

## **MODULE II - GENERAL FACILITY CONDITIONS**

### **II.A. APPLICABILITY**

- II.A.1. The requirements of this Permit module pertain to all Hazardous Waste Management Units (HWMUs) identified within Module III.

### **II.B. DESIGN AND OPERATION OF FACILITY**

- II.B.1. The Permittee shall design, construct, maintain, and operate all of its HWMUs and surrounding areas to minimize the possibility of fire, explosion, or any sudden or non-sudden release of hazardous waste or hazardous waste constituents to the air, soil, groundwater, or surface water that could threaten human health or the environment.
- II.B.2. Any request for changes to an existing HWMU shall be in accordance with UAC R315-3-4.3 and Condition I.D.6. Changes to the design and operation of a HWMU shall satisfy the requirements specified in this permit. Any changes to a HWMU must be documented on as-built drawings and with a Utah certified professional engineering certification as required by UAC R315-3-3.1(l)(2)(i).
- II.B.3. After review of the as-built drawings and field verification of the facilities, the Director will notify the Permittee in writing of any change that he concludes does not satisfy the operating requirements specified in this permit. If it is established that such changes are permit violations, the Director may require the Permittee to remove, replace, or modify any construction inconsistent with this permit.

### **II.C. REQUIRED NOTICE**

- II.C.1. As required by UAC R315-8-2.3(a)(1), the Permittee shall notify the Director in writing at least four weeks in advance of the date the Permittee expects to receive waste from a foreign source. Notice of subsequent shipments of the same waste from the same foreign source in the same calendar year is not required.
- II.C.2. When the Permittee arranges to receive waste from an off-site source, the Permittee must inform the generator in writing that he has the appropriate Permit for and will accept the waste the generator is shipping. As required by UAC R315-8-2.3 (b), the Permittee shall keep a copy of the written notice as part of the operating record.

### **II.D. WASTE ANALYSIS PLAN**

- II.D.1. The Permittee shall follow the procedures of the Waste Analysis Plan in Attachment 3 of this Permit. In addition, the Permittee shall comply with any other conditions involving waste analysis in Modules I, II, III, IV, and V.
- II.D.2. The Permittee shall use the test methods described in the Waste Analysis Plan in Attachment 3 or an equivalent procedure that satisfies Condition I.O.3 and 4. Changes in

a test method described in the Waste Analysis Plan, as a result of an improvement or refinement of that method, may be adopted by the Permittee and incorporated into this Permit, in accordance with UAC R315-4-1.5 and Condition I.D.

- II.D.3. The Permittee shall verify, using analytical techniques if necessary, the characteristics of each new or modified waste stream. The Permittee shall conduct an evaluation of each new waste stream generated on or off-site in compliance with UAC R315-8-2.4 and Attachment 3. Analysis of all new, existing, or modified waste streams shall be kept in the operating record.
- II.D.4. Sampling of wastes to be stored at the Permittee's facility shall be performed in accordance with UAC R315-8-2.4 and Attachment 3. Generator knowledge may suffice in characterizing waste streams. The use of generator knowledge to characterize chemical and reactive waste shall detail the physical and chemical characteristics of the waste. All waste characterization information shall be maintained in the operating record.
- II.D.5. At a minimum, the Permittee shall:
  - II.D.5.a. Maintain properly functioning sampling and analytical equipment;
  - II.D.5.b. Use approved sampling and analytical methods; and
  - II.D.5.c. Submit an updated list of parameters, analytical methods, and sample preparation methods in Attachment 3 on an annual basis. The updated list shall be submitted to the Director on or before January 15<sup>th</sup> of each calendar year.
- II.D.6. Whenever the Director determines that the Permittee needs to update the analytical methodologies or the version(s) of SW-846 that are being used by the Permittee's analytical laboratory, the Director will submit written notification to Permittee. The Permittee shall notify the Utah Department of Health, Bureau of Laboratory Improvement of the requested update within 30 days of receipt of the Director's determination. The Permittee shall have 180 days from the receipt of the Director's written notification to complete the requested update. If it is not possible to complete the update within the prescribed time, the Permittee shall submit a written request for extension to the Director for approval.
- II.D.7. If the Permittee uses a contract laboratory to perform analyses, the laboratory shall be certified by the State of Utah to perform the contracted analyses. For parameters for which certification is unavailable, the laboratory shall provide quality control/quality assurance data sufficient to assess the validity of the data. The Permittee shall inform the laboratory in writing that it must operate under the Waste Analysis Plan conditions set forth in this Permit.

**II.E. SECURITY**

II.E.1. The Permittee shall comply with security conditions and procedures contained in Attachments 2 & 5.

**II.F. GENERAL INSPECTION REQUIREMENTS**

II.F.1. The Permittee shall conduct inspections in accordance with UAC R315-8-2.6, and the procedures and schedule in Attachments 4 & 5. In addition, the Permittee shall comply with the inspection conditions described in Module III.

II.F.2. The Permittee shall remedy any deterioration or malfunction as required by UAC R315-8-2.6(c). If the remedy requires more than 72 hours to implement for emergency items as defined in Attachment 5.2.1 from the time that the problem is detected, the Permittee shall submit to the Director, before the expiration of the 72-hour period, a proposed time schedule for correcting the problem.

II.F.3. Records of inspections shall be kept as required by UAC R315-8-2.6(d).

**II.G. PERSONNEL TRAINING**

II.G.1. The Permittee shall conduct personnel training as required by UAC R315-8-2.7 and the training program outline found in Attachment 7. New personnel working assigned to hazardous waste management responsibilities shall complete the required personnel training within six months after their hire date, assignment to the facility or assignment to a new position at the facility. In addition, the Permittee shall comply with the following conditions:

II.G.1.a. Facility personnel shall take part in an annual review of their initial training in both contingency procedures and the hazardous waste management procedures relevant to the positions, which they are employed;

II.G.1.b. The Permittee shall maintain training documents and records as required by UAC R315-8-2.7(d) and UAC R315-8-2.7(e) and in accordance with the Training Plan in Attachment 7. These records shall indicate the type and amount of training received; and,

II.G.1.c. The Permittee shall maintain a copy of the Training Plan at the facility until the facility is fully closed and closure is certified.

**II.H. GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE**

II.H.1. The Permittee shall comply with the requirements of UAC R315-8-2.8.

II.H.2. In addition to the requirements of UAC R315-8-2.8, the Permittee shall comply with the conditions of Module III pertaining to ignitable, reactive, or incompatible waste.

**II.I. LOCATION STANDARDS**

II.I.1. The Permittee shall comply with the location standards specified by UAC R315-8-2.9.

**II.J. PREPAREDNESS AND PREVENTION**

II.J.1. The Permittee shall follow the Preparedness and Prevention Plan in Attachment 5.

II.J.2. At a minimum, the Permittee shall equip and maintain at the facility, and keep in good operating condition, the equipment set forth in Attachment 5, as required by UAC R315-8-3.3.

II.J.3. The Permittee shall test and maintain the equipment specified in Condition II.J.2. as necessary to assure its proper operation in time of emergency.

II.J.4. The Permittee shall maintain records of the testing, maintenance, and repair activities specified in Condition II.J.3., and keep schedules, that identify the minimum and planned frequency for the performance of preventative maintenance activities in the operating record at the facility in accordance with Condition I.O.

II.J.5. The Permittee shall maintain access to the communications or alarm system as required by UAC R315-8-3.5.

II.J.6. At a minimum, the Permittee shall maintain aisle space that allows the unobstructed movement of personnel, fire protection equipment, discharge control equipment, and decontamination equipment to any area of the facility operations in an emergency in accordance with UAC R315-8-3.6. For the permitted storage areas, the Permittee shall maintain the aisle spaces identified in Module III and Section 4.4.1 – 4 of Attachment 4.

II.J.7. The Permittee shall attempt to make arrangements with state and local authorities as required by UAC R315-8-3.7. Any refusals to enter into an agreement shall be documented in the operating record.

**II.K. CONTINGENCY PLAN**

II.K.1. The Permittee shall immediately carry out the provisions of Attachment 6, and follow the emergency procedures described by UAC R315-8-4.7, whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which threatens or could threaten human health or the environment. The Permittee shall comply with Condition I.T. in reporting releases to the Director.

II.K.2. The Permittee shall comply with the requirements of UAC R315-8-4.4 and Condition I.E.

II.K.3. The Permittee shall review the Contingency Plan in accordance with UAC R315-8-4.5 and shall modify in accordance with Condition I.D.6., if necessary.

II.K.4. A trained emergency coordinator shall be available at all times in case of an emergency,

as identified in Attachment 6 and required by UAC R315-8-4.6.

**II.L. MANIFEST SYSTEM**

II.L.1. The manifest tracking number shall be recorded in the operating record with each waste load that leaves the Permittee's facility. UAC R315-5-2 and UAC R315-8-5 apply for all record keeping associated with the movement of these wastes.

II.L.2. The manifest tracking number shall be recorded in the operating record with each waste load that is received by the Permittee's facility. UAC R315-5-2 and UAC R315-8-5 apply for all record keeping associated with the movement of these wastes.

**II.M. RECORDKEEPING AND REPORTING**

II.M.1. The Permittee shall maintain an accurate written operating record at the facility in accordance with UAC R315-8-5 and UAC R315-50-2.

II.M.2. The Permittee shall, by March 31 of each year, submit to the Director a certification pursuant to UAC R315-8-5.3, signed by the owner or operator of the facility, or an authorized representative, that the Permittee has a waste minimization program in place to reduce the volume and toxicity of hazardous waste that he generates to the degree determined by the Permittee to be economically practicable; and that the proposed method of treatment, storage, or disposal is the most practicable method currently available to the Permittee which minimizes the present and future threat to human health and the environment.

II.M.3. The Permittee shall comply with the biennial report requirements of UAC R315-8-5.6, by March 1 of each even-numbered reporting year. The report shall, at a minimum, include wastes generated, treated, and stored at the Permittee's facility during the previous odd-numbered year.

II.M.4. The Permittee shall submit additional reports to the Director in accordance with UAC R315-8-5.8.

II.M.5. All reports, notifications, application, or other materials required to be submitted to the Director shall be submitted at the address shown in Condition I.D. and I.E.

II.M.6. The Permittee shall maintain a copy of the certifications and reports required by Condition II.M.2. in the operating record and sign each certification in accordance with UAC R315-5-4.41(a)(8) and UAC R315-3-2.2(d)(1).

**II.N. CLOSURE**

II.N.1. The Permittee shall close the facility in accordance with UAC R315-8-7, UAC R315-101, and Attachment 8.

- II.N.2. For all HWMUs, minor deviations from the approved Closure Plan procedures necessary to accommodate proper closure shall be described in narrative form with the closure certification statements. The Permittee shall describe the rationale for implementing minor changes as part of this narrative report. Within 60 days after completion of closure of each HWMU, the Permittee shall submit the certification statements and narrative report to the Director.
- II.N.3. The Permittee shall amend the closure plan in accordance with UAC R315-4-1.5 and Condition I.D. whenever necessary, or when required to do so by the Director.
- II.N.4. The Permittee shall notify the Director in writing of the partial closure of any portion of the facility in accordance with UAC R315-8-7. The Permittee shall notify the Director at least 180 days prior to commencement of final facility closure. The closure plan contained in Attachment 8 will be reviewed by the Permittee, and modified if necessary, before commencing partial or final facility closure. If the closure plan requires modification, the plan shall be modified and submitted to the Director for approval in accordance with Condition I.D.
- II.N.5. After receiving the final volume of hazardous waste, the Permittee shall remove from the site all hazardous waste in accordance with the time frames specified in Attachment 8.
- II.N.6. The Permittee shall decontaminate or dispose of all facility equipment, structures, soil, and rinsate as required by UAC R315-8-7, R315-8-9, and Attachment 8. Facility equipment, structures, and soil that cannot be decontaminated will be disposed of at a permitted TSDF.
- II.N.7. The Permittee shall certify that the facility has been closed in accordance with the specifications in Attachment 8, as required by UAC R315-8-7, and shall provide a certification by an independent, Utah registered professional engineer qualified by experience and education in the appropriate engineering field.
- II.N.8. On the five year anniversary date this Permit, the Permittee shall conduct a detailed evaluation of the closure cost estimates for the regulated unit and determine whether the annual adjustments for inflation have been adequate to update the closure cost estimates. The Permittee shall submit a report on this assessment and if necessary a modification of the Permit in accordance with Condition I.D. to the Director 90 days after the five year anniversary date of this Permit.
- II.N.9. The Permittee shall revise the closure cost estimate upon request by the Director. II.N.10. The Permittee shall maintain the latest, approved closure cost estimate in the operating record at the facility.
- II.N.11. In the event that any of the hazardous waste storage units covered by this Permit cannot be clean closed by decontaminating or removing contaminated structures and soil, or releases have occurred that have impacted soil or groundwater, the Permittee shall modify the Closure Plan for that HWMU in accordance with UAC R315-4-1.5 and

Condition I.D. Within 30 days of the date that the Director approves the modification, the Permittee shall close the unit in accordance with the applicable provision of UAC R315-8-7 and UAC R315-101.

II.N.12. If a HWMU cannot be clean closed, the Permittee shall submit a survey plat and property description for the HWMU with the submission of the certification of closure for the HWMU in accordance with UAC R315-8-7 and UAC R315-101.

**II.O. FINANCIAL ASSURANCE FOR FACILITY CLOSURE**

II.O.1. The Permittee shall demonstrate continuous compliance with UAC R315-8-8 by providing documentation of financial assurance, as required by UAC R315-8-8. Changes in financial assurance mechanisms shall be approved by the Director at least 60 days prior to such a change. On ten day notice from the Director, the Permittee shall direct any entity that is responsible for payment of closure costs, to provide copies of documents demonstrating the status of the financial assurance mechanism.

II.O.1. By July 30 of each calendar year, the Permittee shall adjust the closure cost estimate for inflation or submit the latest adjusted closure cost estimate for review and approval by the Director. After approval, the Permittee shall maintain the latest adjusted closure cost estimate in the operating record. For any new HWMU being placed into operation, an updated facility closure cost estimate must be prepared for the new unit(s), 60 days prior to waste being placed on or into the new unit.

II.O.2. The Permittee shall revise the closure cost estimate whenever there is a change in the facility's closure plan that would change the cost estimate as required by UAC R315-8-8.

**II.P. LIABILITY REQUIREMENTS**

II.P.1. The Permittee shall demonstrate continuous compliance with the liability requirements of UAC R315-8-8 (40 CFR 264.147 incorporated by reference). The Permittee shall have and maintain hazardous waste liability coverage for sudden accidental occurrences in the amount of at least \$1 million U.S. dollars per occurrence with an annual aggregate of at least \$2 million U.S. dollars, exclusive of legal defense costs. The Permittee shall submit an approved certificate of hazardous waste liability insurance worded as required by UAC R315-8-8.

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II.P.2. Changes in liability coverage mechanisms shall be approved by the Director 60 days prior to such a change.

**II.Q.            INCAPACITY OF OWNER OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS**

II.Q.1.            The Permittee shall comply with the notification and financial requirements of UAC R315-8-8, which incorporates by reference 40 CFR 264.148.

**II.R.            RECEIPT OF OFF-SITE WASTE PROHIBITED**

II.R.1            The Permittee shall not receive hazardous wastes that are generated off-site except for:

II.R.1.a.            Wastes generated by the Permittee during sampling, investigation, or remediation of sites contiguous or adjacent to the Permittee's facility;

II.R.1.b.            Wastes generated at another ATK owned or operated facility, and;

II.R.1.c.            Rocket motor segments from any source may be accepted for storage prior to treatment at an off-site TSDF.