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## ATTACHMENTS

**ATTACHMENT A: FACILITY DESCRIPTION**

**ATTACHMENT B: WASTE ANALYSIS PLAN**

**ATTACHMENT C: CONTAINER STORAGE AND CONSOLIDATION PLAN**

**ATTACHMENT D: PROCEDURES TO PREVENT HAZARDS**

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**ATTACHMENT J: RECORDKEEPING AND REPORTING**

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**ATTACHMENT L: ARIZONA ADMINISTRATIVE CODE**

Exhibit L-1: Arizona Administrative Code Title 18 Chapter 8 (revised 3/31/23)

## **PART I – GENERAL PERMIT CONDITIONS**

### **A. EFFECT OF PERMIT**

The Permittee is allowed to manage hazardous waste in accordance with the conditions of this Permit. Any additional storage, treatment, and/or disposal of hazardous waste not specifically authorized in this Permit is prohibited. Subject to Arizona Administrative Code (A.A.C.) R18-8-270.A and 40 CFR 270.4, compliance with this Permit generally constitutes compliance, for purposes of enforcement, with the Arizona Hazardous Waste Management Act (AHWMA). Issuance of this Permit does not convey any property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local law or regulations. Compliance with the terms of this Permit does not constitute a defense to any order issued or any action brought under Sections 3008(a), 3008(h), 3013, or 7003 of RCRA (42 U.S.C. 6921 et seq.); Sections 106(a), 104 or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq., commonly known as CERCLA), or any other law providing for protection of public health or the environment.

[A.A.C. R18-8-270.A, 40 CFR 270.4, 270.30(g)]

### **B. DEFINITIONS**

For purposes of this Permit, terms used herein shall have the same meaning as those in A.A.C. R18-8-260 et seq. (40 CFR Parts 124, 260, 264, 266, 268, and 270), unless this Permit specifically provides otherwise (see alphabetized terms below); where terms are not defined in the regulations or the Permit, 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.

1. A.A.C. and C.F.R. means the Arizona Administrative Code (A.A.C.) Title 18, Chapter 8, Article 2 (A.A.C. R18-8-260 et seq.), found in Permit Attachment L.
2. ADEQ Contact means the hazardous waste permit writer designated by ADEQ to review the permit, permit modifications, and permit-related submittals. The email address for the ADEQ Contact is hazwastepermits@azdeq.gov
3. AHWMA means Arizona Hazardous Waste Management Act.
4. Area of Concern or AOC defined as:
  - (a) Hazardous product storage unit or area.
  - (b) Any area where a one-time hazardous material (product or waste) spill event occurred.
  - (c) Any hazardous material unit or area where management may have occurred, where the potential for release may have existed, but where insufficient evidence was found during the RCRA Facility Assessment (RFA) to verify the existence of a definable Solid Waste Management Unit (SWMU).

5. Director means the Director of ADEQ or the Director's designee or authorized representative.
6. Example means, unless otherwise specified, that the form is a blank form that is mandatory to be used or followed. This term does not convey to the Permittee that the statements are optional to be performed or are at the user's discretion. "Example" presents, unless otherwise specified, minimum acceptable.
7. Facility or Activity means any HWM facility or any other facility or activity including land or appurtenances thereto) that is subject to regulation under the RCRA program.
8. Hazardous constituent means any constituent identified in A.A.C. R18-8-261.A (Appendix VIII of 40 CFR Part 261), or any constituent identified in A.A.C. R18-8-264 (Appendix IX of 40 CFR Part 264).
9. Hazard Classification means the Department of Transportation (DOT) hazard classification given to a designated material for the purpose of classifying the material for transport.
10. Hazardous waste means a hazardous waste as defined in R18-8-261.A (40 CFR 261.3).
11. Performance-Oriented packaging (POP) means those containers meeting the performance-oriented packaging standards as defined by the Department of Transportation HM-181 Standards document.
12. Qualified means that the individual or group shall have the same reliability, expertise, integrity, competence, training, education, and other necessary skills, as required by this Permit, as the person(s) or group who normally performs that function has.
13. Permittee is the person so designated on the Permit Approval Form.
14. Property Owner is the person so designated on the Permit Approval Form.
15. Regulated Facility or Regulated Unit means any hazardous waste management facility or unit regulated under A.A.C. R18-8-264.A and 270.A, and 40 CFR 264 and 270.
16. Release includes the definitions of "discharge" and "disposal" as found in A.A.C. R18-8-260.A (40 CFR 260.10) and means any spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping, or disposing of hazardous wastes (including hazardous constituents) into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing hazardous wastes or hazardous constituents).

17. Shall, Must, Will, and factual statements denote a mandatory requirement.
18. Should or May denotes a recommendation or permission, respectively, which is not mandatory.
19. Solid Waste Management Unit or SWMU means any discernible unit at which solid wastes have been placed at any time, irrespective of whether the unit was intended for the management of solid or hazardous waste. SWMUs include any area at a facility at which solid wastes have been routinely and systematically released.
20. SOP means Standard Operating Procedure

**C. PERMIT ACTIONS**

1. Permit Modification, Revocation and Reissuance, and Termination

This Permit may be modified, revoked and reissued, or terminated for cause, as specified in A.A.C. R18-8-270.A, 40 CFR 270.41, 270.42, and 270.43. The Permit may be modified by the Director at any time, following procedures outlined in A.A.C. R18-8-271.D in order to ensure compliance with applicable state and federal requirements. The filing of a request for a Permit modification, revocation and reissuance, or termination, or the notification of planned changes or anticipated noncompliance on the part of the Permittee, does not stay the applicability or enforceability of any Permit condition.

[A.A.C. R18-8-270.A, 40 CFR 270.4(a) and 270.30(f)]

2. Permit Renewal

This Permit may be renewed as specified in A.A.C. R18-8-270.A, 40 CFR 270.30(b) and Permit Condition I.E.3. Review of any application for a Permit renewal shall consider improvements in the state of control and measurement technology, as well as changes in applicable regulations.

[A.A.C. R18-8-270.A, 40 CFR 270.30(b), and HSWA Sec. 212]

**D. SEVERABILITY**

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

[A.A.C. R18-8-270.A]



**E. DUTIES AND REQUIREMENTS**

1. Duty to Comply

The Permittee shall comply with all conditions of this Permit, except to the extent and for the duration such noncompliance is authorized by an Emergency Permit. Any Permit noncompliance, other than noncompliance authorized by an Emergency Permit, constitutes a violation of AHWMA and/or RCRA and is grounds for enforcement action; for Permit termination, revocation and reissuance, or modification; or for denial of a Permit renewal application.

[A.A.C. R18-8-270.A and 40 CFR 270.30(a)]

2. Duty to Reapply

If the Permittee wishes to continue an activity allowed by this Permit after the expiration date of this Permit, the Permittee shall submit a complete application for a new Permit at least one hundred eighty (180) days prior to Permit expiration.

[A.A.C. R18-8-270.A, 40 CFR 270.10(h), and 270.30(b)]

3. Permit Expiration

This Permit shall be effective for a fixed term not to exceed ten (10) years. This Permit and all conditions herein will remain in effect beyond the Permit's expiration date, if the Permittee has submitted a timely, complete permit application for renewal and through no fault of the Permittee, the Director has not issued a new Permit. For purposes of this requirement a complete application for renewal must be in accordance with requirements of A.A.C. R18-8-270.A, E, F, G, H, I, and J (40 CFR 270.10, 270.13 through 270.29)

[A.A.C.R18-8-270.A (40 CFR 270.50(a), 40 CFR 270.51)]

4. Need to Halt or Reduce Activity Not a Defense

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

[A.A.C. R18-8-270.A and 40 CFR 270.30(c)]

5. Duty to Mitigate

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

[A.A.C. R18-8-270.A and 40 CFR 270.30(d)]

6. Proper Operation and Maintenance

The Permittee shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires the operation of back-up or auxiliary facilities or equivalent or better systems only when necessary to achieve compliance with the conditions of this Permit.

[A.A.C. R18-8-270.A and 40 CFR 270.30(e)]

7. Property Rights

This Permit does not convey any property rights of any sort, or any exclusive privilege.

[A.A.C. R18-8-270.A, 40 CFR 270.4(b) and 270.30(g)]

8. Duty to Provide Information

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

[A.A.C. R18-8-264.A and 270.A, and 40 CFR 264.74(a) and 270.30(h)]

9. Inspection and Entry

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

- (a) Enter at reasonable times upon the Permittee's premises where a regulated waste management unit or activity is located or conducted, or where records must be kept under the conditions of this Permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
- (c) Inspect at reasonable times any waste management unit, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
- (d) Sample or monitor, at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by AHWMA and RCRA, any substances or parameters at any location.

[A.A.C. R18-8-270.A (40 CFR 270.30(i))]

10. Monitoring and Records

- (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity (e.g., air emissions). The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from A.A.C. R18-8-261.A, Appendix I of 40 CFR 261 or an equivalent or better method approved by the Director. Laboratory methods must be those specified in Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, EPA Publication SW-846 (current edition), or an equivalent or better method, as specified in the Waste Analysis Plan (Permit Attachment B) or as approved by the Director.  
[A.A.C. R18-8-270.A (40 CFR 270.30(j)(1))]
- (b) The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports and records required by this Permit, the certification required by A.A.C. R-18-264.A and 40 CFR 264.73(b)(9), and records of all data used to complete the application for this Permit for a period of at least three (3) years from the date of the sample, measurement, report, record, certification, or application. These periods may be extended by request of the Director at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility.  
[A.A.C. R18-8-264.A and 270.A, and 40 CFR 264.74(b) and 270.30(j)(2)]
- (c) Pursuant to A.A.C. R18-8-270.A and 40 CFR 270.30(j)(3), records of monitoring information shall specify:
- (i) The dates, exact place, and times of sampling or measurements;
  - (ii) The individual(s) who performed the sampling or measurements;
  - (iii) The dates the analyses were performed;
  - (iv) The individual(s) who performed the analyses;
  - (v) The analytical techniques or methods used; and
  - (vi) The results of such analyses.
- [A.A.C. R18-8-270.A (40 CFR 270.30(j)(3))]
- (d) Each parameter test that an in-state or out-of-state laboratory performs directly for the Permittee to comply with the requirements of the permit must be licensed by the Arizona Department of Health Services (ADHS) [Arizona Revised Statutes (A.R.S.) Title 36, Chapter 4.3, Article 1, Section 36-495.01]. Additionally, if a contract laboratory is used to perform analyses, then the Permittee shall inform the laboratory in writing that it must operate under the applicable conditions set forth in this Permit.

11. Signatory and Certification Requirements

All applications, reports, or information submitted to or requested by the Director, his/her designee, or authorized representative, shall be signed and certified in accordance with A.A.C. R18-8-270.A and 40 CFR 270.11

[A.A.C. R18-8-270.A (40 CFR 270.30(k))]

12. Reporting Requirements

(a) Planned Changes

The Permittee shall give notice to the Director, as soon as possible, of any planned physical alterations or additions to the permitted facility.

[A.A.C. R18-8-270.A and 270.L (40 CFR 270.30(l)(1))]

(b) Anticipated Noncompliance

The Permittee shall give advance notice to the Director of any planned changes (e.g., physical alterations) in the permitted facility or activity which may result in noncompliance with Permit requirements.

[A.A.C. R18-8-270.A and 270.L (40 CFR 270.30(l)(2))]

(c) Transfers

This Permit is not transferable to any person or any other corporation, except after notice to the Director. The Director may require modification or revocation and reissuance of the Permit to change the name of the Permittee and incorporate such other requirements as necessary pursuant to A.A.C. R18-8-270.A and 40 CFR 270.40.

[A.A.C. R18-8-270.A and 270.L (40 CFR 270.30(l)(3)); R18-8-264.A (40 CFR 264.12(c))]

(d) Monitoring Reports

Monitoring results shall be reported at the intervals specified elsewhere in this Permit.

[A.A.C. R18-8-270.A and 270.L (40 CFR 270.30(l)(4))]

(e) Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Permit shall be submitted no later than fourteen (14) calendar days following each schedule date.

[A.A.C. R18-8-270.A (40 CFR 270.30(l)(5))]

(f) Manifest Discrepancy Report

If a significant discrepancy in a manifest is discovered, the Permittee must attempt to reconcile the discrepancy. If not resolved within fifteen (15) days, the Permittee must submit a letter report, including a copy of the manifest, to the Director.

[A.A.C.R18-8-270.A (40CFR§270.30(l)(7)),A.A.C.R18-2-264.A(40 CFR§264.72)]

(g) Unmanifested Waste Report

The Permittee shall submit an unmanifested waste report to the Director within fifteen (15) days of the receipt of unmanifested waste.

[A.A.C.R18-8-270.A (40 CFR §270.30(l)(8)), A.A.C.R18-2-264.A(40 CFR§264.76)]

(h) Annual Report

The Permittee must submit an Annual Report pursuant to, and as described in A.A.C. R18-8-264.I (40 CFR 264.75).

(i) Other Noncompliance

The Permittee shall report all instances of noncompliance not required under A.A.C. R18-8-270.A and 40 CFR 270.30(l)(4), (l)(5) and (l)(6), at the time monitoring (including annual) reports are submitted. Reports shall contain the information listed in A.A.C. R18-8-270.A and 40 CFR 270.30(l)(6).

[A.A.C. R18-8-270.K and 270.L (40 CFR 270.30(l)(10))]

13. Twenty-Four Hour Reporting

The Permittee shall immediately report to the Director any noncompliance which may endanger health or the environment. Any such information shall be reported orally within twenty-four (24) hours from the time the Permittee becomes aware of the circumstances. The report shall include the following:

- (a) Information concerning the release of any hazardous waste that may cause an endangerment to public drinking water supplies.
- (b) Any information of a release or discharge of hazardous waste, or of a fire or explosion from the hazardous waste management facility, which could threaten the environment or human health outside the facility. The description of the occurrence and its cause shall include:
  - (i) Name, address, and telephone number of the owner or operator;
  - (ii) Name, address, and telephone number of the facility;
  - (iii) Date, time, and type of incident;
  - (iv) Name and quantity of material(s) involved;
  - (v) The extent of injuries, if any;

- (vi) An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and
  - (vii) Estimated quantity and disposition of recovered material that resulted from the incident.
- (c) A written submission of the occurrence shall also be provided within five (5) calendar days of the time the Permittee becomes aware of the circumstances. The written submission shall contain:
- (i) A description of the noncompliance and its cause;
  - (ii) The period(s) of noncompliance (including exact dates and times);
  - (iii) Whether the noncompliance has been corrected; and, if not corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

The Director may waive the five (5) day written notice requirement in favor of a written report within fifteen (15) days.

[A.A.C. R18-8-270.A (40 CFR 270.30(l)(6))]

14. Other Information

- (a) Whenever the Permittee becomes aware that it failed to submit any relevant facts in the Permit application, or submitted incorrect information in a Permit application or in any report to the Director, the Permittee shall promptly submit such facts or information.  
[A.A.C. R18-8-270.A and 270.L (40 CFR 270.30(l)(11))]
- (b) Noncompliance with terms and conditions of the Permit that result in letters of warning, compliance orders from the Director, a civil consent judgment, or criminal enforcement of environmental laws by the State of Arizona shall be used to document the reliability, expertise, integrity and competence of the Permittee, pursuant to A.A.C. R18-8-270.J, and would be considered by the Director in making future changes to the Permit, pursuant to A.A.C. R18-8-270.A (40 CFR 270 Subpart D); and, when issuing a new Permit as set forth in A.A.C. R18-8-270.A (40 CFR 270.51).

**F. CONFIDENTIAL INFORMATION**

The Permittee may claim confidential any information required to be submitted by this Permit.

[A.A.C. R18-8-270.A (40 CFR 270.12)]

**G. DOCUMENTS TO BE MAINTAINED AT THE FACILITY**

The Permittee shall maintain at the facility, until closure is completed and certified by a qualified Arizona Registered Professional Engineer (P.E.), the current/updated version of the following documents:

1. Waste Analysis Plan, as required by A.A.C. R18-8-264.A, 40 CFR 264.13 and this Permit;
2. Inspection schedules, as required by A.A.C. R18-8-264.A, 40 CFR 264.15(b) and this Permit;
3. Personnel training documents and records, as required by A.A.C. R18-8-264.A, 40 CFR 264.16(d) and this Permit;
4. Emergency Contingency Plan, as required by A.A.C. R18-8-264.A, 40 CFR 264.53(a) and this Permit;
5. Closure Plan, as required by A.A.C. R18-8-264.A, 40 CFR 264.112(a) and this Permit;
6. Annually adjusted cost estimate for facility closure, as required by A.A.C. R18-8-264.A, 40 CFR 264.142(d) and this Permit;
7. Certificate of Liability Insurance and will submit a signed duplicate copy of the liability policy to the ADEQ upon request as stated at 40 CFR Part 264.147(a)(1)(i). The copy of the liability policy will be submitted as Confidential Business Information;

The Permittee shall maintain at the facility, the past three years of the following documents:

8. Operating record, as required by A.A.C. R18-8-264.A, 40 CFR 264.73 and this Permit;
9. All other documents required by Permit Condition I.E.10 (Monitoring and Records).

**H. PERMIT MODIFICATIONS**

1. General Conditions

For Permit modifications (including re-applications), the Permittee shall follow A.A.C. R18-8-270.A and 40 CFR 270.42 and, as applicable,:

- (a) Permit Condition I.C.1. (Permit Modification, Revocation, Reissuance, and Termination);

- (b) Permit Condition I.E.12(b) (Reporting Requirements – Anticipated Noncompliance);
- (c) Permit Condition I.E.12 (a) (Reporting Requirements – Planned Changes);
- (d) Permit Condition II.A (Design and Operation of Facility);
- (e) Signatory and document liability certification requirements as described in Permit Condition I.E.11 (Signatory and Certification Requirements);
- (f) Confidentiality rules, if desired, pursuant to Permit Condition I.F. (Confidential Information); and
- (g) Fees required to be submitted with the application for Permit modification as required by A.A.C. R18-8-270.G.

2. Facility Mailing List

The Permittee shall obtain (from the ADEQ Contact) and use an updated current facility mailing list, pursuant to A.A.C. R18-8-270.A and 40 CFR 270.42 when processing all Permittee requested Permit modifications.

[A.R.S. 49-941, A.A.C. R18-8-271.I(c)]

3. Changes to Key Employee(s)

For the following key personnel changes, the Permittee shall submit to the ADEQ Contact an ADEQ Character/Background Reference Form:

- (a) Signatories – See Permit Condition I.E.11 (Signatory and Certification Requirements);
- (b) Emergency Coordinators – See Contingency Plan (Permit Attachment E).

[A.R.S. 49-922.C; A.A.C. R18-8-270.J (270.14(b)(20))]

4. Changes to Contingency Plan

Modifications to Permit Attachment E have additional notification requirements as described in that plan.

[40 CFR 264.37(a)(4) and A.A.C. R18-8-264.A]



## **PART II – GENERAL FACILITY CONDITIONS**

### **A. DESIGN AND OPERATION OF FACILITY**

The Permittee shall construct, maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned, sudden or non-sudden release of hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

[A.A.C. R18-8-264.A and 40 CFR 264.31]

### **B. REQUIRED NOTICES**

#### **1. Hazardous Waste Imports**

The Permittee shall notify the Director, in writing, at least four weeks in advance of the date the Permittee expects to receive hazardous waste from a foreign source.

[A.A.C. R18-8-264.A and 40 CFR 264.12(a)].

#### **2. Hazardous Waste from Off-Site Sources**

When the Permittee is to receive hazardous waste from an off-site source (except where the Permittee is also the generator), he/she must inform the generator in writing that he/she has the appropriate Permits, and will accept the waste the generator is having transported. The Permittee must keep a copy of this written notice as part of the operating record.

[A.A.C. R18-8-264.A and 40 CFR 264.12(b)]

### **C. GENERAL WASTE ANALYSIS**

The Permittee shall follow the waste analysis procedures, as described in Permit Attachment B.

#### **1. Waste Stream Evaluation**

The Permittee shall perform waste stream evaluation in accordance with Permit Attachment B, Waste Analysis Plan, Section 4.5. Laboratory testing shall be conducted in accordance with the methods described in Attachment B, Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, EPA Publication SW-846 (current edition adopted by the laboratory performing the testing), or equivalent or better methods approved by the Director. At a minimum, the Permittee shall maintain proper functioning instruments, use approved sampling and analytical methods, verify the validity of sampling and analytical procedures, and perform correct calculations. If the Permittee uses a contract laboratory to perform analyses, then the Permittee shall inform the laboratory in writing that it must operate under the waste analysis conditions set forth in this Permit.

[A.A.C. R18-8-264.A and 40 CFR 264.13]

#### **2. ADHS Certification**

All testing performed directly for the Permittee at off-site laboratories, in-state or out-of-state, must be conducted by laboratories licensed (certified) by the Arizona

Department of Health Services for the applicable analytical methods in use at the offsite laboratory.

[A.R.S. Title 36, Chapter 4.3, Article I, Section 36-495.01]

3. Waste Stream Re-evaluation

Waste stream re-evaluation will be performed in accordance with Permit Attachment B, Waste Analysis Plan, Section 4.5.

[40 CFR 264.13(b)(4)]

4. Waste Stream Certification

Waste stream acceptance activities for incoming waste streams shall commence in accordance with the Permit Attachment B. Hazardous waste will be placed in permitted storage within 72 hours of receipt in accordance with the Container Storage and Consolidation Plan (Permit Attachment C), Section 7.1

[40 CFR 264.13(c)(1)]

**D. SECURITY**

The Permittee shall comply with the security provisions of A.A.C. R18-8-264.A, 40 CFR 264.14(b)(2) and those contained in the Procedures to Prevent Hazards (Permit Attachment D). Information on the Electronic Security Systems is in Appendix D-B (confidential).

**E. GENERAL INSPECTION REQUIREMENTS**

1. The Permittee shall follow the inspection schedule set out in Permit Attachment D and ensures that no waste container received at the Coolidge facility resides at the facility for more than 1 year. The Permittee can store waste beyond 1 year if such storage was solely for the purpose of accumulation of such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment or disposal. The Permittee must prepare a written justification to the ADEQ Director each time a container is stored at the facility for more than 1 year.

2. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, as required by A.A.C. R18-8-264.A and 40 CFR 264.15(c). Records of inspection shall be kept, as required by A.A.C. R18-8-264.A and 40 CFR 264.15(d).

[40 CFR 268.50 (b) & (c)]

**F. PERSONNEL TRAINING**

The Permittee shall conduct personnel training, as required by A.A.C. R18-8-264.A and 40 CFR 264.16. This training program shall follow the outline contained in the Personnel Training Program (Permit Attachment F). The Permittee shall maintain training documents and records, as required by A.A.C. R18-8-264.A and 40 CFR 264.16(d) and (e).

**G. RESERVED**

## **H. PREPAREDNESS AND PREVENTION**

### **1. Required Equipment**

At a minimum, the Permittee shall maintain at the facility the equipment set forth in Permit Attachment D and Permit Attachment E.

[A.A.C. R18-8-264.A (40 CFR 264.32)]

### **2. Testing and Maintenance of Equipment**

The Permittee shall test and maintain the equipment specified in Permit Condition II.H.1., as necessary, to assure its proper operation in time of emergency.

[A.A.C. R18-8-264.A (40 CFR 264.33)]

### **3. Access to Communications or Alarm System**

The Permittee shall maintain access to the communications or alarm system.

[A.A.C. R18-8-264.A (40 CFR 264.34)]

### **4. Required Aisle Space**

At a minimum, the Permittee shall maintain aisle space and the plans and specifications contained in Permit Part III.A (“Container Management Summary”), and Permit Attachment C.

[A.A.C. R18-8-264.A (40 CFR 264.35)]

### **5. Arrangements with Local Authorities**

The Permittee shall maintain arrangements with state and local authorities, as required by A.A.C. R18-8-264.A and 40 CFR 264.37. If state or local officials refuse to enter into preparedness and prevention arrangements with the Permittee, the Permittee must document this refusal in the operating record. All correspondence related to these arrangements must be kept with the Contingency Plan.

[A.A.C. R18-8-264.A (40 CFR 264.52(c))]

## **I. CONTINGENCY PLAN**

### **1. Implementation of Plan**

(a) The Permittee shall immediately carry out the provisions of Permit Attachment E, and follow the emergency procedures described by A.A.C. R18-8-264.A and G, and 40 CFR 264.56 whenever there is a fire, explosion, or release of hazardous waste or constituents which could threaten human health or the environment.

[A.A.C. R18-8-264.A (40 CFR 264.51(b))]

(b) As part of the remedial action taken in response to a fire, release, or unplanned explosion of hazardous waste where hazardous waste is released from the facility beyond the facility boundary and has impacted surface soil, the Permittee shall sample and analyze to determine the extent and depth of any soil contamination present at concentrations which could threaten human health or the environment. Alternatively, the Permittee may conduct soil sampling after removal of soil contaminated with hazardous waste or

hazardous constituents to verify that concentration of hazardous waste or constituents do not threaten human health and the environment. Sample types, locations, analytes and methods may be subject to the approval of the Director.

The sampling and analytical methods used must be consistent with those published in Test Methods for Evaluating Solid Waste: Physical/ Chemical Methods, EPA Publication SW-846 (current edition). Each parameter test that the in-state or out-of-state laboratory can perform for hazardous waste analysis must be licensed by ADHS.

A report of the sampling and analysis must be kept on file. The report shall include:

- (i) The number of samples taken;
- (ii) The location and size of each sample;
- (iii) The depth of each sample;
- (iv) The specific analytical methods used;
- (v) A description of the sampling tools, containers, filling, sealing, and preservation methods.

[A.R.S. 49-108]

2. Copies of Plan

The Permittee shall maintain a copy of the Contingency Plan at the facility and shall provide a copy to all police departments, fire departments, hospitals, and State and local emergency response teams that may be asked to provide emergency assistance. Documentation of timely submittal of Contingency Plans and revisions shall be in the form of a certified mail receipt, or similar documentation, and retained in the facility operating record.

[A.A.C. R18-8-264.A (40 CFR 264.53)]

3. Amendments to Plan

The Permittee shall request a modification to the Contingency Plan based on criteria listed in 40 CFR 264.54.

[A.A.C. R18-8-264.A (40 CFR 264.54)]

4. Emergency Coordinator

A trained emergency coordinator (thoroughly familiar with all aspects of the facility's contingency plan, all operations and activities at the facility, the location and characteristics of wastes handled, the location of all records within the facility, the facility layout, and the authority to commit the resources needed to carry out the contingency plan) shall be on the facility premises or on call (must be able to immediately reach the facility) in case of an emergency. Any change to the names, addresses, and phone numbers of all persons qualified to act as emergency coordinators, as listed in Permit Attachment E, shall be supplied to the Director as a Permit modification request requiring Director approval, pursuant to Permit Conditions I.H and II.I.3 .

[A.A.C. R18-8-264.A (40 CFR 264.52(d) and 40 CFR 264.55)].

**J. RECORD KEEPING AND REPORTING**

In addition to the record keeping and reporting requirements specified elsewhere in this Permit, A.A.C. R18-8-264.A, and 40 CFR 264.77, the Permittee shall do the following:

1. Operating Record

The Permittee shall maintain a written (or electronic as noted below) operating record at the facility, to include but not be limited to:

- (a) A description and the quantity of each hazardous waste received and the method(s) and date(s) of its treatment, storage, and/or disposal at the facility (this may be a written record or an electronic record with written report provided upon request by the Director's authorized representative);

[A.A.C. R18-8-264.A (40 CFR 264.73(b)(1) including Appendix I)]

- (b) The location of each hazardous waste within the facility, the quantity at each location, and cross references to specific manifest document numbers, if the waste was accompanied by a manifest (this may be a written record or an electronic record with written report provided upon request by the Director's authorized representative);

[A.A.C. R18-8-264.A (40 CFR 264.73(b)(2))]

- (c) The records and results of waste analyses and waste determinations (this may be a written record or an electronic record with written report provided upon request by the Director's authorized representative);

[A.A.C. R18-8-264.A (40 CFR 264.73(b)(3))]

- (d) The summary reports and details of all incidents that require implementing the Contingency Plan (this may be a written record or an electronic record with written report provided upon request by the Director's authorized representative);

[A.A.C. R18-8-264.A (40 CFR 264.73(b)(4))]

- (e) The records and results of inspections (this may be a written or an electronic record, however electronic records of any checklist must be identical electronic images of the original written record);

[A.A.C. R18-8-264.A (40 CFR 264.73(b)(5))]

- (f) The monitoring, testing or analytical data, and corrective action (this may be a written record or an electronic record with written report provided upon request by the Director's authorized representative);

[A.A.C. R18-8-264.A (40 CFR 264.73(b)(6))]

- (g) All closure cost estimates (this may be a written record or an electronic record with a written report provided upon request by the Director's authorized representative);

[A.A.C. R18-8-264.A (40 CFR 264.73(b)(8))]

- (h) Copies of waste minimization documents required in Permit Condition II.S (this may be a written record or an electronic record with a written report provided upon request by the Director's authorized representative. However,

waste minimization certifications must be an identical electronic image of the original written record).

[A.A.C. R18-8-264.A (40 CFR 264.73(b)(9))]

- (i) The notices, certification and demonstration, if applicable, required of generators (this may be a written record or an electronic record, however they must be an identical electronic image of the original written record).

[A.A.C. R18-8-264.A (40 CFR 264.73(b)(7))]

- (j) A log of equipment that contains or contacts hazardous waste with an organic concentration of at least 10 percent by weight for less than 300 hours per calendar year.

[A.A.C. R18-8-264.A (40 CFR 264.1064(g)(6))]

2. Annual Report

The Permittee shall comply with the Annual Report requirements of A.A.C. R18-8-264.I (40 CFR 264.75).

3. Inspection of Records

The Permittee shall make applicable records available to any authorized representative of the Director conducting an inspection pursuant to Permit Condition I.E.9 (Inspection and Entry).

4. Manifests

The Permittee shall comply with the manifest requirements of A.A.C. R18-8-264(H) and (J) and 40 CFR 264.71, 264.72, and 264.76.

[R18-8-264.A and 270.A (40 CFR 264.17, 264.31, 270.11(b), 270.32(b)(1), 270.32(b)(2))]

5. Annual Report on Equipment that Contains or Contacts Organic Waste

By February 1 of each calendar year the Permittee must submit a log of the equipment that contains or contacts hazardous waste with an organic concentration of at least 10 percent by weight for less than 300 hours per calendar year.

[A.A.C. R18-8-264.A (40 CFR 264.1064(g)(6))]

6. Annual Report on Mercury Export Ban Act Related Materials

By March 1 of each calendar year the Permittee must submit an operating record and status report on Mercury Export Ban Act (MEBA) related materials. This shall be certified per 40 CFR 270.11(d).

- (a) The operating record shall include:
- (i) Quantity (gallons or pounds)
  - (ii) Number of containers
  - (iii) Container IDs
  - (iv) Date of receipt
  - (v) Location of storage

- (b) The status report shall include:
  - (i) All items in above (a) operating record
  - (ii) Containers removed from long-term storage
  - (iii) Date of removal from long-term storage
  - (iv) Date containers are shipped offsite
  - (v) Shipment documentation
  - (vi) Identification of recipient of MEBA related materials

[A.A.C. R18-8-264.A (40 CFR 264.73(a))]

## **K. GENERAL CLOSURE REQUIREMENTS**

### 1. Performance Standard

The Permittee shall close the facility, as required by A.A.C. R18-264.A, 40 CFR 264.111, and in accordance with the Closure Plan (Attachment G).

### 2. Amendment to Closure Plan

The Permittee shall amend the Closure Plan (Permit Attachment G), in accordance with A.A.C. R18-8-264.A and 40 CFR 264.112(c), whenever necessary, and as required by Permit Condition II.K.1.

### 3. Notification of Closure

The Permittee shall notify the Director in writing at least forty-five (45) days prior to the date on which he/she expects to begin partial closure of any permitted unit or units, or final closure of the facility. Partial Closure activities will follow the same steps as identified under Permit Condition II.K.1, except that partial closure plans and notifications shall be specific to the unit or units to be closed at that time.

[A.A.C. R18-8-264.A (40 CFR 264.112(d))]

### 5. Time Allowed for Closure

Within ninety (90) days after receiving the final volume of hazardous waste, the Permittee shall remove from the facility all hazardous waste and shall complete closure activities, in accordance with A.A.C. R18-8-264.A, 40 CFR 264.113 and the schedules specified in the Closure Plan (Permit Attachment G).

### 6. Disposal or Decontamination of Equipment, Structures, and Soils

The Permittee shall decontaminate and/or dispose of all contaminated equipment, structures, and soils, as required by A.A.C. R18-8-264.A, 40 CFR 264.114 and Permit Attachment G.

Each parameter test that the in-state or out-of-state laboratory performs for Hazardous Waste analysis during closure must be licensed (certified) by ADHS.

[A.R.S. Title 36, Chapter 4.3, Article 1, Section 36-495.01]

### 7. Closure Report

Within sixty (60) days of completion of closure of the unit(s), the Permittee shall submit a closure report that includes at least the following information:

- (a) A summary of results, significant observations, deviations from the approved plan, and conclusions.
- (b) A detailed discussion of the closure procedures followed for each unit. Include a description of:
  - (i) The procedures followed for decontamination of the hazardous waste management unit (including disposition of residues);
  - (ii) The equipment used for decontamination of the hazardous waste management unit;
  - (iii) The sampling procedures used;
  - (iv) The equipment used for sampling;
  - (v) The remedial procedures (if applicable) used;
  - (vi) The equipment used for remediation (if applicable);
  - (vii) The analytical procedures and methods used;
  - (viii) The analytical equipment used;
  - (ix) The quality assurance program used;
  - (x) The procedures used to prevent hazards and protect field personnel during closure;
  - (xi) The equipment used to prevent hazards and protect field personnel during closure;
  - (xii) Drawings and photographs where appropriate.
- (c) Data generated from sampling and analysis activities performed pursuant to the plan, including field notes, manifests, bills of lading, LDR forms, laboratory submittal forms, chain-of-custody forms, laboratory reports, and drilling logs.
- (d) Risk assessment discussion (if applicable), including methodology, data, references, and assumptions.
- (e) Certifications from the engineer and owner/operator.
- (f) Other information requested by the Director in writing.

8. Certification of Closure

The Permittee shall certify that the facility has been closed in accordance with the specifications in Permit Attachment G.

[A.A.C. R18-8-264.A and 40 CFR 264.115]

**L. COST ESTIMATE FOR FACILITY CLOSURE**

1. Cost Estimates

The Permittee's most recent closure cost estimate, prepared in accordance with A.A.C. R18-8-264.A, 40 CFR 264.142(a), is specified in Permit Attachment G (Section G.11, Closure Cost Estimates).



2. Cost Adjustments

The Permittee must adjust the cost estimate for inflation estimates within sixty (60) days prior to each anniversary date of the establishment of the financial instrument, and submit evidence of such an increase to the ADEQ Contact within 60 days after the adjustment.

[A.A.C. R18-8-264.A and 40 CFR 264.142(b)]

3. Cost Revisions

Changes to the closure cost estimate resulting from modifications to the facility Closure Plan must be approved by the Director. Revisions to the closure cost estimate may be submitted as part of the Permit Modification request for changes to the Closure Plan, or they may be submitted separately as a Class 1 Permit Modification request requiring Director approval, and submitted no later than sixty (60) days after ADEQ has approved the Permit Modification request to the Closure Plan.

[A.A.C. R18-8-264.A and 40 CFR 264.142(c)]

4. Maintenance of Cost Revisions

The Permittee must keep at the facility the latest cost estimates.

[A.A.C. R18-8-264.A and 40 CFR 264.142(d)]

**M. FINANCIAL ASSURANCE FOR FACILITY CLOSURE**

The Permittee shall demonstrate continuous compliance with this Permit Condition by providing documentation of financial assurance, as required by A.A.C. R18-8-264.A and 40 CFR 264.143 and 264.151 and 264.101, in at least the amount of the cost estimates required by Permit Condition II.L. Changes in financial assurance mechanisms must be approved by the Director pursuant to A.A.C. R18-8-264.A, L and 40 CFR 264.143.

**N. LIABILITY REQUIREMENTS**

The Permittee shall demonstrate continuous compliance with the requirement of A.A.C. R18-8-264.A, M and 40 CFR 264.147(a) to have and maintain liability coverage for sudden and accidental occurrences in the amount of at least \$1 million per occurrence, with an annual aggregate of at least \$2 million, exclusive of legal defense costs. The wording of the certificate of liability insurance must be identical to the wording specified in A.A.C. R18-8-264.A, M and 40 CFR 264.151(j).

**O. INCAPACITY OF OWNERS OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS**

The Permittee shall comply with A.A.C. R18-8-264.A and 40 CFR 264.148, whenever necessary.

**P. LAND DISPOSAL RESTRICTIONS**

The Permittee shall comply with all the applicable Land Disposal Restriction (LDR) requirements of 40 CFR Part 268, not limited to: the required notices, use of the hazardous waste debris rule, and storage prohibitions of A.A.C. R18-8-268.A, and 40 CFR 268.7, 268.45, and 268.50.

**Q. AIR EMISSIONS STANDARDS FOR CONTAINERS**

The Permittee shall comply with the requirements of A.A.C. R18-8-264.A [40 CFR Part 264, Subpart CC (for containers)].

**R. RESERVED**

**S. WASTE MINIMIZATION CERTIFICATION**

1. Annual Certification

The Permittee shall annually certify:

- (a) That the Permittee has a program in place to reduce the volume and toxicity of all hazardous wastes which are generated by the facility operations to the degree, determined by the Permittee, to be economically practicable; and,
- (b) That the method of treatment, storage, or disposal is the only practicable method or combination of methods currently available to the facility which minimizes the present and future threat to human health and the environment.  
[A.A.C. R18-8-264.A (40 CFR 264.73(b)(9))]

2. Signatory Requirements

This certification shall be retained with the facility's operating record and shall comply with the signatory requirement of Permit Condition I.E.11 (Signatory and Certification Requirements).

**T. SCHEDULE OF COMPLIANCE**

1. Update Corrective Action Schedule of Compliance

Within 45 days of Permit Issuance, Permittee shall submit a Class 1\* Permit Modification request, requiring Director approval, to update the Corrective Action Schedule of Compliance (Permit Attachment K) to include a RCRA Facility Investigation (RFI) workplan for the onsite septic system solid waste management unit (Septic System RFI). The Septic System RFI shall include a sampling and analysis and contingent corrective measures implementation (CMI) workplan, detailing the following:

- (a) Characterization of the contents of the septic tank, soils under the pipe discharging to the septic system, soils under the septic tank, and soils in the drain field.
- (b) A contingent closure plan if the contents of the tank contain hazardous constituents in quantities sufficient to cause groundwater contamination;

- (c) A contingent corrective action workplan if soils underlying the septic system are found to exceed Arizona Soil Remediation Standards, or might cause groundwater contamination.
- (d) A schedule for implementation of the Septic System RFI Workplan, implementation of the contingent closure and corrective action workplans, and submittal of a final report.

[A.A.C. R18-8-264.A and 270.A, 40 CFR 264.111, 270.32(b)(2), and 270.33]

2. Precipitation Management SOP

Within 60 days of Permit Issuance, the Permittee shall submit a Class 1\* Permit Modification request requiring Director approval, to include an SOP for management of precipitation that accumulates in secondary containment systems.

- (a) The SOP shall follow the guidelines of the ADEQ Precipitation Management SOP contained in Permit Attachment C, Exhibit C-1.
- (b) The SOP shall be referenced in Permit Attachment C, Section 2.2 last paragraph.
- (c) The SOP shall be referenced in Permit Attachment J, Appendix P-V, item 6.

[A.A.C. R18-8-264.A and 270.A, 40 CFR 264.175, 270.15, 270.32(b)(2), and 270.33]

3. Fuel Blending Standard Operating Procedure

Within 90 days of Permit Issuance, Permittee shall submit a Class 1\* Permit Modification request to include a standard operating procedure to describe the treatment process of fuel blending. The SOP shall include detailed process information, an identification of the required fuel blending criteria, the equipment used to perform the fuel blending, and an identification of the inspection program that will be used to ensure that leaks are prevented.

- (a) Permit Attachment J shall be updated to reference the records that will be maintained in the operating record and resulting from the fuel blending treatment process.
- (b) Permit Attachment B (Waste Analysis Plan) shall be updated to include analyses and quality assurance procedures for the fuel blending treatment process.

[A.A.C. R18-8-264.A and 270.A, 40 CFR 270.15, 270.25, 270.27, 270.32(b)(2), and 270.33]

4. Update to Waste Analysis Plan

Within 180 days of Permit Issuance, Permittee shall update the Waste Analysis Plan (WAP, Permit Attachment B) to include supplemental verification sampling of hazardous wastes received for storage and treatment (“Stage 3 Testing”). The update to the WAP shall be submitted as a Class 1\* Permit Modification Request, requiring Director approval. The Stage 3 Testing shall include the following:

- (a) A specific monthly container sampling frequency based on a percentage of containers received; container selection may be from both bulk or non-bulk containers;

- (b) Containers subject to Stage 3 Testing shall be from containers that will be designated for storage at the facility, and will not include containers that do not identify the Permittee as the designated facility. Containers subject to Stage 3 Testing will only include hazardous wastes received from off-site, but not include i) lab pack waste, ii) universal waste, iii) hazardous waste destined for fuels blending, that are sampled and analyzed to meet fuels blending specifications, or iv) wastes generated by the Permittee, including wastes generated due to onsite precipitation management;
- (c) Stage 3 Testing shall consider wastes representative of multiple industries and the following waste types: i) wastes identified as volatile organic by the hazardous waste codes for the container, ii) wastes described as aqueous wastes, wastes from non-volatile organic, non-aqueous wastes (such as semi-volatile wastes), and/or from containers of mixed waste types, and wastes identified as non-liquid waste (with any hazardous waste code), including wastes that are solids/filter cake for off-site metals reclamation.
- (d) All Stage 3 Testing samples shall be analyzed using laboratory analysis methods from the publication “Test Methods for Evaluating Solid Waste Physical/Chemical Methods”, USEPA Publication SW-846, current edition, as well as any other laboratory methods that are approved in advance and certified by the ADHS Bureau of State Laboratory Services;
- (e) Permittee shall maintain a record of all Stage 3 sampling and analyses specifying the date of sampling, the container sampled, the waste type (see b, above), identifying the hazardous waste code(s) specified for the container, and summarizing the results of the laboratory analyses; records of Stage 3 Testing shall be maintained as part of the Operating record and kept for not less than three years from the date of sampling;

[A.A.C. R18-8-264.A and 270.A, 40 CFR 264.13(a)(1), 270.14(b)(3), 270.32(b)(2), and 270.33]

5. Concrete Management Plan

Within 45 days of completing corrective action items outlined in the corrective action portion of this Permit, the Permittee shall submit a Class 1\* Permit Modification request requiring Director approval, to include a concrete management plan that covers any concrete area designated for the staging of inbound/outbound shipments.

- (a) The plan shall include inspection schedules and maintenance protocols.
- (b) The need for concrete replacement will be based on the items outlined in the concrete management plan.
- (c) The plan shall be referenced in Permit Attachment C and D, and added to Permit Attachment J.

[A.A.C. R18-8-264.A and 270.A, 40 CFR 264.31, 264.175, 270.32(b)(2), and 270.33]

**PART III – HAZARDOUS WASTE STORAGE AND TREATMENT IN CONTAINERS**

This Permit authorizes the storage of hazardous wastes in containers in designated Container Storage Areas (CSAs). In addition, three treatment activities are authorized under this Permit: phase separation, F006 blending, and fuel blending. Phase separation treatment is limited to incidental phase separation which occurs when liquids are poured from one container to the next and solids remain in the bottom. No other liquid-liquid, liquid-solid, liquid-gas, or solid-gas separation will be performed at the facility. F006 hazardous waste blending may include the addition of adsorbents to reduce the free liquid content of the hazardous waste. Fuel blending is a management process to transfer liquids with sufficient heating value from small containers (typically 55-gallons or higher in volume) into large containers (tanker trailer or railcar).

**A. CONTAINER MANAGEMENT SUMMARY**

The Permittee’s container storage facilities description, design and plans are described in the Facility Description (Permit Attachment A) and Permit Attachment C and are described in the Figures and Drawings appended to Permit Attachment C.

The CSAs are identified as: Central Container Storage Area; East Container Storage Area; Lab Depack Area; Hazardous Roll-Off Storage Area; Dock and Van Storage Area; and 800 Storage Area.

A complete listing of waste storage areas covered under this Permit is provided below.

**Table III-A. Hazardous Waste Storage in CSAs**

<b>CSA</b>	<b>Description of Hazardous Waste</b>	<b>EPA Hazardous Waste Code</b>	<b>Maximum Volume (gallons)*</b>
Lab Depack Area  This area receives stores, depacks, consolidates & repacks wastes for shipment	Used laboratory chemicals, commercial chemical products & chemical manufacturing intermediates in generally small quantities, contaminated environmental media, debris, compressed gas, and household hazardous waste.	Refer to Table III-B.	1,100 (20 55-gallon equivalents)

CSA	Description of Hazardous Waste	EPA Hazardous Waste Code	Maximum Volume (gallons)*
East Container Storage Area	Characteristic heavy metals organic, volatile organic, semi-volatile organic, halogenated and non-halogenated solvents, cyanides, electroplating sludges, wastewater treatment sludges, commercial chemical products, chemical intermediates, off specification chemical products, discarded commercial chemical products, container residues, organobromine production wastes, petroleum refining wastes, contaminated environmental media, debris, compressed gas, and household hazardous waste .	Refer to Table III-C.	6,600 (120 55-gallon drum equivalents)
Central Container Storage Area	Characteristic heavy metals organic, volatile organic, semi-volatile organic, halogenated and non-halogenated solvents, cyanides, electroplating sludges, wastewater treatment sludges, commercial chemical products, chemical intermediates, off-specification chemical products discarded commercial chemical products, container residues, organobromine production wastes, petroleum refining wastes contaminated environmental media, debris, compressed gas, and household hazardous waste.	Refer to Table III-D	25,300 (460 55-gallon drum equivalents)
Hazardous Roll-Off Storage Area	Solid and hazardous waste, contaminated environmental media, debris, compressed gas, and household hazardous waste	Refer to Table III-E	100 yd <sup>3</sup>
Dock and Van Storage Area	Characteristic heavy metals organic, volatile organic, semi-volatile organic, halogenated and non-halogenated solvents, cyanides, electroplating sludges, wastewater treatment sludges, commercial chemical products, chemical intermediates, off specification chemical products, discarded commercial chemical products, container residues, organobromine production wastes, petroleum refining wastes, contaminated environmental media, debris, compressed gas, and household hazardous waste.	Refer to Table III-F	10,250 gallons

CSA	Description of Hazardous Waste	EPA Hazardous Waste Code	Maximum Volume (gallons)*
800 Storage Area	Characteristic heavy metals organic, volatile organic, semi-volatile organic, halogenated and non-halogenated solvents, cyanides, electroplating sludges, wastewater treatment sludges, commercial chemical products, chemical intermediates, off specification chemical products, discarded commercial chemical products, container residues, organobromine production wastes, petroleum refining wastes contaminated environmental media, debris, compressed gas, and household hazardous waste .	Refer to Table III-G	20,451 gallons (371 55-gallon drum equivalents)
Bulk Loading Area (Tanker and Rail)	Characteristic heavy metals organic, volatile organic, semi-volatile organic, halogenated and non-halogenated solvents, cyanides, electroplating sludges, wastewater treatment sludges, commercial chemical products, chemical intermediates, off specification chemical products, discarded commercial chemical products, container residues, organobromine production wastes, petroleum refining wastes contaminated environmental media, debris, compressed gas, and household hazardous waste .	Refer to Table III-H	20,900 gallons

Footnote:

1. The materials described above are typical and other waste materials that do not meet the descriptions in the second column may be present.

**B. PERMITTED AND PROHIBITED WASTE STORAGE**

1. Hazardous Waste

The following briefly describes each storage and containment area including operational use, operating storage capacity, wastes stored in USDOT approved containers and acceptable non-USDOT approved containers at the facility subject to the terms of this Permit, and containment capacities based on bermed or walled area dimensions.

(a) Lab Depack Area

This area will accept labpacks to be stored for purposes of direct off-site shipment and/or depack, consolidation and repack, and is designated for storage of containers. The depack area is located in the building at the north end of the East Container Storage Area (formerly Area 500) and consists of a 31-foot by 27-foot (837 square feet) enclosed area. The area is designed to store 20 55-gallon drums or the equivalent of 1,100 gallons.

The floor is constructed of poured, steel reinforced concrete with a ten (10) mil polyethylene underliner. The floor is six (6) inches thick. Although the concrete base of the area is not used for secondary containment, it is sufficiently impervious to leaks and spills until the material is detected and removed. Labpack containers, before unpacking may be placed on the same containment pallets. Incompatible wastes, once unpacked, will be separated using different containment pallets or lab carts.



**Table III-B Storage of Hazardous Waste in the Lab Depack Area**

Description of Hazardous Waste	EPA Hazardous Waste Code	Maximum Volume (gallons)*	Type of Containers
Used laboratory chemicals, commercial chemical products & chemical manufacturing intermediates in generally small quantities, contaminated environmental media, debris, compressed gas, and household hazardous waste	D001 to D043  F001 to F012, F019, F024, F025, F032, F034, F035, F037 to F039,  K001 to K011, K013 to K052, K060 to K062, K069, K071, K073, K083 to K088, K093 to K118, K123 to K126, K131, K132, K136, K141 to K145, K147 to K151, K156 to K159, K161, K169 to K172  P001 to P018, P020 to P024, P026 to P031, P033, P034, P036 to P051, P054, P056 to P060, P062 to P078, P081, P082, P084, P085, P087 to P089, P092 to P099, P101 to P106, P108 to P116, P118 to P123, P127, P128, P185, P188 to P192, P194, P196 to P199, P201 to P205  U001 to U012, U014 to U039, U041 to U064, U066 to U099, U101 to U103, U105 to U138, U140 to U174, U176 to U189, U191 to U194, U196, U197, U200 to U211, U213 to U223, U225 to U228, U234 to U240, U243, U244, U246 to U249, U271, U278 to U280, U328, U353, U359, U364, U367, U372, U373, U387, U389, U394, U395, U404, U409 to U411	1,100 (20 55-gallon equivalents)  Also refer to Permit Condition III.J.5 and Table III-H.	USDOT containers and acceptable non-USDOT approved containers suitable for storage in the Lab Depack Area.

Footnote:

1. The materials described above are typical and other waste materials that do not meet the descriptions in the first column may be present.

**(b) East Container Storage Area (formerly Area 500)**

Located directly east of the Central Container Storage Area along the south boundary, the East Container Storage Area is located under cover and is designated for storage of containers with or without free liquids. The container storage area sits on the south end of the building structure and measures 44 feet long by 35 feet wide. Inside the containment area there are four (4) concrete pads (“interior pads”). The pads partially divide the

containment area into 5 sections. The sections are connected at the north and south ends of the containment area. The area is sufficiently designed to store 120 55-gallon drums, or the equivalent (6,600 gallons). The sections will not be assigned to a specific type of waste. Compatible wastes will be placed directly on the floor, or on pallets for material handling ease. Incompatible wastes will be separated using standard secondary containment pallets.

The floor is constructed of poured, steel reinforced concrete with a ten (10) mil polyethylene liner. The floor is eight (8) inches thick. Each of the 5 sections is sloped toward the center of the north containment wall. The containment wall on the south is a four (4)-inch roll curb. The other three walls are a minimum of 1 foot high and vary with the slope of the containment floor. The concrete base of the containment area is coated with an approved chemically resistant coating identified in Attachment C, Appendix C-H. The containment capacity is 919 gallons. The area will not be used for heat sensitive ignitable materials.

**Table III-C Storage of Hazardous Waste in the East Container Storage Area**

Description of Hazardous Waste	EPA Hazardous Waste Code	Maximum Volume (gallons)*	Type of Containers
Characteristic heavy metals organic, volatile organic, semi-volatile organic, halogenated and non-halogenated solvents, cyanides, electroplating sludges, wastewater treatment sludges, commercial chemical products, chemical intermediates, off specification chemical products, discarded commercial chemical products, container residues, organobromine production wastes, petroleum refining wastes, contaminated environmental media, debris, compressed gas, and household hazardous waste .	D001 to D043  F001 to F012, F019, F024, F025, F032, F034, F035, F037 to F039,  K001 to K011, K013 to K052, K060 to K062, K069, K071, K073, K083 to K088, K093 to K118, K123 to K126, K131, K132, K136, K141 to K145, K147 to K151, K156 to K159, K161, K169 to K172  P001 to P018, P020 to P024, P026 to P031, P033, P034, P036 to P051, P054, P056 to P060, P062 to P078, P081, P082, P084, P085, P087 to P089, P092 to P099, P101 to P106, P108 to P116, P118 to P123, P127, P128, P185, P188 to P192, P194, P196 to P199, P201 to P205  U001 to U012, U014 to U039, U041 to U064, U066 to U099, U101 to U103, U105 to U138, U140 to U174, U176 to U189, U191 to U194, U196, U197, U200 to U211, U213 to U223, U225 to U228, U234 to U240, U243, U244, U246 to U249, U271, U278 to U280, U328, U353, U359, U364, U367, U372, U373, U387, U389, U394, U395, U404, U409 to U411	6600 (120 55-gallon equivalents)  Also refer to Permit Condition III.J.5 and Table III-I.	USDOT containers and acceptable non-USDOT approved containers suitable for storage in the East Container Storage Area.

Footnote:

1. The materials described above are typical and other waste materials that do not meet the descriptions in the first column may be present.

(c) Central Container Storage Area (formerly Area 600)

The Central Container Storage Area is located in the south central portion of the site and consists of fully enclosed structure with concrete floors and walls and a trench which extends down the center for the entire length of the storage area. This area is designated for storage of containers with or without free liquids. It measures approximately 100 feet by 100 feet. Secondary

containment is provided by the trench, sump and sloped floor. Incompatible wastes will be separated using standard containment pallets. The storage area is constructed of poured 6" thick steel-reinforced concrete with 10 mil polyethylene liner under the concrete. Gaps are water stopped and the floor is sealed to contain liquids. Distances of 8 feet from the walls and 4 feet between piles will also be maintained. The storage capacity is 460 55-gallon drum equivalents, or 25,300 gallons. The containment capacity is 9,387 gallons.

**Table III-D Storage of Hazardous Waste in the Central Container Storage Area**

Description of <sup>1</sup> Hazardous Waste	EPA Hazardous Waste Code	Maximum Volume (gallons)*	Type of Containers
Characteristic heavy metals organic, volatile organic, semi-volatile organic, halogenated and non-halogenated solvents, cyanides, electroplating sludges, wastewater treatment sludges, commercial chemical products, chemical intermediates, off-specification chemical products discarded commercial chemical products, container residues, organobromine production wastes, petroleum refining wastes, contaminated environmental media, debris, compressed gas, and household hazardous waste .	D001 to D043  F001 to F012, F019, F024, F025, F032, F034, F035, F037 to F039,  K001 to K011, K013 to K052, K060 to K062, K069, K071, K073, K083 to K088, K093 to K118, K123 to K126, K131, K132, K136, K141 to K145, K147 to K151, K156 to K159, K161, K169 to K172  P001 to P018, P020 to P024, P026 to P031, P033, P034, P036 to P051, P054, P056 to P060, P062 to P078, P081, P082, P084, P085, P087 to P089, P092 to P099, P101 to P106, P108 to P116, P118 to P123, P127, P128, P185, P188 to P192, P194, P196 to P199, P201 to P205  U001 to U012, U014 to U039, U041 to U064, U066 to U099, U101 to U103, U105 to U138, U140 to U174, U176 to U189, U191 to U194, U196, U197, U200 to U211, U213 to U223, U225 to U228, U234 to U240, U243, U244, U246 to U249, U271, U278 to U280, U328, U353, U359, U364, U367, U372, U373, U387, U389, U394, U395, U404, U409 to U411	25,300 (460 55-gallon drum equivalent)  Also refer to Permit Condition III.J.5 and Table III-I.	USDOT containers and acceptable non-USDOT approved containers suitable for storage in the Central Container Storage Area.

Footnote:

1. The materials described above are typical and other waste materials that do not meet the descriptions in the first

column may be present.

(d) Hazardous Roll-off Storage Area (formerly Area 300)

This area is located between the railroad spurs on the northeast side of the facility. It is an uncovered open walled storage area approximately eighty (80) feet wide by eighty (80) feet long. The storage area is designed to store 100 cy or equivalent in roll-off or other DOT approved containers, with two (2) feet of aisle space throughout. The roll-off boxes will be DOT approved 15-45 cy metal roll-off boxes with tarps or hard covers. Secondary containment is not provided because the containers will have no free liquids. The roll-off boxes are constructed so that they will not sit directly on the pavement. Non-roll-off box containers will be placed on pallets.

The floor is constructed of poured, steel-reinforced concrete with a ten (10) mil polyethylene underliner. The floor is ten (10) inches. Concrete block walls eight (8) feet in height surround the roll-off storage area on two sides. The storage capacity is 100 cubic yards. The area will not be used for heat sensitive ignitable materials. Since the area has no secondary containment, this area will only be used for storing dry solids. F006 waste sludges can be consolidated and blended with diatomaceous earth and silica pellets to convert them to a dry form. However, any other wastes that may have free liquids including sludges, wastewaters, solvents, and solutions will not be stored or treated in the Hazardous Waste Roll-Off Storage area.

**Table III-E Storage of Hazardous Waste in Hazardous Roll-Off Storage Area**

Description of Hazardous Waste	EPA Hazardous Waste Code	Maximum Volume (gallons)*	Type of Containers
Solid and hazardous waste, contaminated environmental media, debris, compressed gas, and household hazardous waste	<u>Hazardous Waste that does not Contain Free Liquids with the Following Codes:</u>  D001 to D043  F001 to F012, F019, F024, F025, F032, F034, F035, F037 to F039,  K001 to K011, K013 to K052, K060 to K062, K069, K071, K073, K083 to K088, K093 to K118, K123 to K126, K131, K132, K136, K141 to K145, K147 to K151, K156 to K159, K161, K169 to K172  P001 to P018, P020 to P024, P026 to P031, P033, P034, P036 to P051, P054, P056 to P060, P062 to P078, P081, P082, P084, P085, P087 to P089, P092 to P099, P101 to P106, P108 to P116, P118 to P123, P127, P128, P185, P188 to P192, P194, P196 to P199, P201 to P205  U001 to U012, U014 to U039, U041 to U064, U066 to U099, U101 to U103, U105 to U138, U140 to U174, U176 to U189, U191 to U194, U196, U197, U200 to U211, U213 to U223, U225 to U228, U234 to U240, U243, U244, U246 to U249, U271, U278 to U280, U328, U353, U359, U364, U367, U372, U373, U387, U389, U394, U395, U404, U409 to U411	100 yd <sup>3</sup>  Also refer to Permit Condition III.J.5 and Table III-I.	USDOT containers and acceptable non-USDOT approved containers suitable for storage in the Hazardous Roll-Off Storage Area.

Footnote:

1. The materials described above are typical and other waste materials that do not meet the descriptions in the second column of may be present.

(e) Dock and Van Storage Area

The concrete area is located on the north side of the central container storage area. It includes a below grade sloped ramp to a dock for loading/unloading spill protection. The diked containment pad is approximately 100 feet long by 60 feet wide. The storage capacity is 10,250 gallons. The containment capacity is 7,659 gallons. This is enough to contain the entire contents of any truck loading or unloading at Heritage.

The floor of the secondary containment is constructed of poured, steel reinforced concrete with a thirty (30) mil HDPE underliner. The floor is eight (8) inches thick

and was poured with construction joints. The concrete base of the containment area is sufficiently impervious to contain leaks and spills until the collected material is detected and removed. The floor is coated with a chemically resistant coating.

**Table III-F Storage of Hazardous Waste in the Dock and Van Storage Area**

Description of Hazardous Waste	EPA Hazardous Waste Code	Maximum Volume (gallons)*	Type of Containers
Characteristic heavy metals organic, volatile organic, semi-volatile organic, halogenated and non-halogenated solvents, cyanides, electroplating sludges, wastewater treatment sludges, commercial chemical products, chemical intermediates, off-specification chemical products discarded commercial chemical products, container residues, organobromine production wastes, petroleum refining wastes, contaminated environmental media, debris, compressed gas, and household hazardous waste .	D001 to D043  F001 to F012, F019, F024, F025, F032, F034, F035, F037 to F039,  K001 to K011, K013 to K052, K060 to K062, K069, K071, K073, K083 to K088, K093 to K118, K123 to K126, K131, K132, K136, K141 to K145, K147 to K151, K156 to K159, K161, K169 to K172  P001 to P018, P020 to P024, P026 to P031, P033, P034, P036 to P051, P054, P056 to P060, P062 to P078, P081, P082, P084, P085, P087 to P089, P092 to P099, P101 to P106, P108 to P116, P118 to P123, P127, P128, P185, P188 to P192, P194, P196 to P199, P201 to P205  U001 to U012, U014 to U039, U041 to U064, U066 to U099, U101 to U103, U105 to U138, U140 to U174, U176 to U189, U191 to U194, U196, U197, U200 to U211, U213 to U223, U225 to U228, U234 to U240, U243, U244, U246 to U249, U271, U278 to U280, U328, U353, U359, U364, U367, U372, U373, U387, U389, U394, U395, U404, U409 to U411	10,250  Also refer to Permit Condition III.J.5 and Table III-I.	USDOT containers and acceptable non-USDOT approved containers suitable for storage in the Dock and Van Storage Area.

Footnote:

1. The materials described above are typical and other waste materials that do not meet the descriptions in the second column of may be present.

(f) 800 Storage Area

The 800 Container Storage Area is located inside a building with roof and doors to prevent precipitation and significantly limit the potential for run-off or accumulated precipitation that could contribute to run off. The storage area is approximately 76 feet wide and 120 feet long, and the permitted storage capacity is 20,451 gallons. Storage of hazardous waste in the 800 Storage Area is conducted on Portable Secondary Containment devices.

**Table III-G Storage of Hazardous Waste in the 800 Storage Area**

Description of Hazardous Waste	EPA Hazardous Waste Code	Maximum Volume (gallons)*	Type of Containers
Characteristic heavy metals organic, volatile organic, semi-volatile organic, halogenated and non-halogenated solvents, cyanides, electroplating sludges, wastewater treatment sludges, commercial chemical products, chemical intermediates, off-specification chemical products discarded commercial chemical products, container residues, organobromine production wastes, petroleum refining wastes, contaminated environmental media, debris, compressed gas, and household hazardous waste.	D001 to D043  F001 to F012, F019, F024, F025, F032, F034, F035, F037 to F039,  K001 to K011, K013 to K052, K060 to K062, K069, K071, K073, K083 to K088, K093 to K118, K123 to K126, K131, K132, K136, K141 to K145, K147 to K151, K156 to K159, K161, K169 to K172  P001 to P018, P020 to P024, P026 to P031, P033, P034, P036 to P051, P054, P056 to P060, P062 to P078, P081, P082, P084, P085, P087 to P089, P092 to P099, P101 to P106, P108 to P116, P118 to P123, P127, P128, P185, P188 to P192, P194, P196 to P199, P201 to P205  U001 to U012, U014 to U039, U041 to U064, U066 to U099, U101 to U103, U105 to U138, U140 to U174, U176 to U189, U191 to U194, U196, U197, U200 to U211, U213 to U223, U225 to U228, U234 to U240, U243, U244, U246 to U249, U271, U278 to U280, U328, U353, U359, U364, U367, U372, U373, U387, U389, U394, U395, U404, U409 to U411	20,451 (371 55-gallon drum equivalent)  Also refer to Permit Condition III.J.5 and Table III-I.	USDOT containers and acceptable non-USDOT approved containers suitable for storage in the 800 Area Container Storage.

## Footnote:

1. The materials described above are typical and other waste materials that do not meet the descriptions in the second column of may be present.

**(g) Bulk Loading Area**

The Bulk Loading Area is approximately 31 feet by 113 feet and the permitted storage capacity is 20,900 gallons. The area consists of a concrete padded, curbed area underlain by a concrete containment sump covered with a steel grating. Liquid and solid wastes are bulked and consolidated into railcars. Liquid wastes are bulked into tanker trucks. Fuel blending is performed in this area.



**Table III-H Storage of Hazardous Waste in the Bulk Loading Area (Tanker and Rail)**

Description of Hazardous Waste	EPA Hazardous Waste Code	Maximum Volume (gallons)*	Type of Containers
Characteristic heavy metals organic, volatile organic, semi-volatile organic, halogenated and non-halogenated solvents, cyanides, electroplating sludges, wastewater treatment sludges, commercial chemical products, chemical intermediates, off-specification chemical products discarded commercial chemical products, container residues, organobromine production wastes, petroleum refining wastes, contaminated environmental media, debris,.	D001 to D043  F001 to F012, F019, F024, F025, F032, F034, F035, F037 to F039,  K001 to K011, K013 to K052, K060 to K062, K069, K071, K073, K083 to K088, K093 to K118, K123 to K126, K131, K132, K136, K141 to K145, K147 to K151, K156 to K159, K161, K169 to K172  P001 to P018, P020 to P024, P026 to P031, P033, P034, P036 to P051, P054, P056 to P060, P062 to P078, P081, P082, P084, P085, P087 to P089, P092 to P099, P101 to P106, P108 to P116, P118 to P123, P127, P128, P185, P188 to P192, P194, P196 to P199, P201 to P205  U001 to U012, U014 to U039, U041 to U064, U066 to U099, U101 to U103, U105 to U138, U140 to U174, U176 to U189, U191 to U194, U196, U197, U200 to U211, U213 to U223, U225 to U228, U234 to U240, U243, U244, U246 to U249, U271, U278 to U280, U328, U353, U359, U364, U367, U372, U373, U387, U389, U394, U395, U404, U409 to U411	20,900 (1 rail car or 1 tanker vehicle)  Also refer to Permit Condition III.J.5 and Table III-I.	USDOT containers and acceptable non-USDOT approved containers suitable for storage in the Bulk Loading Area (Tanker and Rail).

Footnote:

1. The materials described above are typical and other waste materials that do not meet the descriptions in the second column of may be present.

2. Waste and Product Maximum Storage Volumes

- (a) The Permittee shall not store more than a combined total of 84, 601 gallons of hazardous waste in the East Container Storage Area, Central Container Storage Area, Dock and Van Storage Area, 800 Storage Area, Bulk Loading Area (Tanker and Rail), and the Lab Depack Area. Included within the 83,701 gallons combined total limit are hazardous wastes received from Conditionally Exempt Small Quantity Generators by the facility on a Uniform Hazardous Waste Manifest (Form 8700-22) with federally defined waste

codes designated in Item 13 of the Uniform Hazardous Waste Manifest by the generator.

- (b) The Permittee shall not store more than a combined total of 100 cubic yards of hazardous waste in the Hazardous Roll-Off Storage Area. Included within the 100 cubic yard combined total limit are hazardous wastes received from Conditionally Exempt Small Quantity Generators by the facility on a Uniform Hazardous Waste Manifest (Form 8700-22) with federally defined waste codes designated in Item 13 of the Uniform Hazardous Waste Manifest by the generator.
- (c) The Permittee shall not store more than the quantities listed in Part III.A above in each of the CSAs. In addition, in situations where the actual storage capacity of the East Container Storage Area, Central Container Storage Area, 800 Storage Area, Bulk Loading Area (Tanker and Rail), and the Lab Depack Area exceeds the 84,601 gallons, the lower Permit limit will prevail.
- (d) Non-hazardous waste may be stored in any area permitted for the management of hazardous waste. When non-hazardous waste is stored with hazardous waste in a unit permitted for the storage of hazardous waste, storage of the non-hazardous waste is subject to the following conditions:
  - (i) The non-hazardous waste is compatible with the hazardous waste arranged in the area;
  - (ii) The containers are labeled and marked;
  - (iii) The containers are stored consistent with the stacking guidelines described in Permit Attachment C;
  - (iv) For non-hazardous waste stored in the same row or bay with hazardous waste, aisle spacing will be maintained consistent with the requirements of Permit Attachment C;
  - (v) Non-hazardous waste containing free liquids stored in permitted hazardous waste storage areas with hazardous wastes is limited by the secondary containment capacity of the permitted storage area;
  - (vi) In each storage area, the Permittee shall not store more than the maximum volumes of hazardous and non-hazardous wastes shown in Table III-I;

**Table III-I Storage Volumes of Hazardous and Non-hazardous Wastes**

<b>Container Storage Area</b>	<b>Maximum Volume of Hazardous Waste Stored</b>	<b>Maximum Volume of Waste Stored (hazardous waste and non-hazardous waste combined)</b>
Central Container Storage Area	25,300 gallons	79,640 gallons
East Container Storage Area	6,600 gallons	9,190 gallons
Lab Depack Area	1,100 gallons	1,100 gallons
Hazardous Roll-off Storage Area	100 cubic yards	735 cubic yards

Dock and Van Storage Area	10,250 gallons	50,000 gallons
800 Storage Area	20,451 gallons	20,451 gallons
Bulk Loading Area (Tanker and Rail)	20,900 gallons	20,900 gallons

3. Waste Segregation, Labels, and Container Types

The Permittee shall store hazardous waste in USDOT approved containers and acceptable non-USDOT approved containers. All hazardous waste containers shall have a “Hazardous Waste” label to indicate their contents.

4. Container Configuration, Spacing, Stacking, Location

The Permittee shall store containers in the configurations shown on the plans contained in Permit Attachment C, and as described in Permit Attachment D, and in accordance with any limitations that may be presented in secondary containment calculations.

- (a) Aisle spacing will be in accordance with Permit Attachment C, Container Storage and Consolidation Plan, Section C.3.4.1.
- (b) Container stacking height of ignitable and reactive waste in each storage area is limited to no more than two containers per stack. Number of containers to be stored in each containment area, and stacking height limitations are given in Permit Attachment C, Section 3.0 “Container Management Practices.”
- (c) Containers shall be placed on pallets and moved with hand carts, forklift trucks equipped with drum grappling tongs or forks, and pallet jacks in and out of containment areas.
- (d) Unless specifically allowed in the Container Storage and Consolidation Plan (Permit Attachment C), Appendix C-J, Table C-6, containers shall not be stacked more than two high.

5. Specific Waste Storage Prohibitions and Land Disposal Prohibitions

- (a) Storage of hazardous waste in containers shall not exceed one year from its date of receipt. If the Permittee stores waste beyond 1 year solely for the purpose of accumulation of such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment or disposal, the Permittee shall submit a written justification to the ADEQ Contact for each waste that exceeds the storage time limit.

[A.A.C. R18-8-268.A (40 CFR 268.50(c))]

- (b) The Permittee is prohibited from storing hazardous waste that is not identified in Permit Condition III.B.1.

- (c) The Permittee is prohibited from storing wastes listed in Permit Attachment B, Waste Analysis Plan, Section 4.4.
- (d) If the Permittee receives large-format lithium ion batteries, upon acceptance the Permittee shall complete a Fire Safety Assessment (FSA) prepared by a Qualified engineer, registered to practice in Arizona (Registrant). The FSA shall include any area where large format lithium ion batteries are to be stored. The Permittee may store large-format lithium ion batteries, as universal waste, at the following permitted container storage areas (CSA's): Lab Depack Area, East Container Storage Area, Central Container Storage Area, Hazardous Waste Roll-off Storage Area, Dock and Van Storage Area, and the 800 Storage Area. The Registrant shall review for adequacy the facility's fire safety controls, and shall determine whether the fire safety controls meet local codes, whether they comply with the hazardous waste requirements of 40 CFR 264, Subpart C, and determine whether the facility has a water supply of adequate volume and pressure to supply water hose streams, foam-producing equipment, automatic sprinklers, or water spray systems necessary to respond to fires in the CSA's. The Registrant shall prepare a report on his findings and recommendations for corrective action, certified in accordance with the requirements of the Arizona Board of Technical Registration.
  - (i) The report shall be submitted to ADEQ for the Director's approval as a Class 1 Permit Modification Request within 60 days of first receipt of large-format lithium ion batteries that are stored at the permitted CSA's.
  - (ii) Based on the Registrant's findings and recommendations, the Permittee shall upgrade the facility's fire safety controls to comply with the report's recommendations within 180 days of the Director's approval of the report.

**C. CONDITION OF CONTAINERS**

1. In addition to routine documented inspections, containers will be visually inspected each operating day in accordance with Attachment D, Section 2.  
[A.A.C. R18-8-264.A (40 CFR § 264.175(b)(5))]
2. If a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects) or if it begins to leak, the Permittee shall transfer the hazardous waste from such container to a container that is in good condition or otherwise manage the waste in compliance with the conditions of this Permit.  
[A.A.C. R18-8-264.A (40 CFR 264.171)]

**D. COMPATIBILITY OF WASTE WITH CONTAINERS**

The Permittee shall ensure that the ability of the container to contain the waste is not impaired.

[A.A.C. R18-8-264.A (40 CFR 264.172)]

**E. MANAGEMENT OF CONTAINERS**

1. The Permittee shall keep all containers closed during storage, except when it is necessary to add or remove waste, and shall not open, handle, or store containers in a manner which may rupture the container or cause it to leak.

[A.A.C. R18-8-264.A (40 CFR 264.173)]

2. Any containers or inner liners which formerly held acutely hazardous waste are to be triple-rinsed with a suitable solvent capable of removing the residual acute hazardous waste, or the container or inner liner is to be disposed of as a regulated hazardous waste.

[A.A.C. R18-8-264.A (40 CFR 261.7(b)(3))]

3. All containers are to be managed in accordance with the emission control requirements provided at 40 CFR 264 Subpart CC.

[A.A.C. R18-8-264.A (40 CFR 264.179)]

**F. CONTAINMENT SYSTEMS**

1. The Permittee shall maintain the containment systems in accordance with Permit Attachment C and the associated engineering drawings in Permit Attachment C.

[A.A.C. R18-8-264.A (40 CFR § 264.175)]

2. Containment systems shall be sealed with a chemically resistant coating in accordance with Appendix C-H of Permit Attachment C.

[A.A.C. R18-8-264.A (40 CFR § 264.175)]

3. The Permittee shall inspect all containment sumps on a weekly basis. Accumulated liquids shall be removed from the containment sump within one day of discovery. If there are extenuating circumstances where it is not practical to remove the residue within one day of discovery, Heritage will document the situation with an explanation in the operating record.

[A.A.C. R18-8-264.A (40 CFR § 264.175)]

**G. INSPECTION SCHEDULES AND PROCEDURES**

1. The Permittee shall inspect the CSAs in accordance with the inspection schedule and procedures contained in Permit Attachment D, "Procedures to Prevent Hazards" to detect leaking containers, and deterioration of containers and the containment system caused by corrosion and other factors.

[A.A.C. R18-8-264.A (40 CFR § 264.174) and Attachment D]

2. The Permittee shall inspect each CSA on for visible signs of residue, and shall remove all visible signs of residue from the floor surface on a daily basis. If there are

extenuating circumstances where it is not practical to remove the residue within one day of discovery, Heritage will document the situation with an explanation in the operating record.

[A.A.C. R18-8-264.A (40 CFR § 264.175(b)(5)) and Section F.2.1 of the Application]

## **H. RECORD KEEPING**

The Permittee shall place the results of all waste analyses and trial tests and any other documentation showing compliance with the requirements of Permit Conditions III.K.1 and III.K.2 and A.A.C. R18-8-264.A (40 CFR 264.17(b) and 264.177) in the facility operating record.

[A.A.C. R18-8-264.A (40 CFR 264.73)].

## **I. CLOSURE**

At closure of each storage area, the Permittee shall remove all hazardous waste and hazardous waste residues from the containment system, in accordance with the procedures in the Closure Plan (Permit Attachment G).

[A.A.C. R18-8-264.A (40 CFR 264.178)]

## **J. SPECIAL PROVISIONS FOR MANAGING IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE**

### **1. General Provisions**

The Permittee shall follow the procedures for handling ignitable, reactive, and incompatible wastes set forth in the Procedures to Prevent Hazards (Permit Attachment D).

[A.A.C. R18-8-264.A (40 CFR 264.17) and 264.176)]

### **2. Compatibility Testing**

(a) The Permittee shall only perform compatibility testing under the supervision of a Qualified (see definition I.B.12) professional (e.g., a degreed chemist, Supervisor, Environmental Compliance Manager).

[A.A.C. R18-8-264.A, 40 CFR 264.13, 264.17, 264.31, 270.32(b)(1), 270.32(b)(2)]

(b) The Permittee shall only perform compatibility testing within the permitted container storage areas (Central Container Storage Area, 800 Area Container Storage, East Container Storage Area, Lab Depack Area, Hazardous Roll-Off Storage Area, and the Dock and Van Storage Area), the Bulk Loading Area and the laboratory.

[A.A.C. R18-8-264.A, 40 CFR 264.13, 264.17, 264.31, 270.32(b)(1), 270.32(b)(2)]

### **3. Consolidation & Treatment & Transfer of Wastes**

(a) The Permittee shall only perform waste consolidation, blending, and bulking under the supervision of a Qualified (see definition I.B.12) professional (e.g., a degreed chemist, Supervisor, Environmental Compliance Manager).

(b) The Permittee shall only perform consolidation and bulking of hazardous waste at the following locations:

- (i) Consolidation of closed labpack containers and consolidation of non-ignitable and non-reactive wastes (i.e., characteristic waste codes other than D001, D003) shall be done:
  - a. Within the Bulk Loading Area [liquids must be consolidated within the sump boundary and solids must be bulked upon Rail Spur No. 2, and within fifty feet of the sump boundary – see Figure Rail Loading Station – Tanker Loading Section of the Container Storage and Consolidation Plan (Permit Attachment C )], and
  - b. Within the permitted container storage areas (Central Container Storage Area, the East Container Storage Area, the Lab Depack Area, the Hazardous Roll-Off Storage Area, the Dock and Van Storage Area, and the 800 Storage Area);
- (ii) Consolidation of ignitable or reactive hazardous wastes (i.e., characteristic waste codes D001, D003), that are not in closed labpack containers shall be done:
  - a. Within the Bulk Loading Area [liquids must be consolidated within the sump boundary and solids must be bulked upon Rail Spur No. 2, and within fifty feet of the sump boundary – see Figure Rail Loading Station – Tanker Loading Section of the Container Storage and Consolidation Plan (Permit Attachment C )],
  - b. Within the Dock and Van Storage Area,
  - c. Within the East Container Storage Area,
  - d. Within Central Container Storage Area, the 800 Area Container Storage, and the Lab Depack Area provided that containers in contact with waste are not opened;
- (iii) Bulking and consolidation of wastes that do not contain free liquids may be performed in the Hazardous Roll-off Area.
- (iv) For all wastes, the consolidation and bulking must be performed in accordance with the following plans: Procedures to Prevent Hazards (Permit Attachment D) and the Container Storage and Consolidation Plan (Permit Attachment C).
- (v) Treatment of F006 waste may only be performed in the Hazardous Roll-Off Storage Area. Containerized F006 waste that is simply consolidated may be performed in other permitted storage areas.
- (vi) The Permittee can transfer ignitable or reactive waste from a leaking to a non-leaking container at the Central Container Storage Area, the 800 Area Container Storage, and the Lab Depack Area.

- (vii) Upon commissioning of the upgraded fire protection systems, Heritage may consolidate ignitable or reactive wastes in the Central Container Storage Area, the 800 Area Container Storage without the above restrictions.

[A.A.C. R18-8-264.A and 270.A (40 CFR 264.17, 264.31, 270.32(b)(1), 270.32(b)(2))]

4. F006 Waste Screen Analyses

The Permittee shall perform a screen analysis of each roll-off container of F006 hazardous waste stored in the Hazardous Roll-Off Storage Area which is subject to treatment. The screen analysis shall be for cyanides, free liquids, and VOCs. The Waste Analysis Plan (Permit Attachment B), the Container Storage and Consolidation Plan (Permit Attachment C) and the Procedures to Prevent Hazards (Permit Attachment D) outline the criteria and the procedures to be followed if constituent concentrations or free liquids exceed acceptable levels.

[A.A.C. R18-8-264.A and 270.A (40 CFR 264.13, 264.17, 264.175, 270.32(b)(1), 270.32(b)(2))]

5. Locating Ignitable and Reactive Wastes Near Property Line

The Permittee shall not locate containers holding ignitable or reactive (i.e., D001, D003) waste within 15 meters (50 feet) of the facility's property line.

[A.A.C. R18-8-264.A (40 CFR 264.176)]

6. Container Provisions for Incompatible Waste

- (a) The Permittee shall not place incompatible wastes, or incompatible wastes and materials, in the same container.

[A.A.C. R18-8-264.A (40 CFR 264.177(a))]

- (b) The Permittee shall not place hazardous waste in an unwashed container that previously held an incompatible waste or material.

[A.A.C. R18-8-264.A (40 CFR 264.177(b))]

- (c) The Permittee shall separate containers of incompatible wastes.

[A.A.C. R18-8-264.A (40 CFR 264.177(c))]

**K. HAZARDOUS WASTE TREATMENT – QUANTITY LIMITATIONS**

1. Phase Separation

- (a) The Permittee shall not treat a combined total of more than 15,000 gallons per day of liquids at the Central Container Storage Area, East Container Storage Area, Lab Depack Storage Area, Dock and Van Storage Area, and the 800 Storage Area.

- (b) The Permittee shall not treat a combined total of more than 100 short tons per day of non-liquid hazardous waste at the Central Container Storage Area, East Container Storage Area, Lab Depack Storage Area, Dock and Van Storage Area, and the 800 Storage Area.

2. Solids Blending

The Permittee shall not treat more than 100 short tons per day of solid hazardous waste at the Hazardous Roll-off Storage Area.



3. Fuels Blending

The Permittee shall not treat more than 41,800 gallons per month of hazardous waste at the Bulk Loading Area (Tanker and Rail).

[A.A.C. R18-8-270.A (40 CFR 270.13)]

**PART IV – CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS-  
SCHEDULE OF COMPLIANCE**

**A. AUTHORITY**

RCRA Section 3004(u), as amended by the HSWA, and A.A.C. R18-8-264.A (40 CFR 264.101 and 40 CFR 264, Subpart S) requires that Permits issued after November 8, 1984, address corrective action for releases of hazardous waste and hazardous waste constituents from any Solid Waste Management Unit (SWMU) at the facility, regardless of when the waste was placed in the unit.

Past releases have been comprehensively investigated by the Permittee, and these releases do not pose a threat to human health or the environment. A determination of No Further Action has been made by the ADEQ for such past releases of hazardous waste and hazardous waste constituents. When the Permittee discovers a new SWMU or an area of concern (AOC) at the facility, or determines a release has occurred, the facility will be governed by the conditions of this Permit Part (hereinafter referred to as the “Corrective Action Schedule of Compliance” or “CASOC”).

**B. GENERAL CORRECTIVE ACTION REQUIREMENTS**

1. Record Keeping

In accordance with Permit Condition I.E.10 (Monitoring and Records), all raw data, such as laboratory reports, drilling logs, bench-scale or pilot-scale data, and other supporting information gathered or generated during activities undertaken pursuant to this CASOC shall be maintained at the facility during the term of this Permit.

2. Reporting, Notifications and Submittals

- (a) The Permittee shall submit to the Director signed annual progress reports of all activities (i.e., SWMU Assessment, Interim Corrective Measures, RCRA Facility Investigation, Corrective Measures Study, Corrective Measures Implementation) conducted pursuant to the provisions of this CASOC, beginning no later than (90) calendar days after the Permittee is first required to begin implementation of any requirement herein. These reports shall contain:
- (i) A description of the work completed;
  - (ii) Summaries of all findings, including summaries of laboratory data;
  - (iii) Summaries of all problems or potential problems encountered during the reporting period and actions taken to correct the problems; and
  - (iv) Projected work for the next reporting period with a detailed schedule for this work.
- (b) Copies of other reports (e.g., inspection reports), drilling logs and laboratory data shall be made available to the Director upon request.

- (c) The Director may require the Permittee to conduct new or more extensive assessments, investigations, or studies, as needed, based on information provided in these progress reports or other supporting information. These assessments, investigations or studies may be required following review of the Permittee's RCRA Facility Investigation Reports, Corrective Measures Study Work Plan (see IV.G.3), or Corrective Measures Study Report (see IV.G.6), or Corrective Measures Implementation Program Plan (See IV.I), which will be submitted as Class 1 Permit Modification requests requiring Director approval.
- (d) The Permittee shall ensure that all plans, reports, notifications, and other submissions to the Director required by this Permit are signed, certified, and submitted in accordance with Permit Condition I.C (Permit Actions), I.E.11 (Signatory and Certification Requirements), and other applicable conditions. Technical work submitted to the Director shall be stamped by a professional Geologist and/or Engineer, as appropriate, registered in the State of Arizona.

3. Contamination that has Migrated Beyond the Facility Boundary, if Applicable

The Permittee shall implement corrective actions beyond the Facility boundary where necessary to protect human health and the environment, unless the Permittee demonstrates to the satisfaction of the Director that, despite the Permittee's best efforts, as determined by the Director, the Permittee was unable to obtain the necessary permission to undertake such actions. The Permittee is not relieved of all responsibility to clean up a release that has migrated beyond the Facility boundary where off-site access is denied. On-site measures to address such releases will be determined on a case-by-case basis. Assurances of financial responsibility for completion of off-site corrective action will be required. Any determination by the Director requiring the Permittee to address such releases, including any associated financial responsibility requirements, will be made as a Permit Modification request, requiring the Director's approval.

4. Quality Assurance and Control

When performing Corrective Action, the Permittee shall follow the guidance specified below for any sampling and sampling testing:

(a) Sample Collection and Management

A sampling plan submitted by the Permittee shall include all elements of EPA SW-846, and A.A.C.R18-8-260 et seq. (40 CFR Part 260 et seq.), not limited to:

- (i) Specifying the sampler and sampler procedure for use;
- (ii) Specifying sampling points based on a statistical basis, logic, and strategy;
- (iii) Trip blanks, duplicates, spikes, splits, and other field control samples; and

- (ii) Sample management procedures for the field notebook, collection form, preservatives and capping, and other chain-of-custody components.

(b) Laboratory Analysis and Chain-of-Custody

Throughout all sample analysis activities, the Permittee shall ensure the use of Director-approved quality assurance, quality control, and chain-of-custody procedures. In addition, the Permittee shall:

- (i) Inform the Director's Project Coordinator which laboratories will be used by the Permittee.
- (ii) Ensure that all laboratories used by the Permittee for its analyses participate in a quality assurance/quality control program equivalent to that described in EPA SW-846. As part of such a program, and upon request by the Director, such laboratories shall perform analyses of a reasonable number of known samples provided by the Director to demonstrate the quality of the analytical data.
- (iii) Ensure that the laboratory used is licensed by the Arizona Department of Health Services (ADHS) to perform the specific analyses for the specific analyte(s) of concern.

(c) Evaluation of Sampling Data

The Permittee shall ensure that sampling plans contain provisions for review of all field and laboratory QA/QC notes and results, and shall use EPA SW-846 to evaluate all data developed in compliance with this Permit. Sampling plans must demonstrate the use of representative samples and must include parameters sufficient to identify migration of hazardous waste and hazardous constituents to the environment.

5. Project Coordinator

The Permittee will assign a Project Coordinator within 30 days of a written request by ADEQ. The Permittee's Project Coordinator shall be responsible for overseeing the implementing of corrective action at the Facility in accordance with this Part of the Permit and for designating a person to act in his/her absence. ADEQ will also designate a Project Coordinator. All communications between the Permittee and ADEQ, and all documents, reports, approvals, and other correspondence concerning the activities performed pursuant to this Permit shall be directed through the Project Coordinators. The Permittee must provide at least seven (7) calendar days written notice to ADEQ prior to changing the Project Coordinator.

**C. NOTIFICATION AND ASSESSMENT OF NEWLY IDENTIFIED SWMU(s) OR AOC(s)**

1. Notification of Newly Identified SWMU(s) or AOC(s)

The Permittee shall notify the Director in writing of any newly identified SWMUs or AOCs (i.e., a unit not specifically identified during the RFA), discovered during the course of field investigations, environmental audits, or other means, no later than fifteen (15) calendar days after its discovery. The notification shall include, at a minimum, the location of the SWMU or AOC and all available information pertaining to the nature of the release (e.g., media affected, hazardous constituents released, magnitude of release).

2. Request for SWMU Assessment Plan

After such notification, the Director may require that the Permittee prepare a written SWMU Assessment Plan and a proposed schedule of implementation and completion of the SWMU Assessment Plan for any additional SWMU(s) or AOC(s) discovered subsequent to the issuance of this Permit. This plan will be submitted as a Class 1 Permit Modification request requiring Director approval.

3. Content and Submittal of SWMU Assessment Plan

Within sixty (60) calendar days after receipt of the Director's request for a SWMU Assessment Plan, the Permittee shall prepare and submit a SWMU Assessment Plan for determining past and present operations at the unit, as well as any sampling and analysis of groundwater, land surface and subsurface strata, and surface water or air, as necessary to determine whether a release of hazardous waste including hazardous constituents from such unit(s) occurred, is likely to have occurred, or is likely to occur. The SWMU Assessment Plan must demonstrate that the sampling and analysis program, if applicable, is capable of yielding representative sampling and must include parameters sufficient to identify migration of hazardous waste including hazardous constituents from the newly discovered SWMU(s) to the environment.

4. Review and Approval or Disapproval of SWMU Assessment Plan

After the Permittee submits the SWMU Assessment Plan, the Director shall either approve or disapprove the SAP in writing. If the Director disapproves of the SWMU Assessment Plan, the Director shall either:

- (a) Notify the Permittee in writing of the SWMU Assessment Plan deficiencies and specify a due date for submittal of a revised SWMU Assessment Plan, or
- (b) Revise the SWMU Assessment Plan and notify the Permittee of the revisions. The Director-revised SWMU Assessment Plan becomes the approved SWMU Assessment Plan, and constitutes the approval of the Class 1 Permit Modification request specified in Condition C.2 above.

- (c) The approved SWMU Assessment Plan shall be incorporated into Permit Attachment K (CASOC - Approved Work Plans and Reports).

5. Implementation of the SWMU Assessment Plan

The Permittee shall implement the SWMU Assessment Plan within fifteen (15) calendar days of receiving written approval.

6. Content and Submittal of SWMU Assessment Report (SAR)

The Permittee shall submit a SWMU Assessment Report (SAR) to the Director no later than forty-five (45) calendar days from completion of work specified in the approved SWMU Assessment Plan. The Report will be submitted as Class 1 Permit Modification request, requiring the Director's approval. The SAR shall describe all results obtained from the implementation of the approved SWMU Assessment Plan. At a minimum, the SAR shall provide the following information for each newly identified SWMU:

- (a) The location of the newly identified SWMU in relation to other SWMUs;
- (b) The type and function of the unit;
- (c) The general dimensions, capacities, and structural description of the unit, including any available drawings;
- (d) The period during which the unit was operated;
- (e) The specifics on all wastes that have been or are being managed at the SWMU, to the extent available; and
- (f) The results of any sampling and analysis required for the purpose of determining whether releases of hazardous waste including hazardous constituents have occurred, are occurring, or are likely to occur from the unit.

7. SAR Approval and Determination of Further RFI Action

- (a) Based on the results of the SAR, the Director shall determine the need for further investigations at specified unit(s) covered in the SWMU Assessment, and may require the Permittee to prepare an RFI Work Plan or a Site Assessment Plan (SP) [see Condition IV.J (Site Assessment and Remedy) of this Permit part] for such investigations. If the Director determines that investigations are needed, the Director shall incorporate his determination into the SAR approval. The SAR and SAR Approval shall constitute approval of the Permittee's Class 1 Permit Modification request. The final approved SAR shall then be incorporated into Permit Attachment K (CASOC - Approved Work Plans and Reports).

- (b) The RFI Work Plan or SP described in Condition IV.C.7.(a) will be reviewed for approval pursuant to Condition IV.F (RCRA Facility Investigation Work Plan and Reports) or Condition IV.J (Site Assessment and Remedy) of this Permit Part, as specified by the Director. The RFI Work Plan will be submitted to the Director as a Class 1 Permit Modification request, requiring the Director's approval.

**D. NEWLY DISCOVERED RELEASES AND THREATS TO HEALTH AND THE ENVIRONMENT**

1. Notification Requirements

The Permittee shall notify the Director, in writing, of any release(s) of hazardous waste, including hazardous constituents, discovered during the course of groundwater monitoring, field investigation, environmental auditing, or other activities undertaken after commencement of the RFI or the SP [see Condition J (Site Assessment and Remedy) of this Permit part], no later than fifteen (15) calendar days after their discovery. Such newly discovered releases may be from newly identified units, from units for which, based on the findings of the RFA, the Director had previously determined that no further investigation was necessary, or from units investigated as part of RFI or the SP.

In the event the Permittee identifies a current and/or potential threat to human health or the environment, the Permittee shall immediately notify the Director orally, and in writing within seven (7) calendar days, summarizing immediacy and magnitude of these threats.

2. Interim Measures for Current or Potential Threats

Within forty-five (45) calendar days of notifying the Director, the Permittee shall submit to the Director for approval an Interim Measures (IM) Work Plan, pursuant to Condition IV.E of this Permit Part (Interim Measures) that identifies interim measures which mitigate this threat and are consistent with, and integrated into, any long term solution at the facility. The Work Plan shall be submitted as a Class 1 request, requiring the Director's approval. The approved IM Work Plan constitutes approval of the Permit Modification request. The approved IM Work Plan shall be incorporated into Permit Attachment K (CASOC – Approved Work Plans and Reports).

3. Further Investigations

The Director may require further investigation of newly identified release(s). A plan for such investigation will be submitted by the Permittee as a Class 1 Permit Modification request, requiring the Director's approval. The Plan shall be reviewed pursuant to Condition IV.F (RCRA Facility Investigation Work Plan and Report) or Condition IV.J (Site Assessment and Remedy) of this Permit, as specified by the Director.

**E. INTERIM MEASURES**

1. Determination that Interim Measures are Needed

If during the course of any activity initiated under this CASOC, the Director or Permittee determines that a release or potential release of hazardous waste, including hazardous constituents from a SWMU poses an actual, imminent, or potential threat to human health or the environment, the Director and Permittee may determine that interim measures are necessary. Interim stabilization measures consistent with final remedy may be deployed during ongoing investigations. The following factors should be considered in this determination:

- (a) Time required to develop and implement a final remedy;
- (b) Actual and potential exposure to the environment (e.g., animals, ecosystems) and/or human receptors;
- (c) Actual and potential contamination of drinking water supplies and sensitive ecosystems;
- (d) Potential for further degradation of the medium absent interim measures;
- (e) Presence of hazardous waste in containers that may pose a threat of release;
- (f) Presence and concentration of hazardous waste (including hazardous constituents, in soils having potential to migrate to ground or surface water);
- (g) Weather conditions that may affect the current levels of contamination;
- (h) Risks of fire, explosions, or accident; and
- (i) Other situations that may pose threats to human health and the environment.

2. Specifying Interim Measures and Actions

- (a) When it is determined that interim measures are needed, an Interim Measures (IM) Work Plan shall be developed that will include, but not be limited to, the following elements:
  - (i) What interim measures need to be taken;
  - (ii) Specific action(s) that must be taken to implement the interim measure;
  - (iii) Schedule for their implementation; and
  - (iv) Parameters or measurements by which to judge the completion of the measures.



- (b) Either the Director or the Permittee shall develop the IM Work Plan as follows:
  - (i) The Director may notify the Permittee in writing of the requirement to perform specific interim measures. If the Permittee concurs, The Permittee shall begin to implement the interim actions within fifteen (15) calendar days after receiving notification. The Director shall modify the CASOC according to Permit Part I.H (Permit Modifications). Interim Measures do not require a public comment period until the measures are incorporated into the Corrective Measures Study (CMS) Work Plan and Report described in Condition IV.G of this Permit.
  - (ii) The Director may notify the Permittee in writing that the Permittee is required to develop an IM Work Plan. In this event, the Permittee shall submit the IM Work Plan within thirty (30) calendar days after request. The IM Work Plan shall be submitted as a Class 1 Permit Modification request, requiring the Director's approval.

3. Review and Approval or Disapproval of IM Work Plan

After the Permittee submits the IM work plan, the Director shall either approve or disapprove the IM Work Plan in writing. If the Director disapproves the IM Work Plan, the Director shall either:

- (a) Notify the Permittee in writing of the IM Work Plan's deficiencies and specify a due date for submittal of a revised Plan, or
- (b) Revise the IM Work Plan (this revised Work Plan becomes the approved IM Work Plan) and notify the Permittee of the revisions. The approved IM Work Plan constitutes approval of the Class 1 Permit Modification request specified in Condition IV.E.2(b)(ii). The final approved IM Work Plan shall then be incorporated into Permit Attachment K (CASOC – Approved Work Plans and Reports).

4. Implementation of the IM Work Plan

The Permittee shall implement interim actions within fifteen (15) calendar days after receiving approval or notification of any revisions requested by the Director.

**F. RCRA FACILITY INVESTIGATION (RFI) WORK PLAN AND REPORTS**

1. Submittal of RFI Work Plan

RFI Work Plans may be required at future times in order to determine potential or actual impacts on human health and the environment.

2. Content and Submittal of RFI Work Plan

Within sixty (60) days after receiving a request from the Director, the Permittee shall submit a complete RFI Work Plan to the Director. The RFI Work Plan shall be submitted as a Class 1 Permit Modification request, requiring the Director's approval. The Work Plan shall address in detail SWMUs, releases of hazardous waste, hazardous constituents, and media of concern which require further investigations.

- (a) The Work Plan shall describe the objectives of the investigation and the overall technical and analytical approach to completing all actions necessary to characterize the nature, direction, rate, movement, and concentration of releases of hazardous waste (including hazardous constituents) from specific units or groups of units, and their actual or potential receptors. The Work Plan shall detail all proposed activities and procedures to be conducted at the facility, the schedule for implementation and completing such investigations, the qualifications of personnel performing or directing the investigations, including contractor personnel, and the overall management of the RFI.
- (b) The Plan shall discuss sampling and data collection quality assurance and data management procedures listed in Condition B.4 of this Permit Part (Quality Assurance and Control), including formats for documenting and tracking data and other results of investigation, and health and safety procedures.

3. Review and Approval or Disapproval of RFI Work Plan

The Director shall review the RFI Work Plan for proper content and those RFI Work Plan elements applicable to the facility. After review, the Director will either approve or disapprove the RFI Work Plan in writing. If the Director disapproves the RFI Work Plan, the Director shall either:

- (a) Notify the Permittee in writing of the RFI Work Plan's deficiencies and specify a due date for submittal of a revised RFI Work Plan; or
- (b) Revise the RFI Work Plan and notify the Permittee of the revisions. This modified RFI Work Plan becomes the approved RFI Work Plan and constitutes approval of the Class 1 Permit Modification request in IV.F.2.

The Director shall also review for approval as part of the RFI Work Plan any plans developed addressing further investigations of newly identified SWMUs (Condition D of this Permit Part).

If approved, the RFI Work Plan will be incorporated into Permit Attachment K (CASOC – Approved Work Plans and Reports). If the Director approves the RFI Work Plan, the Permittee shall, within ninety (90) calendar days of receipt of approval, send a Class 1 Permit Modification notice to all individuals on the facility

mailing list maintained by the Director in accordance with R18-8-270.A and 270.I(c)(1)(ix) and (x) [40 CFR 124.10(c)(1)(ix) and (x)]. The notice shall include a summary of the approved RFI Work Plan and describe the change made to Permit Attachment K (CASOC – Approved Work Plans and Reports).

4. Implementation of RFI Work Plan

No later than thirty (30) calendar days after the Permittee has received written approval from the Director for the RFI Work Plan, the Permittee shall begin implementing the RCRA Facility Investigation according to the schedules and procedures specified in the RFI Work Plan.

5. Content and Submittal of RFI Interim or Final Report

Within sixty (60) calendar days after the completion of the RFI Work Plan or other schedule approved by the Director, the Permittee shall submit:

(a) An RFI Interim or Final Report

The RFI Interim or Final Report shall be submitted as a Class 1 Permit Modification request, requiring the Director's approval. The RFI Interim or Final Report shall describe the procedures, methods, and results of all facility investigations of SWMUs and their releases, including information on the type and extent of contamination at the facility, sources and migration pathways, and actual or potential receptors. The RFI Interim or Final Report shall present all information gathered under the approved RFI Work Plan. The RFI Interim or Final Report must contain adequate information to support further corrective action decisions at the facility.

(b) Determination of No Further Actions with Modification

Based on the results of the RFI and other relevant information, the Permittee may submit an RFI-Based Determination of No Further Action (NFA) with a proposed Class 3 Permit modification to the Director requesting termination of any Corrective Action Required. The NFA Determination and proposed Class 3 Permit modification, will be processed pursuant to requirements of Permit Part I and must contain Information demonstrating that there are no releases of hazardous wastes (including hazardous constituents) from SWMUs at the facility that pose a threat to human health and the environment. It must also include information required in A.A.C. R18-8-270.A (40 CFR 270.42(c), which incorporates by reference 40 CFR 270.13 through 270.21, 270.62, and 270.63), and state if:

- (i) Contamination is found to be non-existent;
- (ii) Contaminant levels and subsequent risks are insignificant compared to existing background levels (i.e. levels are naturally occurring);
- (iii) Contamination results from releases originating from outside the facility;

- (iv) Contamination is located adjacent to industrialized, non-residential areas.

6. Review and Approval or Disapproval of RFI Interim or Final Report

The Director shall review the RFI Interim or Final Report submittal (and NFA Determination, if applicable), and either approve or disapprove the Report and NFA Determination in writing.

- (a) If the Director disapproves the RFI Report, the Director shall notify the Permittee in writing of the Report's deficiencies and specify a due date for submittal of the revised Report.
- (b) RFI Interim or Final Report without NFA Determination: If the Director approves the Report, the approval constitutes approval of the Permit Modification request of Condition IV.F.5(a). The Permittee shall, within ninety (90) calendar days of receipt of approval, send a Class 1 Permit Modification notice to all individuals on the facility mailing list maintained by the Director in accordance with A.A.C. R18-8-271.A and 271.I(c)(1)(ix) and (x) [40 CFR 124.10(c)(1)(ix) and (x)]. The notice shall include a summary of the approved RFI Interim or Final Report and describe the change made to Permit Attachment K (CASOC – Approved Work Plans and Reports).
- (c) RFI Interim or Final Report with NFA Determination: If, based upon review of the Permittee's NFA Determination and proposed Class 3 Permit Modification request, the results of the RFI, and other information (including comments received during the public comment period), the Director determines that releases or suspected releases which were investigated either are non-existent or do not pose a threat to human health and the environment, the Director may grant the requested modification. However, the NFA approval does not preclude the Director from initiating other modifications to the CASOC according to procedures in 40 CFR 270.41 (Director-initiated Permit Modifications) that may rescind the determination or require the Permittee to perform:
  - (i) Continued or periodic monitoring of air, soil, groundwater, or surface water, when site-specific circumstances indicate that releases of hazardous wastes (including hazardous constituents) are likely to occur, if necessary to protect human health and the environment;
  - (ii) Further investigations, studies, or remediation at a later date, if new information or subsequent analysis indicates a release or likelihood of a release from a SWMU is likely to pose a threat to human health or the environment.

Upon approval of the RFI Interim or Final Report with NFA Determination and Class 3 Permit Modification request, the RFI Interim or Final Report and

NFA Determination will be incorporated into Permit Attachment K (CASOC – Approved Work Plans and Reports).

**G. CORRECTIVE MEASURES STUDY (CMS) PLAN AND REPORT**

1. Call-in of the Corrective Measures Study

If the Director has reason to believe, after review of the RFI Final Report, that a SWMU has released concentrations of hazardous constituents in excess of any action level, or determines that contamination present at levels below those action levels pose a threat to human health and the environment given site specific exposure conditions, the Director may require a Class 1 Permit Modification, for a Corrective Measures Study (CMS), and shall so notify the Permittee in writing.

2. Content and Submittal of CMS Plan

The Permittee shall submit a Class 1 Permit Modification request requiring the Director's approval and a CMS Work Plan to the Director within forty-five (45) calendar days after notification of the requirement to conduct a CMS. The CMS Plan shall provide the following information:

- (a) Description of general approach to investigate and evaluate potential remedies;
- (b) Definition of the overall study objectives;
- (c) The specific plans and factors for evaluating remedies to ensure compliance with remedy standards, as stated in Permit Condition IV.H (Remedy Selection);
- (d) The schedules for conducting the study; and
- (e) Proposed format for presentation of the information.

3. Review and Approval or Disapproval of CMS Plan

The Director should review the CMS Plan to ensure it contains all necessary contents.

- (a) If the Director disapproves the CMS Plan, the director shall either:
  - (i) Notify the Permittee in writing of the Plan's deficiencies and specify a due date for submittal of a revised Plan, or
  - (ii) Revise the CMS Plan and notify the Permittee of the revisions. This modified CMS Plan becomes the approved CMS Plan.
- (b) If the Director approves the CMS Work Plan, the Permittee shall, within ninety (90) calendar days of receipt of approval, send a Class 1 Permit Modification notice to all individuals on the facility mailing list maintained by the Director in accordance with R18-8-270.A and 270.I(c)(1)(ix) and (x)

[40 CFR 124.10(c)(1)(ix) and (x)]. The notice shall include a summary of the approved CMS Work Plan and describe the change made to Permit Attachment K (CASOC – Approved Work Plans and Reports).

4. Implementation of CMS Plan

No later than fifteen (15) calendar days after the Permittee has received written approval from the Director for the CMS Work Plan, the Permittee shall implement the CMS Work Plan according to the schedules and procedures specified in the CMS Work Plan.

5. Content and Submittal of CMS Final Report

Within sixty (60) calendar days after the completion of the CMS tasks, the Permittee shall submit a Class 1 Permit Modification request requiring the Director's approval and the CMS Report. The CMS Report must contain adequate information to support the Director in the remedy selection decision-making process and shall include, at a minimum:

- (a) A summary of results of investigations, and any bench-scale or pilot tests conducted for each remedy studied;
- (b) A description and evaluation of each remedial alternative which passed through the initial screening of corrective measure technologies;
- (c) All information gathered under the approved CMS Plan with Performance standards streamlined;
- (d) The recommended corrective measure(s), and a justification for selection of the recommended corrective measure(s).

6. Review and Approval or Disapproval of CMS Final Report and Remedy

The Director shall approve, approve with modifications, or disapprove the draft CMS Report and will advise the Permittee of the determination in writing. The Director shall select the remedy according to Condition IV.H (Remedy Selection). In all cases, the Director may require the Permittee to evaluate additional remedies or particular elements of the proposed remedies.

- (a) If the Director disapproves the CMS Report, the Director shall notify the Permittee in writing of deficiencies in the CMS Report and specify a due date for submittal of a revised CMS Report.
- (b) If the Director approves or approves with modifications the CMS Report, the approved CMS Report constitutes approval of the Permit Modification request of Condition IV.G.5). The CMS Report will be incorporated into Permit Attachment K (CASOC – Approved Work Plans and Reports). If the Director approves the CMS Report, the Permittee shall, within ninety (90) calendar days of receipt of approval, send the Class 1 Permit Modification notice to all individuals on the facility mailing list maintained by the Director

in accordance with R18-8-270.A and 270.I(c)(1)(ix) and (x) [40 CFR 124.10(c)(1)(ix) and (x)]. The notice shall include a summary of the approved CMS Report and describe the change made to Permit Attachment K (CASOC – Approved Work Plans and Reports).

- (c) Within forty-five (45) calendar days of receipt of the Director's approval, or approval with modifications, of the proposed corrective measure(s), the Permittee shall submit a Corrective Measures Implementation (CMI) Program Plan for the remedy selected pursuant to Condition IV.I (Corrective Measures Implementation).

## H. REMEDY SELECTION

### 1. Remedy Standards

Based on results of the CMS and any further evaluations of additional remedies, the Director shall select a remedy from the remedial alternatives evaluated in the CMS that will protect human health and the environment; meet the concentration levels of hazardous constituents in each medium that the remedy must achieve to be protective of human health and the environment; control the course(s) of release(s) so as to reduce or eliminate, to the maximum extent practicable, further releases that might pose a threat to human health and the environment; and meet all applicable waste management requirements.

### 2. Technical Evaluation Factors of Remedy

In approving the recommended remedy(s) which meets the standards for remedies established above, the Director shall consider the following evaluation factors, as appropriate:

#### (a) Long-term reliability and effectiveness

To establish the degree of certainty that the remedy will prove successful, evaluate the:

- (i) Magnitude of residual risks in terms of amounts and concentrations of waste remaining following remedy implementation, considering the persistence, toxicity, mobility and propensity to bio-accumulate of such hazardous wastes including hazardous constituents;
- (ii) Type and degree of long-term management required, including monitoring, operation and maintenance;
- (iii) Exposure potential of humans and environmental receptors to remaining wastes, considering potential threats to human health/environment associated with excavation, transportation, re-disposal or containment;
- (iv) Long-term reliability of the engineering and institutional controls, including uncertainties associated with land disposal of untreated wastes and residuals;
- (v) Potential need for replacement of the remedy.

(b) Reduction of toxicity, mobility, and volume

The degree to which a potential remedy employs treatment that reduces toxicity, mobility, or volume of hazardous wastes (including hazardous constituents) that shall be considered include:

- (i) The treatment processes the remedy(s) employs and materials it would treat;
- (ii) Amount of hazardous wastes (including hazardous constituents) that would be destroyed or treated;
- (iii) The degree to which the treatment is irreversible; and
- (iv) The residuals that will remain following treatment, considering the persistence, toxicity, mobility and propensity to bio-accumulate of such hazardous wastes (including hazardous constituents).

(c) Short-term effectiveness.

Assess potential remedy(s) for short-term effectiveness considering:

- (i) Magnitude of reduction of existing risks;
- (ii) Short-term risks that might be posed on the community, workers, or environment during implementation of such remedy, including potential threats to human health and the environment associated with excavation, transportation, re-disposal or containment; and
- (iii) Time until full protection is achieved.

(d) Implementability.

The ease or difficulty of implementing a potential remedy(s) may be assessed by considering the following types of factors:

- (i) Degree of difficulty associated with constructing the technology;
- (ii) Expected operational reliability of the technologies;
- (iii) Need to coordinate/obtain necessary approvals and permits from other agencies;
- (iv) Availability of necessary equipment and specialists; and
- (v) Available capacity, location of needed treatment, storage and disposal services.

(e) Cost.

The types of costs assessed include:

- (i) Capital, and Operation and Maintenance costs;
- (ii) Net present value of capital and operation and maintenance costs; and
- (iii) Potential future remedial action costs.

**I. CORRECTIVE MEASURES IMPLEMENTATION PROGRAM PLAN**

1. Content and Submittal of CMI Program Plan

Within forty-five (45) calendar days after receipt of the Director's Remedy Selection, the Permittee shall submit a Class 1 Permit Modification request, requiring Director's approval and a draft Corrective Measures Implementation (CMI) Program Plan. All



Corrective Action requirements of 40 CFR 264.99(h) and 264.100 shall be addressed, not limited to:

- (a) Details of specific remedies (i.e. remove-and-treat or treat-in-place) to be taken which achieve compliance with the standards, and a description of remedy's technical features that are necessary to achieve the standards, not limited to:
  - (i) Requirements for quality sampling and analysis; including a plan for CMI groundwater monitoring that demonstrates an effective post-closure compliance or assessment monitoring program;
  - (ii) Requirements for removal, decontamination, closure, or post-closure of units, equipment, devices or structures used to implement remedy;
  - (iii) Requirements for achieving compliance with concentration limits and levels;
- (b) Basic standards including, but not limited to:
  - (i) Hazardous constituents list;
  - (ii) All concentration levels or limits of hazardous constituents in each medium (i.e. soil, groundwater) that the remedy must achieve to protect human health and environment;
  - (iii) Compliance points and compliance period;
  - (iv) Management of hazardous waste.
- (c) A schedule for initiating and completing all major technical features and milestones of remedy, and required length of Corrective Actions taken, including when CMI groundwater monitoring is initiated in lieu of post-closure groundwater compliance or assessment monitoring;
- (d) Requirements for submission of semi-annual reports, other information, and modifications if above regulations cannot be met.

2. Review and Approval or Disapproval of CMI Program Plan

The Director shall approve, approve with modifications, or disapprove the draft CMI Plan and will advise the Permittee of its determination in writing.

- (a) If the Director disapproves of the CMI Program Plan, the Director shall notify the Permittee in writing of deficiencies in the CMI Program Plan and specify a due date for submittal of a revised CMI Program Plan thirty (30) calendar days after notification.
- (b) If the Director approves (or approves with modifications) the CMI Program Plan, the CMI Program Plan will be incorporated into Permit Attachment K (CASOC – Approved Work Plans and Reports). If the Director approves the CMI Program Plan, the Permittee shall, within ninety (90) calendar days of receipt of approval, send the Class 1 Permit Modification notice to all individuals on the facility mailing list maintained by the Director in accordance with R18-8-270.A and 270.I(c)(1)(ix) and (x) [40 CFR 124.10(c)(1)(ix) and (x)]. The notice shall include a summary of the approved

CMI Program Plan and describe the change made to Permit Attachment K (CASOC – Approved Work Plans and Reports). The Director’s approval of the CMI Program Plan constitutes approval of the Permit Modification request.

- (c) Within forty-five (45) calendar days of receipt of Director’s approval, or approval with modifications, of the proposed corrective measure(s), the Permittee shall submit to the Director a final CMI Program Plan consistent with the Director’s written notification.

3. Implementation of CMI Program Plan

No later than fifteen (15) calendar days after the Permittee has received written approval from the Director for the CMI Program Plan, the Permittee shall begin to implement the CMI Program Plan according to the schedules and procedures specified in the CMI Program Plan.

**J. SITE ASSESSMENT AND REMEDY**

Site Assessment and Remedy may be required to assess and possibly remedy sites consisting of suspected historic releases of small area extent and for which no groundwater contamination has occurred or threatens to occur. Site Assessment and Remedy shall consist of a Site Assessment Plan (SP) and, if necessary, a Remedial Plan (RP). At the Director’s discretion the Permittee may be required to follow the provisions of the RFI, CMS, and CMI processes (Permit Sections IV.F through IV.I of this Permit Part) if, during performance of the SP or RP, extensive contamination is found, or if it is found that groundwater may be impacted by the historic release.

1. Site Assessment Plan

Any SP submitted by the Permitted in accordance with IV.J shall be submitted as a Class 1 Permit Modification request requiring the Director’s approval. The SP shall contain the following:

- (a) A description of the purpose for the SP
- (b) A general description of the site including a site diagram or drawing. Identify as applicable:
  - (i) property boundaries;
  - (ii) buildings and fences;
  - (iii) process and maintenance areas;
  - (iv) active and inactive waste generation, handling treatment, storage, disposal, and spill areas;
  - (v) water wells, dry wells, sumps, storm sewers, industrial and sanitary sewers, septic tanks, surface waters (including intermittent washes, discharges or irrigation ditches, canals, etc);
  - (vi) depth to ground water;
  - (vii) soil coverings (asphalt, concrete, vegetation, etc);
  - (viii) topography and drainage patterns

- (c) Identity of each waste which has been stored, treated, or disposed at the site, and the identity of each hazardous constituent present in that waste.
- (d) The method(s) used to determine sample locations and depths (random, systematic, biased, or combination) and a rationale for the number of samples taken.
- (e) A diagram showing the number, type, and location of samples
- (f) Detailed sampling procedures describing:
  - (i) Contents of the field notebook
  - (ii) Sampling equipment used
  - (iii) Sample sizes
  - (iv) Use of any sample compositing
  - (v) Sample containers, labels, and seals
  - (vi) Field and trip blanks
  - (vii) Sample preservatives
  - (viii) Quality assurance procedures (blind field duplicates, use of a check lab, and chain of custody)
  - (ix) Sample packaging and shipment
  - (x) Reserved samples (samples to be taken but not immediately analyzed)
  - (xi) Backfilling and grouting of sample borings
  - (xii) Equipment decontamination procedures, including disposal of spent solutions
- (g) Analytical parameters and the rationale for choosing such parameters
- (h) Provision for expanding the SP if contamination is found to have migrated
- (i) Provision for the submittal of a Site Assessment Report within 90 days of performance of the SP, providing the following information:
  - (i) A summary of results, significant observations, and conclusions.
  - (ii) A discussion of the sampling followed for each site, including a description of:
    - a. The sampling procedures used;
    - b. The equipment used for sampling;
    - c. The analytical procedures and methods used;
    - d. The analytical equipment used; and
    - e. The quality assurance procedures used.
  - (iii) The procedures used to prevent hazards and protect field personnel;
  - (iv) The equipment used to prevent hazards and protect field personnel;
  - (v) Drawings and photographs where appropriate;
  - (vi) Description of any deviations from the approved SP;
  - (vii) Data generated from sampling and analysis activities performed pursuant to the plan, including field notes, manifests, bills of lading,

LDR forms, laboratory submittal forms, chain-of-custody forms, laboratory reports, and drilling logs.

- (j) Provision for the submittal of a Remedial Plan, if any hazardous constituents are found above the applicable soil remediation standards of Title 18, Chapter 7, Article 2 or if any hazardous constituents may be expected to migrate to ground water.
- (k) Provision for a request of a Finding of No Further Action from the Director, if no hazardous constituents are found above the applicable soil remediation standards of Title 18, Chapter 7, Article 2, or if no hazardous constituents may be expected to migrate to ground water.
- (l) The final approved SP shall be incorporated into Permit Attachment K (CASOC – Approved Work Plans and Reports).

2. Remedial Plan

Any Remedial Plan (RP) submitted by the Permittee in accordance with IV.J shall be submitted as a Class 1 Permit Modification request requiring the Director's approval. The RP shall contain the following:

- (a) A description of the process to be used in the removal of all hazardous waste, hazardous waste constituents, and/or soils determined to be contaminated with hazardous waste or hazardous waste constituents;
- (b) An estimate of the amount of waste or soils to be generated, including a site map indicating the location and vertical and horizontal extent of the area to be remediated;
- (c) Identification of the personnel to be used during the remediation, including the name of the project officer who will be responsible for managing the site;
- (d) A provision for a site safety plan which will be enforced during the remediation. At a minimum, the site safety plan should specify the precautions to be taken and monitoring to be performed which ensures the safety of the site workers and the surrounding community;
- (e) The method(s) used to determine sample locations and depths (random, systematic, biased, or combination) and a rationale for the number of samples taken;
- (f) A diagram showing the number, type, and location of samples to be taken;
- (g) Detailed sampling procedures describing:
  - (i) Contents of the field notebook
  - (ii) Sampling equipment used
  - (iii) Sample sizes
  - (iv) Use of any sample compositing

- (v) Sample containers, labels, and seals
  - (vi) Field and trip blanks
  - (vii) Sample preservatives
  - (viii) Quality assurance procedures (blind field duplicates, use of a check lab, chain of custody)
  - (ix) Sample packaging and shipment
  - (x) Reserved samples (samples to be taken but not immediately analyzed)
  - (xi) Backfilling and grouting of sample borings
  - (xii) Equipment decontamination procedures, including disposal of spent solutions;
- (h) Analytical parameters and the rationale for choosing such parameters;
  - (i) The chain of custody procedures to be followed;
  - (j) If the remediation may be expected to include the storage of hazardous waste or soils contaminated with hazardous constituents on-site, the storage method, location, and expected duration must be detailed. The description must specify the precautions to be taken to protect the facility and surrounding community from exposure to the waste or soils contaminated with hazardous constituents;
  - (k) If the remediation entails excavation, the steps which will be taken to limit access to the excavated area must be described;
  - (l) If the remediation entails the use of imported back-fill, provisions for documenting that the back-fill is clean;
  - (m) The decontamination procedures and disposal techniques to be employed for all decontaminated solutions and personal protective equipment;
  - (n) The disposal method and identification of the disposal site(s) of all hazardous wastes and contaminated soils generated during the remediation;
  - (o) A schedule for performance of the remedy, including provision for prior ADEQ notification (5 days);
  - (p) Provisions for amendment of the RP should confirmatory sampling indicate the presence of hazardous waste or hazardous waste constituents, are found above the applicable soil remediation standards of Title 18, Chapter 7, Article 2 or if any hazardous constituents may be expected to migrate to ground water;
  - (q) Documentation that the site has been flagged prior to remediation;
  - (r) Provisions for the submittal of a Remedial Report within 90 days of completion of the remedy providing:
    - (i) A summary of results, significant observations, and conclusions.
    - (ii) A discussion of the sampling followed for each site, including a description of:
      - a. the sampling procedures used;

- b. the equipment used for sampling;
- c. the analytical procedures and methods used;
- d. the analytical equipment used;
- e. the quality assurance procedures used;
- (iii) The procedures used to prevent hazards and protect field personnel;
- (iv) The equipment used to prevent hazards and protect field personnel
- (v) Drawings and photographs where appropriate
- (vi) Description of any deviations from the approved RP.
- (vii) Data generated from the remedy and confirmatory sampling and analysis activities performed pursuant to the RP, including field notes, manifests, bills of lading, LDR forms, laboratory submittal forms, chain-of-custody forms, laboratory reports, and drilling logs;
- (s) Provision for a request of a Finding of No Further Action from the Director, through a Class 1 Permit Modification request, if no hazardous constituents remain above the applicable soil remediation standards of Title 18, Chapter 7, Article 2, and if no hazardous constituents may be expected to migrate to ground water;
- (t) The final approved RP shall be incorporated into Permit Attachment K (CASOC – Approved Work Plans and Reports).

3. Notification

Within thirty (30) calendar days of submittal of the RP to the Director, the Permittee shall send a notice of the RP to all persons on the facility mailing list maintained by the Director in accordance with R18-8-270.I (40 CFR 124.10) and to appropriate units of state and local government. The notice shall briefly describe the RP and provide facility and ADEQ contacts.