as described in this Permit and the approved permit application.

3. South Railcar Unloading Area

The maximum quantity of wastes that may be stored at any time is 120,000 gallons. The Permittee may store materials that contain free liquids in this area, as described in this Permit and the approved permit application.

The Permittee shall construct the South Railcar Unloading Area within two years of the effective date of this Permit, according to the design documents included in the approved permit application. The Permittee shall not operate the South Railcar Unloading Area until:

- a. The Permittee has submitted to the Department, by certified mail or other traceable means of delivery, a letter signed by the Permittee and a professional engineer registered in Missouri stating the unit has been constructed according to this Permit and the approved permit application. The Permittee shall request authorization to operate according to 40 C.F.R. § 270.30(1)(2);

The Permittee also shall include with this submittal the “as-built” design drawings and specifications for the container storage area. These drawings and specifications shall be certified by a professional engineer registered in Missouri.

- b. The Department has inspected the newly constructed container storage area and finds it is in compliance with the conditions of this Permit; or

If, within 15 calendar days of the date of submitting the letter in Paragraph 3.a. of this section, the Permittee has not received notice from the Department of the intent to inspect, prior

inspection is waived and the Permittee may begin using the container storage area.

C. Condition of Containers [40 C.F.R. § 264.171]

If a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects) or if it begins to leak, the Permittee shall transfer the hazardous waste to a container that is in good condition or manage the hazardous waste in some other way that complies with the conditions of this Permit, such as over-packing.

D. Compatibility of Waste with Containers [40 C.F.R. § 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, so that the ability of the container to contain the waste is not impaired.
2. Containers meeting U.S. Department of Transportation (USDOT) standards for transporting containerized materials (40 C.F.R. Part 173) are also acceptable for storing hazardous waste.

E. Management of Containers [40 C.F.R. § 264.173]

1. A container holding hazardous waste shall always be closed during storage, except when it is necessary to add or remove waste. A container holding hazardous waste shall not be opened, handled, or stored in a manner that may rupture the container or cause it to leak or spill.
2. Except as provided for below for 3.5- to 6-gallon pails, the Permittee shall store containers in a manner that ensures physical stability and allows for visual inspection of each container and each container's label, except:
 - a. For visual inspection of containers not containing free liquids, where container size prohibits inspecting center containers when palletized, provided all contents on the pallet are clearly labeled, on the aisle-side, as to the total amounts, codes, and names of hazardous waste on the pallet; and

- b. For visual inspection of containers containing free liquids where container size prohibits inspecting center containers when palletized provided:
 - (1) The hazardous wastes within a pallet are all the same material; and
 - (2) If a container on the pallet leaks, the pallet is unloaded and the spill is remedied according to the approved permit application.
3. Containers shall not be stacked in a manner that causes leaks or spills of hazardous waste.
 - a. Drummed material shall be stacked no higher than two vertically-oriented 55-gallon sized drums.
 - b. Containers stacked on pallets shall not be stacked or placed closer than 3 feet from ceilings, any roof members, or both. The containers shall be shrink-wrapped in plastic to stabilize the palletized stacks.
 - c. Class I flammable liquids, as defined in the National Fire Protection Association's "Flammable and Combustible Liquids Code" (NFPA 30, as revised 1996), shall be stacked no higher than 5 feet.
 - d. Class II combustible liquids, as defined in the National Fire Protection Association's "Flammable and Combustible Liquids Code" (NFPA 30, as revised 1996), shall be stacked no higher than 10 feet.
4. All containers shall be arranged so there is a minimum of 4 feet of aisle space maintained between rows of adjacent containers, allowing accessibility to each individual container for inspection. Double pallet rows may be used, as long as a minimum of one-half foot of spacing is maintained between the pallets within the row, allowing for inspection, and all container labels shall be visible from an aisle.

5. The aisle space between rows shall be maintained to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation.
6. The container storage areas shall be delineated clearly with tape or painted lines on the floor of the facility. Rows within the container storage areas also shall be delineated with tape or painted lines on the floor of the facility.
7. The Permittee shall manage 3.5- to 6-gallon pails according to the following requirements:
 - a. The Permittee shall store pails in a manner that ensures physical stability.
 - b. Adequate spacing shall be maintained between the pallets within the row, to allow inspecting the outer row of containers on the pallet.
 - c. All labels on the outer row of pails shall be visible.
 - d. The Permittee shall not store any wastes that contain free liquids in 3.5- to 6-gallon pails.
 - e. Pallets containing pails shall not be stacked more than two pallets high.
 - f. The maximum number of pails on a pallet shall not exceed 48 pails, arranged in 3 levels, with 16 pails per level.

F. Labeling and Marking [40 C.F.R. § 268.50]

Each container shall be marked clearly to identify its contents with the following:

1. The words “Hazardous Waste”;
2. The date of receipt or date when accumulation begins;

3. The applicable EPA hazardous waste code(s) or a nationally recognized electronic system, such as bar coding; and
 4. An indication of the hazards of the contents, such as:
 - a. The applicable hazardous waste characteristic(s);
 - b. Hazard communication consistent with the applicable, currently-effective USDOT requirements in 49 C.F.R. Part 172 Subpart E (labeling) or Subpart F (placarding);
 - c. A hazard statement or pictogram consistent with the Occupational Safety and Health Administration Hazard Communication Standard at 29 C.F.R. § 1910.1200; or
 - d. A chemical hazard label consistent with the National Fire Protection Association's "Standard System for the Identification of the Hazards of Materials for Emergency Response" (NFPA 704)
- G. Inspections [40 C.F.R. § 264.174]
1. At least weekly, and according to the schedule found in Attachment 4-C of the approved permit application, the Permittee shall inspect areas where containers are stored, looking for leaking containers and for deterioration of containers and the containment system caused by corrosion or other factors.
 2. At least weekly, the Permittee shall inspect the floor around the containers looking for cracks. At least annually, the Permittee shall inspect the entire floor for cracks, including the areas under the containers. The annual inspection requirement may be met by partial inspections of the floor during movement of containers in and out of the container storage areas. If cracks are found in the floor, repairs shall begin within 10 calendar days of identifying the cracks. Inspection results and any repairs shall be recorded in the facility operating record.
 3. The South Railcar Unloading Area and Bulk Truck Unloading Area shall be inspected daily, during periods of operation, according to the

approved permit application. The inspection shall include looking for leakage from or accumulating liquid under trailers, roll-off boxes, and rail tank cars. Any indication of leakage shall be managed properly and the affected trailer shall be unloaded immediately.

H. Containment [40 C.F.R. § 264.175]

The Permittee shall design and operate containment systems for the CSAs, as follows:

1. A base shall underlie the containers, which is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated precipitation until the collected material is detected and removed.
2. The base shall be sloped or the containment system shall be otherwise designed and operated to drain and remove liquids resulting from leaks, spills, or precipitation, unless the containers are elevated or are otherwise protected from contact with accumulated liquids.
3. The containment system shall have sufficient capacity to contain 10 percent of the volume of the maximum volume of all containers permitted for the area or 100 percent of the volume of the largest container, whichever is greater. Containers that do not contain free liquids need not be considered in this determination.
4. Run-on into the containment system shall be prevented unless the collection system has sufficient excess capacity in addition to that required in Special Permit Condition II.H.3. to contain any run-on that might enter the system.
5. Spilled or leaked waste and accumulated precipitation shall be removed from the sump or collection area, and the area shall be cleaned up, in as timely a manner as is necessary to prevent releases to the environment and provide for protection of on-site personnel.

I. Temporary Management [40 C.F.R. § 270.32(b)(2)]

A container holding hazardous waste shall not be temporarily managed in an area of the facility not addressed by this Permit for a period that exceeds 24 consecutive hours. Temporary management shall only take place in the areas

so designated in the approved permit application. Overall hazardous waste transportation shall be in compliance with the time frames or approval requirements of 10 CSR 25-6.263(2)(A)10. Railcars shall be unloaded and managed according to requirements of the Railcar Management Plan, Section 23 in the approved permit application, and within 10 calendar days (plus 24 hours to account for Saturdays, Sundays, or holidays) per 10 CSR 25-7.264(3)(B)(2).

- J. Special Requirements for Ignitable or Reactive Waste [40 C.F.R. § 264.176]
1. The Permittee shall maintain the facility, as illustrated in the approved permit application, in a manner that complies with 40 C.F.R. § 264.176.
 2. Containers holding ignitable or reactive waste shall be located at least 50 feet from the facility's property line.
- K. Special Requirements for Incompatible Waste [40 C.F.R. § 264.177]
1. The Permittee shall not place incompatible hazardous wastes or materials in the same container, unless such action complies with the requirements of 40 C.F.R. § 264.17(b).
 2. The Permittee shall not place hazardous waste in an unwashed container that previously held an incompatible waste or material.
 3. The Permittee shall separate by device (i.e., a dike or other physical means), containers of incompatible waste or materials. No incompatible waste or materials may be stored together in the container storage areas without providing separation sufficient to prevent the mixing of any spilled materials that may be incompatible.
- L. Closure [40 C.F.R. Part 264 Subpart G]

At closure, the Permittee shall remove all solid and hazardous waste and hazardous waste residues from the container storage areas and containment systems and close according to the Closure Plan, Section 12 of the approved permit application. If the Permittee is unable to close according to the approved Closure Plan, the Permittee shall submit a permit modification to the

Department, according to 40 C.F.R. § 270.42., addressing any necessary changes to the approved Closure Plan.

III. Storage and Treatment in Tanks [40 C.F.R. Part 264 Subpart J]

Nine tanks currently are permitted and operating at the facility: Tanks SF-1000 through SF-8000, and the Mix Tank. Tanks SF-9000 and SF-10000 are permitted, but not yet constructed, and shall not be operated until the requirements of Schedule of Compliance Items XI. and XII. and Special Permit Condition III.F. are met. These tanks are located as shown on Figure 3, and are subject to the requirements of 40 C.F.R. Part 264 Subpart J.

A. Waste Identification

The Permittee shall store and treat in tanks only the hazardous wastes identified in Part A of the approved permit application. All stored and treated wastes are subject to the terms of this Permit and shall be managed as hazardous waste. No TSCA PCB wastes shall be stored in tanks without EPA TSCA approval and modification of this Permit.

B. Waste Quantities

This Permit applies to the storage/treatment tanks contained in Table 2.

Table 2 - Storage/Treatment Tank Identification

Tank Name	Tank Function	Tank Volume (gallons)	Tank Throughput (gallons/day)
Mix Tank	Disperser Tank*	1,100	45,500
SF-1000	Storage/Blend Tank	40,000	40,000
SF-2000	Storage/Blend Tank	40,000	40,000
SF-3000	Storage/Blend Tank	40,000	40,000
SF-4000	Storage/Blend Tank	40,000	40,000
SF-5000	Storage/Blend Tank	40,000	40,000
SF-6000	Storage/Blend Tank	40,000	40,000

SF-7000	Burn Tank	150,000	150,000
SF-8000	Burn Tank	150,000	150,000
SF-9000	Railcar Storage/Blend Tank	180,000	180,000
SF-10000	Railcar Wash Tank	90,000	90,000

* Disperser tank has an agitator used to suspend solids prior to pumping to a storage/blend tank.

C. The Permittee shall meet the requirements of 40 C.F.R. Part 264 Subpart J for blending hazardous waste in tanks before burning and for physically treating hazardous waste in tank systems.

D. Permitted Treatment

The Permittee shall perform only blending, grinding, and filtration treatment of Hazardous Waste-Derived Fuel (HWF) in the identified tanks, and ancillary equipment to those tanks, as specified in Special Permit Conditions III.A. and III.B.

E. Assessment of Existing Tank System Integrity [40 C.F.R. § 264.191]

The Permittee’s Tanks SF-1000 through SF-8000 and the Mix Tank qualify as existing tank systems. The Permittee has provided a written tank integrity assessment for the existing tanks, as required by 40 C.F.R. § 264.191(a). The Permittee shall keep the written assessment on file at the facility.

F. Design and Installation of New Tank Systems or Components [40 C.F.R. § 264.192]

1. Before operating any new tank systems at the facility, the Permittee shall obtain and submit to the Department a written assessment, reviewed and certified by a professional engineer registered in Missouri, according to 40 C.F.R. § 270.11(d). This assessment shall include a final design set of certified construction drawings, and shall show the foundation, structural supports, seams, connections, and pressure controls are adequately designed to ensure the tank systems

will not collapse, rupture, or fail. This assessment shall be subject to the regulatory review and approval process.

2. The Permittee shall ensure proper handling procedures are adhered to in order to prevent damage to new tank systems during installation. Before placing new tank systems in use, an independent, qualified installation inspector or a professional engineer registered in Missouri, either of whom is trained and experienced in properly installing tank systems or components, shall inspect the systems for weld breaks, punctures, scrapes of protective coatings, cracks, corrosion, and other indications of structural damage or inadequate construction or installation. All deficiencies noted during the inspection shall be remedied before the tank systems are placed in use.
 3. The Permittee shall test all new tanks and ancillary equipment for tightness before being placed in use. If a tank system is found not to be tight, all repairs necessary to remedy the leak(s) in the system shall be performed before the tank system is placed in use.
 4. The Permittee shall ensure all ancillary equipment is supported and protected against physical damage and excessive stress due to settlement, vibration, expansion, or contraction.
 5. The Permittee shall obtain, and keep on file at the facility, written statements by those persons required to certify the design of the tank systems and supervise the installation and repairs of the tank systems, according to the requirements of 40 C.F.R. §§ 264.192(b) through (f).
- G. Containment and Detection of Releases [40 C.F.R. § 264.193]
1. In order to prevent the release of hazardous waste or hazardous constituents to the environment, the Permittee shall provide for all of its tank systems, secondary containment that meets the requirements of 40 C.F.R. § 264.193.
 2. Secondary containment systems shall be:
 - a. Designed, installed, and operated to prevent any wastes or accumulated liquid from migrating out of the system to the

soil, groundwater, or surface water at any time during the use of the tank system; and

- b. Capable of detecting and collecting releases and accumulated liquids until the collected material is removed.
3. To meet the requirements of 40 C.F.R. § 264.193(b), secondary containment systems shall be, at a minimum:
 - a. Constructed of, or lined with, materials that are compatible with the wastes to be placed in the tank systems and shall have sufficient strength and thickness to prevent failure owing to pressure gradients (including static head and external hydrologic forces), physical contact with the waste to which the materials are exposed, climatic conditions, and the stress of daily operation (including stresses from nearby traffic);
 - b. Placed on a foundation or base capable of providing support to the secondary containment system, resistance to pressure gradients above and below the system, and capable of preventing failure due to settlement, compression, or uplift;
 - c. Provided with a leak detection system that is designed and operated so it will detect the failure of either the primary or secondary containment structure, or the presence of any release of hazardous waste or accumulated liquid in the secondary containment system within 24 hours, or at the earliest practicable time if the Permittee is able to demonstrate to the Department's satisfaction that existing detection technologies or site conditions will not allow detection of a release within 24 hours and that a specified additional amount of time is necessary; and
 - d. Sloped or otherwise designed or operated to drain and remove liquids resulting from leaks, spills, or precipitation. Spilled or leaked waste and accumulated precipitation shall be removed from the secondary containment system within 24 hours, or in as timely a manner as is possible to prevent harm to human health or the environment, if the Permittee is able to demonstrate to the Department's satisfaction that removing the

released waste or accumulated precipitation cannot be accomplished within 24 hours.

If the collected material is a hazardous waste under 40 C.F.R. Part 261, it shall be managed as a hazardous waste. If the collected material is discharged through a point source to waters of the state, it is subject to the requirements of Chapter 644, RSMo, as amended. If the collected material is discharged to a Publicly Owned Treatment Works, it is subject to the requirements of Chapter 644, RSMo, and its implementing regulations. The collected material only may be released into the environment upon written approval from the Department's Water Protection Program. If the collected material is released to the environment, it may be subject to the reporting requirements of 40 C.F.R. Part 302. The Permittee shall be required to obtain an approval from the Water Protection Program before discharge.

4. Secondary containment for tanks shall include one or more of the following devices: a liner (external to the hazardous waste storage tank); a vault; a double-walled tank; or an equivalent device as approved by the Department. The design, construction, and operation of these devices shall satisfy the requirements of 40 C.F.R. § 264.193(e).
 5. Ancillary equipment shall be provided with secondary containment (e.g., trench, jacketing, double-walled piping) that meets the requirements of 40 C.F.R. §§ 264.193(b) and (c), except for the following tank system components that are inspected visually for leaks on a daily basis: above ground piping (exclusive of flanges, joints, valves, and other connections); welded flanges, welded joints, and welded connections; sealless or magnetic coupling pumps and sealless valves; and pressurized above ground piping systems with automatic shut-off devices.
- H. General Operating Requirements [40 C.F.R. § 264.194]
1. The Permittee shall not place hazardous wastes or treatment reagents in a tank system if they could cause the tank, its ancillary equipment, or the containment system to rupture, leak, corrode, or otherwise fail.

2. The Permittee shall use appropriate controls and practices to prevent spills and overflows from tank or containment systems. These shall include at a minimum:
 - a. Spill prevention controls such as, but not limited to, check valves and dry disconnect couplings; and
 - b. Overfill prevention controls such as, but not limited to, level sensing devices, high-level alarms, automatic feed cutoffs, or a bypass to standby tanks, which limit tank working volumes.

I. Inspections [40 C.F.R. § 264.195]

The Permittee shall inspect all tanks and tank systems as specified in this permit condition and Section 4 of the approved permit application. At a minimum, a professional engineer registered in Missouri shall test all permitted tanks by ultrasonic methods for material thickness and perform a detailed visual inspection. These tests and inspections shall be made at regular intervals, once per calendar year.

1. The Permittee shall develop and follow a schedule and written procedures for inspecting overfill controls. This schedule shall specify a minimum frequency of once each month for testing the electronic overfill control system. This information shall be recorded in the facility operating record.
2. The Permittee shall inspect at least once each operating day:
 - a. Above ground portions of the tank systems to detect corrosion or releases of waste;
 - b. Data gathered from monitoring and leak detection equipment to ensure the tank system is being operated according to its design; and
 - c. The construction materials and the area immediately surrounding the externally accessible portion of the tank system, including the secondary containment system, to detect erosion or signs of releases of hazardous waste.

3. The Permittee shall document these inspections in the facility operating record. Any deterioration or malfunction found shall be remedied according to 40 C.F.R. § 264.15(c). In addition, 40 C.F.R. § 302.6 may require the Permittee to notify the National Response Center in the event of a release.

J. Response to Leaks or Spills and Disposition of Leaking or Unfit-for-Use Tanks Systems [40 C.F.R. § 264.196]

A tank system or secondary containment system from which there has been a leak or spill, or which is unfit for use, shall be removed from service immediately, and the Permittee shall satisfy the following requirements:

1. The Permittee shall immediately stop the flow of hazardous waste into the tank system or secondary containment system and inspect the system to determine the cause of the release.
2. Remove waste from tank systems or secondary containment systems:
 - a. If the release was from the tank system, within 24 hours after detecting the leak, the Permittee shall remove as much of the waste as is necessary to prevent further release of hazardous waste into the environment and to allow inspection and repair of the tank system to be performed.
 - b. If the material released was to a secondary containment system, the Permittee shall remove all released materials from the secondary containment system within 24 hours.
3. The Permittee shall immediately conduct an inspection of the release and, based upon that inspection, shall:
 - a. Prevent further migration of the leak or spill to soils or surface water; and
 - b. Remove and properly dispose of any contaminated soil and/or surface water.

4. Notification and Reports
 - a. Any release outside of secondary containment, except a release that is exempt under 40 C.F.R. § 264.196(d)(2), shall be reported to the Department within 24 hours of its detection. If the release has been reported pursuant to 40 C.F.R. Part 302, that report shall satisfy this requirement.
 - b. A leak or spill of non-acute hazardous waste to the environment is exempt from notification and reporting requirements if it is less than or equal to a quantity of 1 pound and immediately is contained and cleaned up.
 - c. Within 30 calendar days of detecting a release to the environment, the Permittee shall submit a report to the Department that details the likely route of migration of the release; characteristics of the surrounding soil (soil composition, geology, hydrogeology, climate); the results of any monitoring or sampling conducted in connection with the release (if available; when these results are not available within 30 calendar days, these results shall be submitted as soon as they become available); proximity to downgradient drinking water, surface water, and populated areas; and descriptions of response actions taken or planned.
5. The tank system shall be closed according to Special Permit Condition III.M., unless the Permittee satisfies the following requirements:
 - a. If the cause of the release was a spill that has not damaged the integrity of the system, the Permittee may return the system to service as soon as the released waste is removed and repairs, if necessary, are made;
 - b. If the cause of the release was a leak from the primary tank system into the secondary containment system, the system shall be repaired before returning the tank system to service; and
 - c. If the source of the release was a leak to the environment from a tank system component without secondary containment, the

Permittee shall comply with the provisions of 40 C.F.R.
§ 264.196(e)(4).

6. The Permittee shall provide certification of major repairs to tank systems from which there has been a leak or spill, or which was unfit for use, according to 40 C.F.R. § 264.196(f).
- K. Special Requirements for Ignitable or Reactive Waste [40 C.F.R. § 264.198]
1. The Permittee shall not place ignitable or reactive waste in tank systems, unless it meets one of the following conditions:
 - a. The waste is treated, rendered, or mixed before or immediately after placement in the tank system so that the resulting waste, mixture, or dissolved material no longer meets the definition of ignitable or reactive waste in 40 C.F.R. Part 261, and the Permittee complies with 40 C.F.R. § 264.17(b); or
 - b. The waste is stored or treated in such a way that it is protected from any material or conditions that may cause the waste to ignite or react; or
 - c. The tank system is used solely for emergencies.
 2. The Permittee shall comply with the requirements for maintaining protective distances between tanks storing ignitable or reactive wastes and any public ways, streets, alleys, or any adjoining property 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," (NFPA 30, 1977 or 1981).
- L. Special Requirements for Incompatible Wastes [40 C.F.R. § 264.199]
1. The Permittee shall not place incompatible wastes or materials in the same tank system, unless such action complies with the requirements of 40 C.F.R. § 264.17(b).
 2. The Permittee shall not place hazardous waste in a tank system that has not been decontaminated and that previously held an incompatible

waste or material, unless the Permittee complies with 40 C.F.R. § 264.17(b).

M. Closure [40 C.F.R. § 264.197]

1. At closure, the Permittee shall remove or decontaminate all hazardous waste and hazardous residues from the tank systems, including, but not limited to: contaminated tank system components (liners, etc.), contaminated soils, and contaminated equipment and structures, and close according to the Closure Plan included in the approved permit application. If the Permittee is unable to close according to the Closure Plan, the Permittee shall submit a permit modification to the Department, according to 40 C.F.R. § 270.42. The Closure Plan, closure activities, closure cost estimates, and financial responsibility for tank systems shall meet all requirements specified in 40 C.F.R. Part 264 Subparts G and H.
2. If the tank system cannot meet the closure requirements and contamination exists, or the tank system is intended to be closed without removing the hazardous waste or hazardous constituents to below acceptable risk-based levels, the tank system shall be closed according to the requirements of 40 C.F.R. Part 264 Subpart N, and Special Permit Condition III.M.1.

IV. Miscellaneous Treatment Units [40 C.F.R. Part 264 Subpart X]

Nine miscellaneous treatment units currently are permitted at the facility: Drum Processing Unit, one Truck Wash Agitation Unit, one Railcar Wash Agitation Unit, three Bulk Container Fluidization Units, and three Railcar Agitation Units. These units are located as shown on Figure 3, and are subject to the standards for miscellaneous physical and chemical treatment units in 40 C.F.R. Part 264 Subpart X.

- A. The term “miscellaneous unit” is used to address the devices, processes, and process capacities to be located in the buildings identified in Table 3 and below:

Table 3 - Miscellaneous Units

Unit	Location	Capacity (gallons/day)
Drum Processing Unit	Solids Processing Area	33,000
Truck Wash Agitation Unit	Truck Unloading Area	48,000
Railcar Wash Agitation Unit	South Railcar Unloading Area	30,000
Bulk Container Fluidization Unit(s)	Truck Unloading Area	48,000
Railcar Agitation Unit(s)	South Railcar Unloading Area	180,000

1. Drum Processing Unit

This unit is located within the Solids Processing Area. The unit and process is used to mechanically remove solid HWF from drums, followed by mixing with liquid HWF in the Mix Tank, and then pumped to one of the six storage/blending tanks in the nearby tank farm. The process is permitted for 33,000 gallons of treatment per day.

2. Truck Wash Agitation Unit

This unit is located within the Truck Unloading Area. The unit and process rinses the residues from within the truck container, rendering the container RCRA-empty. The unit is lowered into the truck container before rotating nozzles spray thin liquids at high pressure, removing adhered material from the walls. The liquid and solids are then pumped to one of the six storage/blending tanks in the nearby tank farm. The process is permitted for 48,000 gallons of treatment per day.

3. Railcar Wash Agitation Unit

This unit is located within the South Railcar Unloading Area. The unit and process rinses the residues from within the railcar container, rendering the container RCRA-empty. The unit is lowered into the railcar container before rotating nozzles spray thin liquids at high pressure, removing adhered material from the walls. The liquid and

solids are then pumped to the storage/blending tank nearby. The process is permitted for 30,000 gallons of treatment per day.

4. Bulk Container Fluidization Unit(s)

These units are located within the Truck Unloading Area. The units and process are intended to fluidize solid hazardous waste into a pumpable form. Each mixing unit consists of an agitator with mixing paddles. The unit enters a truck container's compartment vertically and thin, lower viscosity liquids are then blended with the non-pumpable sludge. The mixture is then pumped to one of the six storage/blending tanks in the nearby tank farm. The process is permitted for 48,000 gallons of treatment per day.

5. Railcar Agitation Unit(s)

These units are located within the South Railcar Unloading Area. The units and process are intended to fluidize solid hazardous waste into pumpable form. Each mixing unit consists of an agitator with mixing paddles. The unit enters a railcar container's compartment vertically and thin, lower viscosity liquids are then blended with the non-pumpable sludge. The mixture is then pumped to the storage/blending tank nearby. The process is permitted for 180,000 gallons of treatment per day.

B. Waste Identification [40 C.F.R. § 264.601]

The Permittee may treat only the hazardous wastes identified in Part A of the approved permit application, subject to the terms of this Permit. All miscellaneous treatment processes performed according to this Permit shall be subject to the terms of 40 C.F.R. Part 264 Subparts I, J, BB, and CC, and shall only be performed within the areas identified in Special Permit Condition IV.A.

C. Containment [40 C.F.R. §§ 264.175 and 264.601]

The Permittee shall design and operate containment systems for the treatment areas as follows:

1. A base shall underlie the containers, which is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated precipitation until the collected material is detected and removed.
2. The base shall be sloped or the containment system shall be otherwise designed and operated to drain and remove liquids resulting from leaks, spills, or precipitation unless the containers are elevated or are otherwise protected from contact with accumulated liquids.
3. The containment system shall have sufficient capacity to contain 10 percent of the volume of the maximum volume of all containers permitted for the area or 100 percent of the volume of the largest container, whichever is greater. Containers that do not contain free liquids need not be considered in this determination.
4. Run-on into the containment system shall be prevented unless the collection system has sufficient excess capacity in addition to that required in Special Permit Condition IV.C.3., to contain any run-on that might enter the system.
5. Spilled or leaked waste and accumulated precipitation shall be removed from the sump or collection area, and the area shall be cleaned up, in as timely a manner as is necessary to prevent releases to the environment and provide for protection of on-site personnel.

D. Operating Requirements [40 C.F.R. § 264.601]

1. The Permittee shall not place hazardous waste or treatment reagents in the treatment units if they could cause any component of that treatment unit to rupture, leak or otherwise fail.
2. The Permittee shall ensure proper operation and maintenance of all automatic equipment that prevents spills and overflows from a treatment device or containment system.
3. The Permittee shall use only the mechanical treatment devices specified in the approved permit application for treating hazardous waste.

4. The Permittee shall operate all miscellaneous treatment units only according to the manufacturer's applicable operating manuals and as described in the approved permit application.
5. At all times the miscellaneous units are operating, the air emissions control equipment shall be operating and fully functional.

E. Monitoring Requirements

The Permittee shall maintain, calibrate, and operate continuous monitors that monitor and record the operating parameters and conditions used to verify compliance with the limits and operating parameters specified in this Permit, including any parameters used in calculations.

F. Response to Leaks or Spills [40 C.F.R. §§ 264.196 and 264.601]

1. In the event of a leak or a spill from the treatment system, or from a secondary containment system, or if a system becomes unfit for continued use, the Permittee shall remove the system from service immediately and complete the following actions:
 - a. Stop the flow of hazardous waste into the system, remove existing waste, and inspect the system to determine the cause of the release.
 - b. Remove waste from the system within 24 hours of detecting the leak to prevent further release and to allow inspection and repair of the system. If the Permittee finds it will be impossible or impractical to meet this time period, the Permittee shall notify the Department and demonstrate why a longer time period is required.

If the collected material is a hazardous waste, it must be managed according to all applicable requirements of 40 C.F.R. Parts 262, 263, 264, 266, and 270. The Permittee shall note that if the collected material is discharged through a point source to public waters or to a Publicly Owned Treatment Works, it is subject to requirements of the Clean Water Act.

- c. The Permittee shall immediately conduct a visual inspection of all releases to the environment and, based on that inspection:
 - (1) Prevent further migration of the leak or spill to soils, surface water, and/or groundwater;
 - (2) Remove and properly dispose any visible contamination of the soil or surface water; and
 - (3) Determine the extent of contamination to the soil, surface water, or groundwater.
2. In the event of equipment failure:
 - a. For a release caused by a spill that has not damaged the integrity of the treatment system, the Permittee shall remove the released waste and make any necessary repairs to fully restore the integrity of the system before returning the treatment system to service.
 - b. For a release caused by a leak from a treatment unit to the secondary containment system, the Permittee shall repair the treatment unit before returning it to service. The material released shall be removed thoroughly from the affected area.
 - c. If the Permittee replaces a component of the treatment system to eliminate the leak, that component must satisfy the requirements for new tank systems or components required by 40 C.F.R. §§ 264.192 and 264.193.
3. For all major repairs to eliminate leaks or restore the integrity of the treatment system, the Permittee must obtain a certification by a qualified professional engineer registered in Missouri, before returning the system to service. The certification must state the repaired system is capable of handling hazardous wastes permitted for treatment within the unit without release for the intended life of the system.

G. Inspection Schedules and Procedures [40 C.F.R. § 264.602]

1. The Permittee shall inspect the treatment systems according to the Inspection Schedule specified in Section 4 of the approved permit application.
2. The Permittee shall inspect once each operating day:
 - a. All visible portions of each of the units to detect corrosion, fugitive emissions, or releases of waste or treatment residues;
 - b. Data gathered from monitoring and leak detection equipment (e.g., pressure or temperature gauges) to ensure each unit is being operated according to its design and this Permit; and
 - c. Floors for any residual waste material that has not been removed.
3. The Permittee shall visually inspect equipment used to manage liquids daily for leaks, spills, or other releases of hazardous waste.
4. The Permittee shall inspect the vapor recovery systems to ensure solvent vapor breakthrough has not occurred through the granular activated carbon canisters. The Permittee may use evaporative emission monitoring devices such as a Photo-ionization detector (PID) or other related device.
5. The Permittee shall document compliance with Special Permit Condition IV.G.4., and record and maintain the information in the facility operating record.

H. Recordkeeping and Reporting [40 C.F.R. § 264.602]

1. The Permittee shall keep a record of all incoming and outgoing shipments of hazardous waste on file at the facility.
2. The Permittee shall report to the Department, within 24 hours of detection, when a leak or spill occurs from the treatment systems or secondary containment system to the environment, except for:

- a. A leak or spill of one pound or less of hazardous waste that immediately is contained and cleaned up at the time of release, or within one shift change at the facility; and
 - b. Releases that are contained within a secondary containment system and cleaned up within 24 hours of release.
3. Within 30 calendar days of detecting a release to the environment from the treatment system or secondary containment system, the Permittee shall report the following information to the Department:
 - a. Likely route of migration of the release;
 - b. Results of any monitoring or sampling conducted in connection with the release. If the Permittee finds it will be unable to meet this time period, the Permittee shall provide the Department with a schedule of when the results will be available. This schedule must be provided before the required 30-day submittal period expires;
 - c. Proximity of downgradient drinking water, surface water, and populated areas;
 - d. Description of response actions taken or planned; and
 - e. Description of countermeasures needed to preclude migration to or in any and all media, including, but not limited to, information specified in all provisions of 40 C.F.R. §§ 264.601(a), (b), or (c), as deemed appropriate by the Department.
4. Within seven calendar days of the unit being returned to use, the Permittee shall submit to the Department, all certifications of major repairs to correct leaks, which shall be consistent with the specifications found in the approved permit application.
5. The Permittee shall obtain, and keep on file at the facility, written statements by those persons required to certify the design and installation of the miscellaneous treatment unit.

6. The Permittee shall keep on file at the facility, the written assessment of each miscellaneous treatment unit's integrity.
 7. The Permittee shall maintain, calibrate, and operate all continuous monitoring systems used to monitor operating parameters required by Special Permit Condition IV.E., and all continuous monitoring systems specified in the approved permit application for each miscellaneous treatment unit.
- I. Special Requirements for Ignitable or Reactive Wastes [40 C.F.R. §§ 264.17 and 264.601]
1. The Permittee shall not place ignitable or reactive waste in the treatment system or secondary containment system, unless the procedures specified in the approved permit application are followed.
 2. The Permittee shall comply with the requirements for maintaining protective distances between the waste management areas 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" (NFPA 30, as revised 1996).
- J. Special Requirements for Incompatible Wastes [40 C.F.R. §§ 264.17 and 264.601]
1. The Permittee shall not place incompatible wastes or materials in any of the miscellaneous treatment units, unless such action complies with the requirements of 40 C.F.R. §§ 264.17(b) and (c).
 2. The Permittee shall not place incompatible wastes or materials in the same treatment system or secondary containment system, unless such action complies with the requirements of 40 C.F.R. § 264.17(b).
 3. The Permittee shall not place hazardous wastes or materials in a treatment system that has not been decontaminated and that previously held an incompatible waste or material, unless such action complies with the requirements of 40 C.F.R. §§ 264.17(b) and (c).

K. Testing

1. Within 60 calendar days after receiving a request from the Department, the Permittee shall submit a test plan to the Department, in order to conduct sampling and analysis of the hazardous waste, residues, and emissions produced by the units. The Department may request a new or revised plan for conducting such testing. The Department shall review and approve any test plan according to the procedures described in General Permit Condition IV., before its implementation.
2. The Permittee shall notify the Department, in writing, of the testing at least 30 calendar days before its initiation. The testing shall be completed within 30 calendar days after initiation and the results reported to the Department within 90 calendar days after completion.

L. Closure [40 C.F.R. § 264.601 and 40 C.F.R. Part 264 Subparts G and H]

At closure, the Permittee shall remove or decontaminate all hazardous waste and hazardous waste residues from the miscellaneous unit, including, but not limited to: contaminated tank system components (liners, etc.), contaminated soils, and contaminated equipment and structures, and close according to the Closure Plan, Section 12 of the approved permit application. If the Permittee is unable to close according to the Closure Plan, the Permittee shall submit a permit modification to the Department, according to 40 C.F.R. § 270.42. The Closure Plan, closure activities, cost estimates for closure, and financial responsibility for the miscellaneous units shall meet all requirements specified in 40 C.F.R. Part 264 Subparts G and H.

V. Railcar Operations [10 CSR 25-7.264(3)]

The Permittee shall comply with the applicable requirements of 10 CSR 25-7.264(3) and the Railcar Management Plan, Section 23 of the approved permit application.

VI. Industrial Furnace [40 C.F.R. Part 266 Subpart H]

Pursuant to 40 C.F.R. § 266.101, the provisions of the HSWA Part II Permit, Industrial Furnace Conditions, are incorporated by reference herein, including any re-issuance of the Part II Permit.

VII. Waste Minimization [40 C.F.R. § 264.73(b)(9)]

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

VIII. Air Emission Standards for Equipment Leaks, Tanks, and Containers [40 C.F.R. Part 264 Subparts BB and CC]

- A. The Permittee shall comply with the applicable requirements of 40 C.F.R. Part 264 Subpart BB, for all units identified in the approved permit application.
- B. According to 40 C.F.R. § 270.42, Appendix I.B.4., a Class 2 Permit Modification is required for changes to the frequency or content of an inspection schedule. However, due to the frequent additions and pipe configuration changes to the existing piping at the facility, the Department will allow processing of these types of changes as a Class 1 Permit Modification with Prior Department Approval, in lieu of the referenced Class 2 Permit Modification requirement.
- C. The Permittee shall comply with the applicable requirements of 40 C.F.R. Part 264 Subpart CC, for all units identified in Table 4.

Table 4 - Units Subject to Subpart CC Standards

Unit Identification	Unit Type	Subpart CC Control Option
Tanks SF-1000 through SF-10000	Tank	40 C.F.R. § 264.1084
Mix Tank	Tank	40 C.F.R. § 264.1084
Container Storage Building Container Staging Area Container Storage Room Solids Processing Area	Container	40 C.F.R. § 264.1086

Unit Identification	Unit Type	Subpart CC Control Option
Bulk Truck Unloading Area	Container	40 C.F.R. § 264.1086
South Railcar Unloading Area	Container	40 C.F.R. § 264.1086

CORRECTIVE ACTION CONDITIONS

The Permittee shall comply with all applicable corrective action requirements contained in 40 C.F.R. Part 264 Subparts F and G, and all provisions of this Permit, for all previously and any newly identified SWMUs, AOCs, and releases identified pursuant to the provisions of this Permit.

I. Identification of SWMUs and AOCs

A. PRC Environmental Management, Incorporated, on behalf of EPA, completed a RCRA Facility Assessment (RFA) to identify and gather information on releases or potential releases from SWMU(s) and AOC(s) at the facility, including those that appeared to require further investigation. The final RFA report, dated September 30, 1993, identified 56 SWMUs and 7 AOCs on the contiguous facility property. Figure 4 shows the approximate locations of the SWMUs and AOCs at the facility. The report concluded 15 SWMUs and 4 AOCs required further investigation or remediation. The SWMUs and AOCs are identified as follows:

1. SWMU Group A.
 - a. SWMU #10 - Concrete Drum Pad.
 - b. SWMU #11 - Earthen Drum Storage Area.
 - c. SWMU #14.1 - Cement Kiln Dust Landfill #1.
 - d. SWMU #25.1 - Scrap Area 1.
 - e. SWMU #26 - Industrial Landfill.
 - f. SWMU #27 - Burn Areas.
2. SWMU #15 - Kiln Dust Storage Silo.

3. SWMU #23 - Lake.
4. SWMU #24 - Settling Pond 1.
5. SWMU #25.2 - Scrap Area 2.
6. SWMU #28.4 - Former Underground Storage Tank D.
7. SWMU #30 - Raw Material Crusher.
8. SWMU #31 - Raw Material Building.
9. SWMU #32 - Raw Material Storage Area.
10. SWMU #33 - Diesel Fuel Storage Tanks.
11. AOC #1 - Front Driveway Spill Area.
12. AOC #2 - Drainage Ditch.
13. AOC #3.1 - Catch Basin 1.
14. AOC #3.2 - Catch Basin 2.

Prior to receiving the original Missouri Hazardous Waste Management Facility (MHWMF) Part I Permit, dated February 16, 1999, and with Department oversight/approval, the Permittee addressed and/or conducted investigation and/or remediation activities for the 15 SWMUs and 4 AOCs identified as requiring further investigation or remediation in the RFA. The results of these activities are documented in the Solid Waste Management Unit, Corrective Action Evaluation Report, dated April 1995, and a follow-up Summary Report Solid Waste Management Units and Areas of Concern, dated August 27, 1996. The original MHWMF Part I Permit required the Permittee to continue monitoring, operating, maintaining, and reporting for the units composing SWMU Group A. The results of the continued monitoring activities are documented in the SWMU Group A Shallow Groundwater-Bearing Zone Statistical Analysis Evaluation Buzzi Unicem USA, Cape Girardeau, Missouri Facility, dated December 13, 2016.

Based on review of these documents and a Class 2 Permit Modification to remove further groundwater monitoring requirements at SWMU Group A, approved by the Department on August 7, 2017, the Department determined

the investigations and remediation activities performed by the Permittee satisfactorily addressed the corrective action requirements for the 15 SWMUs and 4 AOCs identified for further action in the RFA.

- B. An additional three SWMUs were identified in the Hazardous Waste Permit Renewal Application, dated February 13, 2019. As of the date of this Permit, there are no known releases at these SWMUs that require “active” corrective action. The SWMUs are identified as follows:
 - 1. SWMU #35 - South Railcar Unloading Area.
 - 2. SWMU #36 - South Railcar Unloading Area Tanks.
 - 3. SWMU #37 - North Railcar Unloading Area.
- C. The status of the known SWMUs and AOCs is based on available information at the time of issuance of this Permit. In the event new information becomes available indicating human health or the environment may be adversely impacted, the Permittee may be required to conduct additional investigations and evaluations, as necessary, to determine the need for additional corrective action for the previously identified SWMUs and AOCs, or any newly identified SWMUs and AOCs, including off-site release(s), as specified in Corrective Action Conditions II. and III.
- D. As deemed appropriate by the Department, the Permittee shall conduct additional investigation(s) and/or take corrective action for any previously or newly identified SWMUs and AOCs, including off-property release(s), demonstrating the releases of hazardous waste or hazardous constituents to soil, surface water, sediment, groundwater, and/or air have been thoroughly delineated and reported, as specified in Corrective Action Conditions II. through IX. Any off-property impacts to surface water, sediment, soil, or groundwater shall be addressed if the impacts to these media originated from SWMUs, AOCs, or other releases on the facility property.

II. Notification Requirements for, and Assessment of, Newly Identified SWMU(s) and AOC(s)

- A. The Permittee shall notify the Department, in writing, no later than 15 calendar days after discovery, or after discovery should have been made (e.g., visual observations, laboratory test results, or information not available

previously), of any new SWMU(s) or AOC(s) identified after the issuance of this Permit. The Department may examine the facility's inspection records to determine if the Permittee should have known that a release occurred.

- B. The Department may require the Permittee to conduct an investigation of any newly identified SWMU(s) or AOC(s). The Department shall notify the Permittee, in writing, of this decision. Within 30 calendar days after receiving the Department's request to conduct an investigation, the Permittee shall prepare and submit a SWMU/AOC Assessment Work Plan to the Department for review and approval. The SWMU/AOC Assessment Work Plan shall include, but not be limited to, the following:
1. A discussion of past hazardous wastes management practices related to the unit(s);
 2. A detailed investigation approach for surface and subsurface soils, surface water, groundwater, and air as necessary to:
 - a. Determine if a release of hazardous wastes or hazardous constituents has occurred or is occurring at the unit(s);
 - b. Yield reliable, representative samples and results;
 - c. Determine impacts or potential impacts to human health and the environment; and
 - d. Sufficiently assess all hazardous wastes and hazardous constituents related to the unit(s).
 3. A proposed schedule for implementing the SWMU/AOC Assessment Work Plan, which is predicated on the date the Department approves the plan; and
 4. Identification of all data to be collected that is necessary to provide for a complete SWMU/AOC Assessment Report, as specified below.
- C. The Department shall review and approve the SWMU/AOC Assessment Work Plan according to the procedures described in General Permit Condition IV. The Permittee shall complete all activities described in the

SWMU/AOC Assessment Work Plan, according to the schedule contained in the approved plan.

- D. The Permittee shall submit a SWMU/AOC Assessment Report to the Department, according to the schedule specified in the approved SWMU/AOC Assessment Work Plan. The SWMU/AOC Assessment Report shall present and discuss the information obtained under the approved SWMU/AOC Assessment Work Plan. At a minimum, the SWMU/AOC Assessment Report shall provide the following information for each newly identified SWMU or AOC:
1. The location of the newly identified SWMU or AOC in relation to other SWMU(s) and AOC(s);
 2. The type and function of the SWMU or AOC;
 3. The general dimensions, capacities, and structural description of the SWMU or AOC;
 4. The period during which the SWMU or AOC was operated;
 5. The physical and chemical properties of all wastes that have been or are being managed at the SWMU or AOC, to the extent possible;
 6. The results of any sampling and analysis conducted;
 7. Past and present operating practices;
 8. Previous uses of the area occupied by the SWMU or AOC;
 9. Amounts of waste handled;
 10. Drainage areas and/or drainage patterns near the SWMU or AOC; and
 11. A recommendation as to whether further action is necessary for the newly identified SWMU or AOC and justification for the recommendation. If further action is recommended, such as updating the site conceptual model and/or assessing SWMU/AOC-specific risk, the SWMU/AOC Assessment Report shall include a proposal for additional investigation or corrective action, as appropriate.

- E. The Department shall review and approve the SWMU/AOC Assessment Report according to the procedures described in General Permit Condition IV. Based on the findings of this report and any other available information, the Department shall determine the need for additional investigation, including interim/stabilization measures or a RCRA Facility Investigation (RFI), at specific unit(s) identified in the SWMU/AOC Assessment Report.
 - F. If the Department determines additional investigations are needed, the Department may require the Permittee to prepare and submit to the Department for approval, a work plan for such investigations according to the applicable Corrective Action Conditions of this Permit. The Department shall review and approve any such work plan according to the procedures described in General Permit Condition IV. The Permittee shall complete all activities described in the work plan, according to the schedule contained in the approved plan.
- III. Notification Requirements for, and Assessment of, Newly Identified Releases from Previously Identified SWMUs and AOCs
- A. The Permittee shall notify the Department, in writing, no later than 15 calendar days after discovery, or after discovery should have been made (e.g., visual observations, laboratory test results, or information not available previously), of any newly identified release(s) of hazardous wastes or hazardous constituents from any previously identified SWMU(s) or AOC(s) at the facility. This includes SWMUs or AOCs being investigated and reported as part of the corrective action process, where newly identified release(s) are discovered during the course of groundwater monitoring, field investigation, environmental auditing, or other activities undertaken after issuance of this Permit. The Department may examine the facility's inspection records to determine if the Permittee should have known that a release occurred.
 - B. The Department may require the Permittee to conduct an investigation of the newly identified release(s). The Department shall notify the Permittee, in writing, of this decision. Within 30 calendar days after receiving the Department's request to conduct an investigation, the Permittee shall prepare and submit a Newly Identified Release Work Plan to the Department for review and approval. The Newly Identified Release Work Plan shall include, but not be limited to, the following:

1. A discussion of the hazardous waste/chemical management practices related to the release(s);
 2. A detailed investigation approach for groundwater, land surface and subsurface soils, surface water, and air as necessary to:
 - a. Define the extent of the release area(s);
 - b. Yield reliable, representative samples and results;
 - c. Determine impacts or potential impacts to human health and the environment; and
 - d. Sufficiently assess all hazardous wastes and hazardous constituents related to the release(s).
 3. A proposed schedule for implementing the Newly Identified Release Work Plan, which is predicated on the date the Department approves the plan; and
 4. Identification of all data to be collected that is necessary to provide for a complete Newly Identified Release Report, as specified below.
- C. The Department shall review and approve the Newly Identified Release Work Plan according to the procedures described in General Permit Condition IV. The Permittee shall complete all activities described in the Newly Identified Release Work Plan, according to the schedule contained in the approved plan.
- D. The Permittee shall submit a Newly Identified Release Report to the Department, 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 under the approved Newly Identified Release Work Plan. At a minimum, the report shall provide the following information for each newly identified release:
1. The location of the newly identified release in relation to the SWMU(s) or AOC(s) under investigation and to any other SWMU(s) and AOC(s);
 2. The general dimensions of the release;

3. The period during which the release is suspected to have occurred;
 4. The physical and chemical properties of all wastes that have been determined to compose the release;
 5. The results of any sampling and analysis conducted;
 6. Past and present operating practices near and at the location of the release;
 7. Previous uses of the area(s) occupied near and at the location of the release;
 8. Amounts of waste handled near and at the location of the release;
 9. Drainage areas and/or drainage patterns near and at the location of the release; and
 10. A recommendation as to whether further action is necessary for the newly identified release from a previously identified SWMU(s) or AOC(s) and justification for the recommendation. If further action is recommended, such as updating the site conceptual model and/or assessing SWMU/AOC-specific risk, the Newly Identified Release Report shall include a proposal for additional investigation or corrective action, as appropriate.
- E. The Department shall review and approve the Newly Identified Release Report according to the procedures described in General Permit Condition IV. Based on the findings of the report and any other available information, the Department shall determine the need for additional investigation, including interim/stabilization measures or an RFI, at specific releases(s) identified in the Newly Identified Release Report.
- F. If the Department determines additional investigation is needed, the Department may require the Permittee prepare and submit to the Department for review and approval, a work plan for such investigations according to the applicable Corrective Action Conditions of this Permit. The Department shall review and approve any such work plan according to the procedures described in General Permit Condition IV. The Permittee shall complete all activities

described in the work plan, according to the schedule contained in the approved plan.

IV. Interim/Stabilization Measures (ISMs)

Should the Permittee become aware of a situation that may require ISMs that may be necessary to protect human health or the environment, the following conditions shall apply:

- A. The Permittee shall notify the Department, by e-mail or telephone within 24 hours and by letter within seven days after becoming aware, or should have become aware, of the situation. The Department may examine the facility's inspection records to determine if the Permittee should have known ISMs might be required and notification should have occurred.
- B. If, during the course of any activities initiated under this Permit, the Permittee or the Department determines a release or potential release of hazardous wastes or hazardous constituents poses a threat to human health or the environment, the Department may require ISMs in coordination with the Permittee, to slow or stop the further spread of contamination until final corrective action measures are implemented. The Department shall determine the specific action(s) that shall be taken to implement the ISMs, including potential permit modifications, and the schedule for implementing the ISMs. The Department shall notify the Permittee, in writing, of decisions regarding the action(s). This requirement shall not preclude the Permittee from responding to an emergency situation without direction from the Department.
- C. The Permittee shall notify the Department, by letter or by e-mail, no later than 10 calendar days after determining, or after a determination should have been made, that the ISMs are not effectively limiting or stopping the further spread of contamination. The Department may require the ISMs be revised to make them effective in limiting or stopping the spread of contamination, or that additional corrective action measures are required to address the contaminated media.
- D. In cases where releases or potential releases present minimal exposure concerns, or the remedial solution is relatively uncomplicated, the Permittee may propose ISMs to the Department for review and approval. These ISMs shall be consistent with, and may supplement or satisfy the requirements for, a final remedy(s) in specific areas. Proposed ISMs determined by the

Department to be significant (e.g., those which are anticipated to make up a substantial part of the final remedy) may be subject to public review and comment before final Department approval. Proposed ISMs determined by the Department not to be significant will be reviewed and approved according to the procedures described in General Permit Condition IV.

V. RCRA Facility Investigation (RFI) Work Plan

- A. If the Department determines additional investigations are needed, the Department may require the Permittee to conduct an RFI. The Department shall notify the Permittee, in writing, of this decision. Within 60 calendar days after receiving the Department's request to conduct an RFI, and after meeting with the Department to discuss the content of the Work Plan, the Permittee shall prepare and submit an RFI Work Plan to the Department for review and approval.
- B. The RFI Work Plan shall be designed to investigate releases of hazardous wastes and hazardous constituents to all appropriate media of concern, including surface and subsurface soils, surface water, sediment, groundwater, and air, as necessary. In order to substantiate future corrective action decisions, the RFI Work Plan shall contain provisions sufficient to meet the following objectives and a proposed schedule for implementing the RFI Work Plan, which is predicated on the date the Department approves the plan:
 1. Full characterization of the nature, vertical and horizontal extent, and rate of migration of releases of hazardous wastes and hazardous constituents from SWMUs and AOCs, or groups of SWMUs and AOCs, or newly identified release(s) at the facility and the actual or potential receptors of such releases; and
 2. Collection of any other pertinent data that may be used to substantiate future corrective action decisions.
- C. The RFI Work Plan shall be appropriate for facility-specific conditions and shall be consistent with and address all applicable investigation elements described in the EPA document entitled, RCRA Facility Investigation (RFI) Guidance, EPA 530/SW-89-031, May 1989, or the most recent version. Any required RFI activities shall also be conducted using the approaches contained in the EPA document entitled, Resource Conservation and Recovery Act Facilities Investigation Remedy Selection Track (RCRA FIRST): A Toolbox

for Corrective Action, May 20, 2016. At a minimum, the RFI Work Plan shall detail all proposed activities and procedures to be conducted at the facility, including, but not limited to, the following:

1. A description of current conditions;
 2. The schedule for implementing and completing such investigations and for submitting reports (including the RFI Report);
 3. The qualifications of personnel performing or directing the investigations, including contractor personnel; and
 4. The overall management of the RFI activities.
- D. The RFI Work Plan shall include a Quality Assurance Project Plan (QAPP), which 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, at a minimum, the RFI objectives; sampling procedures; analytical methods; field and laboratory quality control samples; chain-of-custody procedures; and data review, validation, and reporting procedures. The Permittee shall follow the EPA document entitled, EPA Requirements for Quality Assurance Project Plans, EPA QA/R-5, March 2001, (reissued May 2006) or the most recent version.
- E. The Permittee shall prepare and maintain a Health and Safety Plan during the project that ensures the RFI activities are conducted in a manner that is protective of human health and the environment.
- F. Due to the complexity of defining the extent of contamination, the Permittee may be required to use a phased approach that requires submitting supplemental RFI Work Plans.
- G. The Department shall review and approve the RFI Work Plan(s) according to the procedures described in General Permit Condition IV. The Permittee shall complete all activities described in the RFI Work Plan(s), according to the schedules contained in the approved plan(s).

VI. RCRA Facility Investigation (RFI) Report

- A. Should additional investigations become necessary, the Permittee shall submit an RFI Report to the Department, according to the schedule specified in the approved RFI Work Plan described in Corrective Action Condition V. The RFI Report shall present all information obtained under the approved RFI Work Plan, along with a brief facility description and map showing the property boundary and all SWMUs and AOCs. The RFI Report shall contain adequate information to support additional corrective action decisions at the facility. Information contained in the RFI Report shall be presented in a format consistent with Section 5 of the EPA document entitled, RCRA Facility Investigation (RFI) Guidance, EPA 530/SW-89-031, May 1989, or the most recent version.
- B. The RFI Report shall provide an interpretation of the RFI information gathered, supported with adequate documentation, to enable the Department to determine whether ISMs or a Corrective Measures Study (CMS) may be necessary. The RFI Report shall describe the procedures, methods, and results of all investigations of SWMUs and AOCs and associated releases, including, but not limited to, the following, as appropriate:
1. Characterization of the nature, concentration(s), horizontal and vertical extent, and direction/rate of migration of releases from SWMUs and AOCs at the facility;
 2. Characterization of the environmental setting of the facility, including:
 - a. Hydrogeological conditions;
 - b. Climatological conditions;
 - c. Soil and bedrock characteristics;
 - d. Surface water and sediment quality; and
 - e. Air quality and meteorological conditions.
 3. Characterization of SWMUs and AOCs from which releases have been or may be occurring, including unit and waste characteristics;

4. Descriptions of human and environmental receptors and associated risks to the receptors which are, may have been, or, based on site-specific circumstances, could be exposed to release(s) from SWMUs and AOCs;
 5. Assessment of potential risks to the human and environmental receptors exposed to release(s) from SWMUs and AOCs;
 6. Extrapolations of future contaminant migration, including description of contaminant fate and transport mechanisms, and pathways for human and environmental exposure;
 7. Laboratory, bench-scale, pilot-scale, and/or appropriate tests or studies to determine the feasibility or effectiveness of treatment technologies or other technologies that may be appropriate in implementing remedies at the facility;
 8. Statistical analyses to aid in interpreting data;
 9. Results of any ISMs previously implemented; and
 10. Evaluation of data quality that may affect the nature and scope of a CMS, as well as the evaluation of corrective measures alternatives thereunder (e.g., identifying any potential bias in the RFI data and documenting its precision, accuracy, representativeness, completeness, comparability, validation, etc.).
- C. The Department shall review and approve the RFI Report according to the procedures described in General Permit Condition IV. If the Department determines the objectives of the RFI have not been met, the Department may require additional investigation. Upon approval of the RFI Report, the Department shall notify the Permittee, in writing, of the next step in the corrective action process, which may include submitting a CMS Work Plan or equivalent, as described in Corrective Action Condition VII.

VII. Corrective Measures Study (CMS) Work Plan

A formal CMS has not been conducted at this facility. Previously implemented and ongoing corrective action activities have been handled through pre-permitting

voluntary actions and implementing a post-permitting Site Operation, Maintenance, and Monitoring (OM&M) Plan.

- A. If the Department determines there has been a release of hazardous waste or hazardous constituents from newly or previously identified SWMUs or AOCs that may pose a threat to human health or the environment, the Department may require the Permittee to conduct a CMS or remedy evaluation. The Department shall notify the Permittee, in writing, of this decision. The notice shall identify the hazardous constituent(s) of concern and may specify remedial alternatives for the Permittee to evaluate.
- B. As part of the CMS or remedy evaluation, the Department may require the Permittee to evaluate one or more specific remedial alternatives for removing, containing, or treating hazardous wastes and hazardous constituents in contaminated media, based on the objectives established for the corrective action. These remedial alternatives may include a specific technology or combination of technologies that, in the Department's judgment, may be capable of achieving standards for protecting human health and the environment.
- C. Within 45 calendar days after receiving the Department's request to conduct a CMS or remedy evaluation, and after meeting with the Department to discuss the nature and scope of the CMS or remedy evaluation, the Permittee shall prepare and submit a CMS Work Plan or Remedy Evaluation Plan to the Department for review and approval. The CMS Work Plan or Remedy Evaluation Plan shall be generally consistent with the EPA document entitled, RCRA Corrective Action Plan (Final), OSWER Directive 9902.3-2A, May 1994, or the most recent version. Any required CMS activities shall be conducted using the approaches contained in the EPA document entitled, Resource Conservation and Recovery Act Facilities Investigation Remedy Selection Track (RCRA FIRST): A Toolbox for Corrective Action, May 20, 2016. At a minimum, the CMS Work Plan or Remedy Evaluation Plan shall provide the following information, as appropriate, and a proposed schedule for implementing the elements of the CMS Work Plan or Remedy Evaluation Plan:
 1. A description of the general approach to investigating and evaluating potential remedial alternatives or combinations of alternatives;
 2. A definition of the specific objectives of the study/evaluation;

3. A description of the remedial alternative or combination of alternatives that will be studied;
 4. A description of those potentially viable remedial alternatives initially considered, but were dropped from further consideration, including the rationale for elimination;
 5. The specific plans for evaluating remedial alternatives or combination of alternatives to ensure compliance with applicable remedy selection threshold/balancing criteria and cleanup standards;
 6. A schedule for conducting the study/evaluation and submitting a CMS Report or equivalent and/or preferred remedy proposal, which is predicated on the date the Department approves the CMS Work Plan or Remedy Evaluation Plan;
 7. The proposed format for ranking remedial alternatives or a combination of alternatives in support of a preferred remedial alternative or combination of alternatives; and
 8. Identification of laboratory, bench-scale, pilot-scale, and/or other appropriate tests or studies that will be used to determine the feasibility or effectiveness of treatment technologies, or other technologies that may be appropriate in implementing remedial alternatives at the facility.
- D. The Department shall review and approve the CMS Work Plan or Remedy Evaluation Plan according to the procedures described in General Permit Condition IV. The Permittee shall complete all activities described in the CMS Work Plan or Remedy Evaluation Plan, according to the schedule contained in the approved plan.

VIII. Corrective Measures Study (CMS) Report

- A. Should submitting a CMS Work Plan or Remedy Evaluation Plan become necessary, the Permittee shall submit a CMS or Remedy Evaluation Report to the Department, according to the schedule specified in the approved CMS Work Plan or Remedy Evaluation Plan described in Corrective Action Condition VII. The CMS or Remedy Evaluation Report shall present all information obtained under the approved CMS Work Plan or Remedy

Evaluation Plan and shall be generally consistent with guidance contained in the EPA document entitled, RCRA Corrective Action Plan (Final), OSWER Directive 9902.3-2A, May 1994, or the most recent version.

- B. The CMS or Remedy Evaluation Report shall describe and discuss each remedial alternative or combination of alternatives evaluated, including any bench-scale or pilot tests conducted. The CMS or Remedy Evaluation Report shall include, but not be limited to, the following information:
1. Evaluation of the performance, reliability, ease of implementation, and potential impacts of each remedial alternative or combination of alternatives, including safety impacts, cross media impacts, overall carbon footprint, and control of exposure to any residual contamination;
 2. Assessment of the effectiveness of each remedial alternative or combination of alternatives in terms of achieving adequate control of contaminant sources and cleanup of hazardous waste and/or hazardous constituents released from the SWMUs(s) and AOC(s);
 3. Estimation of the time required to begin and complete implementation of each remedial alternative or combination of alternatives, and an estimate of the time required to meet the proposed remediation objectives contained in the CMS or Remedy Evaluation Report;
 4. Estimation of the costs to implement, operate, monitor, and maintain each remedial alternative or combination of alternatives;
 5. Recommendation of a preferred remedial alternative or combination of alternatives, and rationale for the proposed selection; and
 6. Assessment of institutional requirements that may be needed (e.g., state or local permits), discussion of other environmental or public health requirements or institutional controls that may substantially affect implementing the preferred remedial alternative or combination of alternatives (e.g., local ordinances), and a draft of any facility-specific institutional controls proposed as part of the preferred remedial alternative or combination of alternatives (e.g., a draft environmental covenant containing specific activity and use

limitations prepared pursuant to the Missouri Environmental Covenants Act, Sections 260.1000 through 260.1039, RSMo).

- C. The CMS or Remedy Evaluation Report shall contain information sufficient to facilitate the Department's development of a Statement of Basis in support of the final remedy decision-making process.
 - D. The Department shall review and approve the CMS or Remedy Evaluation Report according to the procedures described in General Permit Condition IV. Upon approval of the CMS or Remedy Evaluation Report, the Department will approve a final remedy.
- IX. Site Operation, Maintenance, and Monitoring (OM&M) Plan
- A. The Permittee shall adhere to the procedures set forth in the OM&M Plan, approved by the Department on August 7, 2017, until an updated OM&M is submitted and approved.
 - B. The Permittee shall submit an updated Site OM&M Plan within 60 calendar days after the effective date of this Permit, and shall include the following:
 - 1. The operation, maintenance, and monitoring procedures for SWMU Group A, as specified in Corrective Action Condition IX.D.; and
 - 2. Documentation and continued application of the Spill Prevention, Control, and Countermeasure (SPCC) Plan, as referenced in the Summary Report Solid Waste Management Units and Areas of Concern, dated August 27, 1996, including the additional requirements specified in Corrective Action Condition IX.E.
 - C. The Department shall review the Site OM&M Plan according to the procedures described in General Permit Condition IV. The Permittee shall complete all activities described in the OM&M Plan and comply with all contingency-based schedules contained in the approved plan.
 - D. SWMU Group A consists of the units listed in Corrective Action Condition I.A.1., located as shown in Figure 4, and documented in the Solid Waste Management Unit, Corrective Action Evaluation Report, dated April 1995, and the follow-up Summary Report Solid Waste Management Units and Areas of Concern. The Permittee shall develop operation, maintenance, and

monitoring standards for SWMU Group A to address the following requirements:

1. Cement Kiln Dust (CKD) management procedures related to SWMU #14.1 - CKD Landfill #1, including CKD collection, management, wetting, transfer, landfill placement, and spill cleanup criteria and procedures;
 2. Stormwater run-on and run-off controls for units in SWMU Group A, to minimize erosion, ponding, and infiltration, including discussion of any required surface water monitoring;
 3. A contingency plan for SWMU Group A, addressing any potential hazards (i.e., flooding, seismic activity) or other events that could cause damage to the berm surrounding CKD Landfill #1. This plan shall discuss inspection requirements and actions to be taken in the event the integrity of the berm has been compromised; and
 4. Specifications regarding managing, draining, and collecting liquids from, and storing equipment/machinery in, SWMU Group A (or elsewhere on site) to minimize the potential for releases of hazardous waste or hazardous constituents to the environment.
- E. The SPCC Plan referenced in the Solid Waste Management Unit, Corrective Action Evaluation Report and the Summary Report Solid Waste Management Units and Areas of Concern shall be incorporated into the Site OM&M Plan. This plan shall include, at a minimum, contingent procedures detailing:
1. CKD handling and hauling procedures as related to transporting CKD from the process area to CKD Landfill #1 and associated CKD spill cleanup criteria and procedures;
 2. Loading/unloading procedures at tanks and containers, designed to minimize releases of hazardous waste and hazardous constituents to the environment, including defining spill cleanup criteria and procedures; and
 3. Evaluating the current facility wide stormwater management procedures and use of Best Management Practices for handling stormwater run-off from SWMU #30 - Raw Material Crusher,

SWMU #31 - Raw Material Storage Building, and SWMU #32 - Raw Material Storage Area.

4. The procedures, test parameters, and annual date of the pipeline pressure test conducted on the underground pipeline that runs from the 50,000-gallon diesel tank to the kiln. Any test results outside the parameters established in the OM&M Plan shall be reported to the Department within 24 hours. The results of the test shall be recorded and maintained in the facility operating record and made available to the Department upon request.

- F. As of the effective date of this Permit, the CKD requirements of Corrective Action Condition IX. shall apply. The Permittee shall comply with these requirements until such time as new federal or state regulations addressing CKD regulatory status, management, or disposition are promulgated and effective in Missouri. “Effective in Missouri” shall mean all regulatory requirements are in effect and the Permittee has successfully complied with all such requirements. Once the Permittee has complied with the new regulations, the CKD requirements of Corrective Action Condition IX. will be superseded by the new regulations. The Department will notify the Permittee, in writing, of the transition date for the CKD requirements.

X. Activity and Use Limitations (AULs)

AULs are legal or physical restrictions or obligations with respect to the permitted facility property. AULs place a legal responsibility and physical restrictions or limitations on the use of, or access to, the permitted facility property. The following AULs apply to the Permittee and the facility property subject to the jurisdiction of this Permit:

A. Soil or Other Environmental Media Disturbance at the Facility

1. The Permittee shall notify the Department at least 30 calendar days before any planned construction, excavation, or maintenance and repair activities that may disturb existing contamination at any SWMU, AOC, or other area subject to AULs. The Permittee shall, in coordination with the owner(s) of any off-property areas impacted by soil and/or groundwater contamination originating from SWMUs and AOCs at the facility, assess the potential hazards associated with activities that potentially disturb or expose any contaminated

environmental media and ensure that necessary precautions are taken, including protective and/or remedial measures, before performing the activity. In situations where advance notice is not feasible (i.e., emergency utility service or repair), notice shall occur as soon as practical. Future construction, excavation activities, or land use changes may necessitate further evaluation of conditions at SWMUs or AOCs having residual levels of contamination that exceed applicable regulatory thresholds.

2. The Permittee may, at its discretion, request to develop an Excavated Soil Management Plan. Any such plan would be designed to expedite future subsurface utility and construction activities in known and potentially contaminated areas at the facility. The Department shall review and approve the Excavated Soil Management Plan according to the procedures described in General Permit Condition IV.

B. Transfer of Interest in Permitted Property

1. The Permittee shall notify the Department at least 90 calendar days before transferring any interest in any portion of the permitted facility property. The Permittee shall comply with all requirements of 40 C.F.R. § 270.40, as related to any transfer of ownership or operational control of any portion of the permitted facility.
2. Any proposal by the Permittee to remove any parcel of the permitted facility property from the jurisdiction of this Permit shall require submitting a demonstration that all residual contamination on the portion of the property proposed for removal is protective of human health and the environment. Such demonstrations can be made by demonstrating the residual concentrations are below applicable regulatory standards consistent with any enforceable institutional and/or engineering controls contained in an environmental covenant for that portion of the property or that any residual contamination will be addressed in the future via implementing enforceable institutional controls.
3. Any parcel of the permitted facility property proposed to be removed from the jurisdiction of this Permit shall require a legal survey for that portion of the property, execution of an environmental covenant, if needed and such a covenant is not already in place at the time of the

proposal, and successful completion of a Class 3 Permit Modification to remove the proposed portion of the property from the jurisdiction of this Permit, following the requirements of 40 C.F.R. § 270.42(c), and the public notice and opportunity for comment requirements of 10 CSR 25-8.124.

C. Change in Use of Property

The Permittee shall notify the Department, according to 40 C.F.R. § 270.30(h), at least 30 calendar days before any proposed change in the use of the facility property, including any applications for building permits for work on the facility property or proposals for work that could potentially affect the contamination on the facility property, be affected by contamination from a SWMU or AOC, or affect compliance with the requirements of this Permit.

D. Missouri Environmental Covenants Act

If, and when, the Department determines implementing an Environmental Covenant is required at the facility, the Environmental Covenant shall be developed and executed in conformance with the Missouri Environmental Covenants Act, Section 260.1000 through 260.1039, RSMo, and Departmental guidance provided to the Permittee. The following requirements shall apply to any Environmental Covenant required by this Permit.

1. Within 60 calendar days after the Department's request to implement an Environmental Covenant, the Permittee shall prepare and submit to the Department for review and approval, a draft Environmental Covenant that complies with the Missouri Environmental Covenants Act, Sections 260.1000 through 260.1039, RSMo, to be filed in the property chain-of-title. The Permittee shall ensure that use, occupancy, and activities on the permitted property are restricted as follows:
 - a. The facility property shall not be used for residential purposes, which includes, but is not limited to, single family homes, duplexes, multi-plexes, apartments, condominiums, schools, retirement or senior/child care facilities, or any land use where persons can be expected to reside.

4. Projected work for the next reporting period; and
5. Any instances of noncompliance with the corrective action requirements of this Permit not otherwise required to be reported elsewhere in this Permit.

- C. If the Department determines additional corrective action is required under Corrective Action Conditions II. through VIII., the frequency of progress report submittals may increase. If an increase in reporting frequency is necessary, the Department shall provide written notification of the new reporting frequency to the Permittee.
- D. As part of any additional corrective action activities undertaken pursuant to this Permit, detailed technical information required to be submitted as part of ISMs, RFI or CMS work plans and reports need not be reproduced as part of the Permittee's Annual Progress Reports.
- E. Copies of other reports (e.g., inspection reports), information, or data shall be made available to the Department and EPA upon request.

XII. Planned and Contingent Activities

- A. The Permittee shall update and submit the Site OM&M Plan, as specified in Corrective Action Condition IX.
- B. The Permittee shall comply, as necessary, with the schedule(s) for contingent corrective action activities, as specified in this Permit and summarized in Table 6.

XIII. Data

All uninterpreted 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 by the Permittee during the term of this Permit, including the term of any continued or reissued permits.

FINANCIAL ASSURANCE CONDITIONS

The Permittee shall comply with all applicable financial assurance requirements contained in the Missouri Hazardous Waste Management Law (and all standards, rules, and regulations adopted under this act), Sections 260.350 through 260.433, RSMo, et seq.; 40 C.F.R. Part 264 Subparts H, 40 C.F.R. §§ 264.101, 270.30, 270.40, 270.42, and 270.51; and all provisions of this Permit for closure and corrective action activities identified pursuant to the provisions of this Permit.

I. Cost Estimates

A. Closure and Corrective Action Cost Estimates

1. If, in the future, the Permittee submits a notice of intent to close a hazardous waste management unit at the facility, or if a CMS or equivalent becomes necessary as part of the contingent corrective action activities required by this Permit, within 60 calendar days after notification of closure or final remedy approval, the Permittee shall submit, in compliance with 40 C.F.R. § 264.101, an updated, detailed written cost estimate, in current dollars, of the cost of hiring a third party to perform the closure or corrective action activities required by this Permit.
 - a. A third party is a party who:
 - (1) Is neither a parent nor a subsidiary of the Permittee; and
 - (2) Does not share a common parent or subsidiary with the Permittee.
 - b. The cost estimates shall be certified by a professional engineer registered in Missouri and developed using appropriate cost estimating software.
 - c. The closure and corrective action cost estimates shall account for the total cost of all work activities and related costs expected to continue until such time as final cleanup objectives are met and confirmed. This includes, but is not limited to, any long-term costs, such as:
 - (1) Final remedy operation, maintenance, and monitoring;

- (2) Utilities, including electricity, water, and sewer;
 - (3) Decommissioning remediation equipment and plugging/abandoning monitoring wells;
 - (4) Real estate taxes on the property; and
 - (5) Departmental oversight cost reimbursement.
- d. The corrective action cost estimates shall be based on a “rolling” 30 years’ duration unless the Permittee makes a successful demonstration for a shorter time period. The Permittee may, at any time, submit to the Department for review and approval, a demonstration to adjust the corrective action cost estimate based on the estimated time remaining to achieve applicable remediation objectives/standards.
 - e. The corrective action cost estimates shall include a contingency cost allowance of 10 percent of the total cost of all corrective action activities.
 - f. The cost estimates shall not include any salvage value that may be realized from the sale of wastes, facility structures or equipment, land, or other assets associated with the facility.
 - g. Discounting is not allowed for closure cost estimates. The regulations are silent on discounting for corrective action cost estimates, if and when needed. Discounting would allow a facility to provide less than the amount of financial assurance required, based on the future value of the investment. The assumption is made that by the end of any corrective action period, the full amount of financial assurance will be available based on the future value of money.
2. The Permittee shall submit each closure and corrective action cost estimate to the Department for review and evaluation. If the cost estimate requires modification, the Department shall notify the Permittee, in writing, of the estimate’s deficiencies and specify a due date for submitting a revised cost estimate for further evaluation and final written response.

3. The Permittee shall maintain, in the operating record, the most recent closure and corrective action cost estimate that has received a final written response from the Department.

B. Revisions to Closure, and Corrective Action Cost Estimates

1. Annual Adjustment for Inflation

The Permittee shall annually adjust the closure and corrective action cost estimates, as applicable, for inflation until all activities required by this Permit are complete. The inflation adjustment shall be determined by using the procedures described in 40 C.F.R. § 264.142(b), except that the inflation factor should be derived from the most recent annual Implicit Price Deflator for the Gross Domestic Product, instead of the Gross National Product. The cost estimate is due within 60 calendar days before the anniversary date of the financial assurance instrument used to comply with this section. If the Permittee uses a financial test or corporate guarantee to demonstrate financial assurance, the cost estimate is due within 30 calendar days after the close of the guarantor's fiscal year.

2. The Permittee shall also adjust the closure and corrective action cost estimate if:
 - a. The Permittee or the Department determines any additional closure or corrective action activities are required; or
 - b. Any other conditions increase or decrease the estimated cost of the closure or corrective action activities to be performed under this Permit.
3. If the Department determines a new cost estimate is required, the Department shall notify the Permittee, in writing, of this requirement. The revised cost estimate is due within 60 calendar days of the Permittee's determination that a revised cost estimate is necessary or the Department's written notification that a new cost estimate is required.
4. The Permittee shall submit each revised closure and corrective action cost estimate to the Department for review and evaluation. If the

revised cost estimate requires further modification, the Department shall notify the Permittee, in writing, of the estimate's deficiencies and specify a due date for submitting a new revised cost estimate for further evaluation and final written response.

II. Financial Assurance

In order to provide for the full and final completion of the closure and corrective action activities required by this Permit, the Permittee shall establish and maintain financial assurance, for the benefit of the Department, in the amount at least equal to the most recent closure and corrective action cost estimate that received a final written response from the Department. All financial assurance instruments provided pursuant to this Permit shall be satisfactory in form and substance as determined by the Department.

A. Certified Mail

The Permittee shall submit all required financial assurance instruments and related documents to the Department by certified mail.

B. Timeframes for Financial Assurance Instruments (other than Financial Test or Corporate Guarantee)

1. Within 30 calendar days after receiving the Department's final written response regarding the Permittee's cost estimate(s) pursuant to this Permit, the Permittee shall submit to the Department for review and evaluation, the draft financial assurance instrument(s) and related documents.
2. Within 10 calendar days after receiving the Department's final written response regarding the draft financial assurance instrument(s), the Permittee shall execute or otherwise finalize all instruments or other documents required in order to make the selected financial assurance legally binding. The final financial assurance instrument(s) shall be in a form identical to the draft financial assurance documents reviewed and responded to by the Department, including any changes resulting from that review.
3. Within 30 calendar days after receiving the Department's final written response regarding the draft financial assurance instrument(s), the

Permittee shall ensure the issuing institution submits to the Department, all original executed and/or otherwise finalized instruments or other documents required in order to make the selected financial assurance legally binding. The instruments or other documents shall be in a form identical to the financial assurance documents reviewed and responded to by the Department. Facsimiles or photocopies are not acceptable.

C. Timeframes for Financial Tests and Corporate Guarantees

1. Within 30 calendar days after receiving the Department's final written response regarding the Permittee's cost estimate(s) pursuant to this Permit, the Permittee shall submit to the Department for review and evaluation, all documentation necessary to demonstrate the Permittee satisfies the financial test criteria. See Financial Assurance Condition II.E.5.
2. The Permittee's financial assurance shall become effective immediately upon the Permittee receiving the Department's final written response regarding either the Permittee's cost estimate(s) or the Permittee's demonstration that the Permittee satisfies the financial test criteria, whichever date is later.

D. Multiple Instruments

The Permittee may combine more than one mechanism generally described in Financial Assurance Condition II.E., to demonstrate financial assurance for the closure and corrective action activities required by this Permit. The Department reserves the right to limit the Permittee's choices to one or more of the instruments, on a case-by-case basis, in order to ensure the full and final completion of the closure and corrective action activities required by this Permit.

E. Financial Assurance Instruments

The Permittee must choose from the mechanisms specified in 40 C.F.R. §§ 264.143, 264.145, and 264.146. The wording of the financial assurance documents shall meet the requirements of 40 C.F.R. § 264.151, except that deviation in wording to incorporate coverage for corrective action activities is

allowed. All financial assurance instruments provided pursuant to this Permit shall be satisfactory in form and substance as determined by the Department.

1. Trust Fund

- a. The trust fund shall be established for the benefit of the Department and administered by a trustee who has the authority to act as a trustee under federal or state law and whose trust operations are regulated and examined by a federal or state agency.
- b. The trust agreement shall state that the trustee shall make payments from the fund, as the Department directs in writing, to:
 - (1) Reimburse the Permittee for expenditures made by the Permittee for closure and corrective action activities performed according to this Permit; or
 - (2) Pay any other person whom the Department determines has performed or will perform the closure and corrective action activities required by this Permit.
- c. The trust agreement shall also state that the trustee shall not refund to the grantor any amounts from the fund until the Department notifies the trustee, in writing, that the closure and corrective action activities performed according to this Permit have been completed to the Department's satisfaction.

2. Surety Bond

- a. A surety bond shall unconditionally guarantee either:
 - (1) Payment, at the direction of the Department, into a standby trust fund that meets the requirements of Financial Assurance Condition II.E.1; or
 - (2) Performance of the closure and corrective action activities required by this Permit. The Surety Company issuing the bond shall, at a minimum, be among those

the Department, except that the face amount may exclude costs covered by another financial assurance instrument, as permitted in Financial Assurance Condition II.D.

- c. The insurance policy shall state that the insurer shall make payments up to an amount equal to the face amount of the policy, as the Department directs in writing, to:
 - (1) Reimburse the Permittee for expenditures made by the Permittee for closure and corrective action activities performed according to this Permit; or
 - (2) Pay any other person whom the Department determines has performed or will perform the closure or corrective action activities required by this Permit.

- d. The insurance policy shall also state that it may not be canceled, terminated, or non-renewed and the policy shall remain in full force and effect in the event that:
 - (1) The Permittee is named as a debtor in a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code; or
 - (2) The Department notifies the insurer of the Permittee's failure to perform, under Financial Assurance Condition II.I.

5. Financial Test or Corporate Guarantee

- a. A Permittee may provide financial assurance through a demonstration that the Permittee satisfies the financial test requirements described in 40 C.F.R. §§ 264.143(f) and 264.145(f).

- b. A Permittee's direct or indirect parent company may provide a corporate guarantee, executed in favor of the Department. Such guarantee shall state the company providing the guarantee shall perform the closure and corrective action activities required by this Permit, or that the company shall establish a trust fund as

allowed in Financial Assurance Condition II.E.1. Any company providing such a guarantee shall demonstrate, to the satisfaction of the Department, that it satisfies the financial test requirements described in 40 C.F.R. §§ 264.143(f) and 264.145(f).

- c. The Permittee shall also comply with the applicable requirements of 40 C.F.R. §§ 264.151(f) and (h)(1), as related to these methods, unless otherwise provided in this Permit. This includes, but is not limited to:
 - (1) Initial submission of required financial reports and statements from the guarantors' chief financial officer and independent certified public accountant;
 - (2) Annual re-submission of such reports and statements within 90 calendar days after the close of each of the guarantor's fiscal year; and
 - (3) Notifying the Department, by certified mail, within 90 calendar days after the close of any of the guarantor's fiscal years in which any such guarantor no longer satisfies the financial test requirements.
- d. The Department may, at any time, request additional information from the Permittee or corporate guarantor, including financial statements and accountant's reports. Any Department request for this information shall be in writing and shall specify a due date for submitting the information. The Permittee shall promptly provide the requested information to the Department.
- e. References in 40 C.F.R. §§ 264.143(f) and 264.145(f) to "the sum of current closure costs" and "the current plugging and abandonment cost estimates" and reference in 40 C.F.R. § 264.101(c) to "Assurances of financial responsibility for such corrective action shall be provided" shall mean "the sum of all environmental remediation obligations" guaranteed by such company or for which such company is otherwise financially obligated, in addition to the cost of the closure, and corrective

action activities required by this Permit. This includes obligations under the Comprehensive Environmental Response, Compensation, and Liability Act; RCRA; Toxic Substances Control Act; Underground Injection Control Program; and any other state or tribal environmental obligation.

F. Automatic Renewal

All financial assurance instruments shall automatically renew each calendar year, at the time of their expiration, unless the financial assurance provider notifies both the Permittee and Department, by certified mail, of a decision to cancel, terminate, or not renew a financial assurance instrument. The Permittee and Department shall receive such notification at least 120 calendar days before expiration, cancellation, or termination of the instrument. Under the terms of the financial assurance instrument, the 120 calendar days shall begin on the date both the Permittee and Department receive the notice.

1. Within 90 calendar days after receiving such notice by both the Permittee and Department, the Permittee shall provide alternate financial assurance and obtain a final written response from the Department regarding such alternate financial assurance.
2. If the Permittee fails to provide alternate financial assurance within 90 calendar days, the Department shall notify the financial assurance provider, in writing, before the instrument expires. The notice to the financial assurance provider shall instruct the financial assurance provider to immediately deposit any and all funds obligated under the financial assurance instrument into the standby trust fund, or a newly created trust fund acceptable to the Department.

G. Modifying Instruments

1. Inadequate Financial Assurance Instrument
 - a. If, at any time, the Department determines a financial assurance instrument(s) provided pursuant to this Permit is inadequate or no longer satisfies the requirements, the Department shall notify the Permittee, in writing. This applies whether there is an adjustment in the estimated cost of the closure or corrective action activities required by this Permit,

as independently determined by the Department, or for any other reason.

- (1) Within 30 calendar days of receiving such notice, the Permittee shall submit to the Department for review and evaluation, draft revised financial assurance instrument(s) and related documents. The draft revised financial assurance instrument(s) and related documents shall address the inadequacies outlined in the Department's notice.
 - (2) Within 10 calendar days after receiving the Department's final written response regarding the draft revised financial assurance instrument(s), the Permittee shall execute and/or otherwise finalize all instruments or other documents required in order to make the selected financial assurance legally binding. The final financial assurance instrument(s) shall be in a form identical to the draft revised financial assurance documents reviewed and responded to by the Department, including any changes resulting from that review.
 - (3) Within 30 calendar days after receiving the Department's final written response regarding the draft revised financial assurance instrument(s), the Permittee shall ensure the issuing institution submits to the Department, all original executed and/or otherwise finalized instruments or other documents required in order to make the selected financial assurance legally binding. The instruments or other documents shall be in a form identical to the revised financial assurance documents reviewed and responded to by the Department. Facsimiles or photocopies are not acceptable.
- b. If, at any time, the Permittee determines a financial assurance instrument provided pursuant to this Permit is inadequate or no longer satisfies the requirements described or incorporated herein, the Permittee shall notify the Department, in writing,

within 10 calendar days of this determination. This applies whether due to an adjustment in the estimated cost of the closure or corrective action activities required by this Permit or for any other reason.

2. Reduction in Amount of Financial Assurance

- a. If the Permittee believes the estimated cost to complete the closure and corrective action activities required by this Permit has diminished below the amount covered by the existing financial assurance provided under this Permit, the Permittee may submit a written proposal to the Department to reduce the amount of the financial assurance provided under this Permit.
 - (1) The amount of financial assurance proposed shall be at least equal to the estimated cost of the remaining closure and corrective action activities required by this Permit.
 - (2) The written proposal shall specify, at a minimum, the cost of the remaining closure and corrective action activities to be performed and the basis upon which such cost was calculated (e.g., years remaining until established cleanup standards are expected to be met).
- b. The Department shall notify the Permittee, in writing, regarding its evaluation of the revised financial assurance amount. The Permittee may reduce the financial assurance amount after receiving the Department's written response to the proposed revisions, but only according to, and to the extent permitted by, the Department's response. No change to the form or terms of any financial assurance provided under this Section is authorized, other than a reduction in amount.

3. Change of Form of Financial Assurance

- a. If the Permittee wishes to change the form or terms of financial assurance, the Permittee may submit a written proposal to the Department for a revised or alternative form of financial assurance. The written proposal shall specify, at a minimum:

(1) The cost of the remaining closure and corrective action activities to be performed and the basis upon which such cost was calculated; and

(2) The proposed revised form of financial assurance, including all proposed instruments or other documents required in order to make the proposed financial assurance legally binding. The proposed revised or alternative form of financial assurance shall satisfy all requirements described or incorporated by reference in this Permit.

b. The Department shall notify the Permittee, in writing, of its decision regarding the revised or alternative form of financial assurance. Acceptance of the written proposal shall be made at the Department's sole discretion.

c. Within 30 calendar days after receiving the Department's final written response regarding the proposed revised or alternative financial assurance, the Permittee shall ensure the issuing institution submits to the Department, all original executed and/or otherwise finalized instruments or other documents required in order to make the selected financial assurance legally binding. The instruments or other documents shall be in a form identical to the financial assurance documents reviewed and responded to by the Department. Facsimiles or photocopies are not acceptable.

d. The Department shall release, cancel, or terminate the prior existing financial assurance instruments only after the Permittee has submitted to the Department, all executed and/or otherwise finalized new financial assurance instruments or other required documents.

H. Obligation to Complete Closure and Corrective Action Activities

The Permittee's inability or failure to establish or maintain financial assurance for completing the closure or corrective action activities required by this Permit in no way excuses performing any other requirements of this Permit, including, without limitation, the Permittee's obligation to complete all

necessary closure and corrective action activities in strict accordance with the terms of this Permit.

I. Performance Failure

1. In the event the Department determines the Permittee:
 - a. Has ceased implementing any of the closure or corrective action activities required by this Permit; or
 - b. Is significantly or repeatedly deficient or late in performing the closure or corrective action activities required by this Permit; or
 - c. Is implementing the closure or corrective action activities required by this Permit in a manner that may cause an endangerment to human health or the environment;

the Department may issue, to both the Permittee and financial assurance provider, a written notice (“Performance Failure Notice”) of the Permittee’s failure to perform. The notice shall specify the grounds upon which the notice was issued and provide the Permittee 10 calendar days to remedy the circumstances.

2. If the Permittee fails to remedy the performance failure to the Department’s satisfaction before the 10 calendar days’ end, the Department shall have immediate access to, and benefit of, the financial assurance provided. The Department may, at any time thereafter, direct the financial assurance provider to immediately:
 - a. Deposit any and all funds obligated under the financial assurance instrument into the standby trust fund, or a newly created trust fund acceptable to the Department; or
 - b. Arrange for performance of the closure or corrective action activities required by this Permit.
3. The Department shall notify the Permittee, in writing, if the Department is unable, after reasonable efforts, to secure the payment of funds from the financial assurance provider for performing the

closure or corrective action activities. Within 10 calendar days of receiving such notice, the Permittee shall provide cash to fund the standby trust fund, or a newly created trust fund acceptable to the Department.

- a. The funds shall at least equal the cost of the remaining closure and corrective action activities required by this Permit.
- b. The deposit shall be made in immediately available funds and without setoff, counterclaim, or condition of any kind.

J. Release of Financial Assurance

1. After the Department and Permittee have mutually agreed that all closure and corrective action activities required by this Permit are complete, the Permittee may submit a written request to the Department to release the Permittee from the requirement to maintain financial assurance.
2. The Department shall notify both the Permittee and financial assurance provider(s), in writing, if and when the Permittee is released from all financial assurance obligations under this Permit.
3. The Permittee shall not release, cancel, or terminate any financial assurance provided pursuant to this Permit, except as provided in Financial Assurance Condition II.G.2.

III. Liability Requirements

If the Permittee has not already done so as of the effective date of this Permit, within 90 calendar days after the effective date of this Permit, the Permittee shall establish third party liability coverage according to 40 C.F.R. § 264.147.

FACILITY SUBMISSION SUMMARY

Table 5 - Planned Submittal Requirements

Submittal Requirements	Due Date*	Permit Condition
Two paper copies and one searchable electronic copy of the consolidated permit application	Within 60 calendar days after effective date of this Permit.	Schedule of Compliance Item I.A.
Revised Part A permit application	Within 60 calendar days after effective date of this Permit.	Schedule of Compliance Item I.B.
Certification that Permittee has read and understands all permit conditions in this Permit	Within 60 calendar days after effective date of this Permit.	Schedule of Compliance Item I.C.
Check or money order for any outstanding engineering review costs	Within 60 calendar days after effective date of this Permit.	Schedule of Compliance Item I.D.
Check or money order for each year this Permit is to be in effect beyond the first year	Within 60 calendar days after effective date of this Permit.	Schedule of Compliance Item I.E.
Updated closure cost estimate	Within 60 calendar days after effective date of this Permit.	Schedule of Compliance Item I.F.
Updated OM&M plan	Within 60 calendar days after effective date of this Permit.	Schedule of Compliance Item I.G.
Draft financial assurance instrument(s)	Within 30 calendar days after receiving the Department's final written response regarding updated and corrective action cost estimate.	Schedule of Compliance Item II.
Execute updated financial assurance instrument reflecting updated cost estimate	Within 10 calendar days after receiving Department's final written response regarding draft financial assurance instrument.	Schedule of Compliance Item III.

Submittal Requirements	Due Date*	Permit Condition
Original executed financial assurance instruments and related documents	Within 30 calendar days after receiving Department’s final written response regarding draft financial assurance instrument.	Schedule of Compliance Item IV.
Updated Risk Assessment Outline/Protocol	Within 90 calendar days after effective date of this Permit.	Schedule of Compliance Item VII.
Updates to the 1998 Risk Assessment Report	Within 270 calendar days after receiving the Departments approval of the updated risk assessment protocol.	Schedule of Compliance Item VIII.
Notification of construction complete for the South Railcar Unloading Area	Within 2 years after effective date of this Permit.	Schedule of Compliance Item IX.
Updated closure cost estimate for the South Railcar Unloading Area	Prior to utilizing the South Railcar Unloading Area	Schedule of Compliance Item X
Notification of construction complete for the South Railcar’s Unloading and Wash Tanks	Within 2 years after effective date of this Permit.	Schedule of Compliance Item XI.
Updated closure cost estimate for the South Railcar Unloading Area Tanks	Prior to utilizing the South Railcar Unloading Area Tanks (SF- 9000 and SF-10000)	Schedule of Compliance Item XII
Permit Renewal Application	At least 24 months before expiration date of this Permit.	Standard Permit Condition II.

*Extensions may be requested and approved by the Department for cause without modifying this Permit.

Table 6 - Contingent Corrective Action Submittal Requirements Pursuant to the Corrective Action Conditions of this Permit

Contingent Submittal Requirements	Due Date	Corrective Action Condition
Written report describing the details of an incident requiring implementation of the facility Contingency Plan.	Within 15 calendar days of the incident.	General Permit Condition II.
Written notification of newly identified SWMU(s) and AOC(s)	No later than 15 calendar days after discovery.	II.A.
SWMU/AOC Assessment Work Plan	Within 30 calendar days after notice by the Department that a work plan is required.	II.B.
SWMU/AOC Assessment Report	According to the schedule in the approved SWMU/AOC Assessment Work Plan.	II.D.
Written notification of newly identified releases from previously identified SWMU(s) and AOC(s)	No later than 15 calendar days after discovery.	III.A.
Newly Identified Release Work Plan	Within 30 calendar days after receiving Department notification that a work plan is required.	III.B.
Newly Identified Release Report	According to the schedule in the approved Newly Identified Release Work Plan.	III.D.
Notification of the need for interim/stabilization measures	Within 24 hours after discovery of need for stabilization.	IV.A.
Notification of interim/stabilization measures not effective	Within 10 calendar days after determination.	IV.C.
RCRA Facility Investigation (RFI) Work Plan	Within 60 calendar days after receiving Department notification that a work plan is required.	V.A.

Contingent Submittal Requirements	Due Date	Corrective Action Condition
RCRA Facility Investigation (RFI) Report	According to the schedule in the approved RFI Work Plan.	VI.A.
Corrective Measures Study (CMS) or Remedy Evaluation Work Plan	Within 45 calendar days after receiving Department notification that a work plan is required.	VII.C.
Corrective Measures Study (CMS) or Remedy Evaluation Report	According to the schedule in the approved CMS Work Plan.	VIII.A.
Soil or Other Media Disturbance Notification	At least 30 calendar days before any planned activities at any area subject to AULs.	X.A.1.
Transfer of Interest in Permitted Property Notification	At least 90 calendar days before transferring any interest in any portion of permitted property.	X.B.1.
Change in Use of Property Notification	At least 30 calendar days before any proposed change in use of property.	X.C.
Draft Environmental Covenant	Within 60 calendar days of the Department's request.	X.D.1.
Annual Progress Reports	By March 1 of each calendar year (may be combined with March 1 Groundwater Monitoring Reports).	XI.A.

Lone Star Industries, Incorporated
Missouri Hazardous Waste Management Facility Permit – Part I
MOD981127319
Page 88

Figure 1 - Facility Location

Figure not available due to size.

Please see hard copy or separate electronic file online at

<https://dnr.mo.gov/env/hwp/permits/mod981127319/20190906-figure1.pdf>

Lone Star Industries, Incorporated
Missouri Hazardous Waste Management Facility Permit – Part I
MOD981127319
Page 89

Figure 2 - Facility Property Boundaries

Figure not available due to size.

Please see hard copy or separate electronic file online at

<https://dnr.mo.gov/env/hwp/permits/mod981127319/20170303-figure2.pdf>

Lone Star Industries, Incorporated
Missouri Hazardous Waste Management Facility Permit – Part I
MOD981127319
Page 90

Figure 3 - Location of Permitted Hazardous Waste Management Units

Figure not available due to size.

Please see hard copy or separate electronic file online at

<https://dnr.mo.gov/env/hwp/permits/mod981127319/20190201-figure3.pdf>

Figure 4 - Location of SWMUs and AOCs at the Facility

Figure not available due to size.
Please see hard copy or separate electronic file online at
<https://dnr.mo.gov/env/hwp/permits/mod981127319/20081101-figure4.pdf>