

## 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 Modules I, II, III, IV and V.

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

- II.B.1. The Permittee shall design, construct, maintain and operate all of the HWMUs and surrounding areas to minimize the possibility of a fire, explosion, or any sudden or non-sudden release of hazardous waste or hazardous waste constituents to the air, soil, groundwater or surface water which could threaten human health or the environment.
- II.B.2. Any construction changes associated with a permitted HWMU at the facility shall be documented by as-built drawings and certified by a registered professional engineer in accordance with Condition I.R.1. and UAC R315-3-3.1(1)(2)(i).
- II.B.3. After review of the as-built drawings and field verification of the facility's HWMUs, the Director will notify the Permittee in writing of any change which he concludes does not satisfy the operating requirements specified in 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 hazardous 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 hazardous waste from an off-site source (except where the Permittee is also the generator), the Permittee shall inform the generator in writing that he has the appropriate permit(s) for, and will accept, the waste the generator is shipping. The Permittee shall keep a copy of this written notice as part of the operating record as required by UAC R315-8-2.3(b).

### II.D. WASTE ANALYSIS PLAN

- II.D.1. The Permittee shall follow the procedures of the Waste Analysis Plan included as Attachment 1 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 (Attachment 1) or an equivalent procedure that satisfies Condition I.O.3. 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 characterize, using analytical techniques if necessary, all waste streams generated on or off-site in accordance with UAC R315-8-2.4 and Attachment 1.

The waste characterization profiles shall be kept in the operating record.

- II.D.4. An annual evaluation of each waste stream shall be performed, as outlined in the waste analysis plan, to verify that the waste characterization is still accurate. These evaluations shall be kept in the operating record until the next annual evaluations are completed. Characterization of waste streams shall also be done each time the process generating the waste changes.
- II.D.5. Any waste analysis used to evaluate off-site waste for acceptance by the Permittee shall be accomplished using a laboratory that has been certified by the Utah State Division of Laboratories.
- II.D.6. At a minimum, the Permittee shall:
  - II.D.6.a. Maintain properly functioning sampling and analytical equipment;
  - II.D.6.b. Use approved sampling and analytical methods; and
  - II.D.6.c. Submit an updated list of parameters, analytical methods, and sample preparation methods 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.7. 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 the 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.8. If the Permittee uses a contract laboratory to perform analyses, the laboratory must be certified by the State of Utah to perform the contracted analyses. For parameters for which certification is unavailable, the Permittee shall ensure that quality control/quality assurance data provided by the laboratory is 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 the security conditions and procedures contained in Attachment 7 of this Permit.

**II.F.        GENERAL INSPECTION REQUIREMENTS**

- II.F.1. The Permittee shall conduct inspections in accordance with UAC R315-8-2.6 and shall follow the inspection schedule found in Attachment 2.
- 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 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. Any problem which could endanger human health or the environment shall be corrected as soon as possible after the problem is discovered. The Permittee shall make every effort to eliminate the threat to human health or the environment within 24 hours.
- II.F.4. If, upon determination by the Director or the Permittee, continued operation of the waste management unit involved in the inspection could endanger human health or the environment, the Permittee shall cease operation of the unit until the problem has been corrected. The Permittee shall be allowed to undertake those operations which are part of corrective activities.
- II.F.5. Records of inspections shall be kept as required by UAC R315-8-2.6(d).

**II.G. RISK THRESHOLDS**

- II.G.1. The thermal treatment operations at the M-136 and M-225 Thermal Treatment Areas shall be conducted to minimize the risk to human health and the environment. The risk to human health was evaluated, in accordance with R315-101 and is based on the risk thresholds identified in Condition IV.C.11. The operating conditions identified in Module IV for the treatment areas shall be based on the information provided or referenced in Attachments to this Permit and the following site specific documents available for review in the Department of Environmental Quality, Division of Solid and Hazardous Waste files:
  - II.G.1.a. Sampling Results for Emissions Characterization of Open Burning Waste Propellant Materials, October 2009;
  - II.G.1.b. ATK Launch Systems Waste Characterization and Air Dispersion Modeling Protocol for use in the Human Health and Ecological Risk Assessments, April 2011, Tetra Tech; ADDENDUM Air Dispersion Modeling Protocol for Open Burning and Open Detonation at ATK Launch Systems in Promontory, Utah, February 2013, CBI;
  - II.G.1.c. Air Dispersion Modeling Report for Open Burning and Open Detonation at ATK Launch Systems in Promontory, Utah, July 2014, CBI;
  - II.G.1.d. Human Health Risk Assessment Protocol for Evaluation of the Open Burning and Open Detonation Units, ATK Launch Systems Promontory, Utah, August 2014, Terra Mentis; and
  - II.G.1.e. Open Burn Open Detonation Human Health Risk Assessment, ATK Launch Systems Promontory, Utah, June 2016, Geosyntec.
- II.G.2. Reserved
- II.G.3. The Permittee shall submit to the Director by March 1<sup>st</sup> of each calendar year, an annual report on the operation of the Promontory Thermal Treatment areas. This report shall at a minimum include the following:

- II.G.3.a. An accounting of the quantities and types of reactive hazardous waste treated at the M-136 and M-225 thermal treatment areas, including all donor material and ignition compounds;
- II.G.3.b. An accounting of the total quantity of Propellant, Explosives and Pyrotechnics (PEP) and Contaminated Waste treated at the M-136 and M-225 thermal treatment areas for the annual reporting period;
- II.G.3.c. An accounting of the total quantity and types of reactive metal powders treated at the M-136 and M-225 thermal treatment areas for the annual reporting period;
- II.G.3.d. An accounting of the types and quantities of flare molds treated at the M-136 and M-225 thermal treatment areas for the annual reporting period and a summary on the status of waste minimization projects for treatment of flare molds at the thermal treatment areas;
- II.G.3.e. A list and description of any new waste profiles that have been generated for new energetic materials that have been treated at the Promontory Thermal Treatment Areas;
- II.G.3.f. The semiannual analytical results for the burn ground ash as required by Section 11.8.2.5 of Attachment 11;
- II.G.3.g. An evaluation of the emission factors used in the human health risk assessment, identified in Condition II.G.1.e., to determine whether these factors are representative of the wastes treated and identified in the annual report, as directed by II.G.3., or if the emission factors need to be updated;
- II.G.3.h. A review of the of the human health risk assessment, identified in Condition II.G.1.e., to evaluate changes to dose-response factors for the three classes of detected COPCs: chromium (total and hexavalent), 2,3,7,8-TCDD TEQ, and detected potentially carcinogenic PAHs (benzo(a)anthracene, benzo(k)fluoranthene, chrysene and indeno(1,2,3-cd)pyrene); and
- II.G.3.i. A review of the potential human health risk scenarios that were evaluated in the risk assessment to assure that these scenarios have not changed.
- II.G.4. If the Director determines after reviewing this annual report that any component of the risk assessment needs to be updated, he will inform the Permittee in writing which components of the human health risk assessment to update.
- II.G.5. If the Permittee is required to update the human health risk assessment for the M-136 or M-225 Thermal Treatment areas, the Permit shall be modified in accordance with Condition I.D. of this Permit.

## **II.H. PERSONNEL TRAINING**

- II.H.1. The Permittee shall conduct personnel training as required by UAC R315-8-2.7. This training program shall follow the outline found in Attachment 3. New personnel working with or around hazardous waste shall complete the required personnel training within six (6) months of their hire date, assignment to the facility or assignment to a new position at the facility.

- II.H.2. Facility personnel shall take part in an annual review of their initial training for contingency and hazardous waste management procedures relevant to the positions in which they are employed.
- II.H.3. The Permittee shall maintain training documents and records as required by UAC R315-8-2.7(d) and R315-8-2.7(e) [40 CFR 264.16(d) and 264.16(e)], in accordance with the Training Plan in Attachment 3. These records shall indicate the type and amount of training received.
- II.H.4. The Permittee shall maintain a copy of the Training Plan at the Facility until it is fully closed and closure is certified.
- II.H.5. Employees working at the M-136 and M-225 Thermal Treatment Areas shall receive task-specific, on-the-job-training in addition to the training outlined in Attachment 3. This training shall be documented and maintained in the operating record.

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

- II.I.1. The Permittee shall comply with the requirements of UAC R315-8-2.8.
- II.I.2. In addition to the requirements of UAC R315-8-2.8., the Permittee shall comply with the Conditions III.G and III.H pertaining to ignitable, reactive, or incompatible waste.

**II.J. LOCATION STANDARDS**

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

**II.K. PREPAREDNESS AND PREVENTION**

- II.K.1. The Permittee shall follow the Preparedness and Prevention Plan, Attachment 8.
- II.K.2. At a minimum, the Permittee shall equip and maintain in good operating condition at the facility the equipment set forth in Attachment 8, as required by UAC R315-8-3.3.
- II.K.3. The Permittee shall test and maintain the equipment specified in Condition II.K.2 as necessary to assure its proper operation in time of emergency.
- II.K.4. The Permittee shall maintain records of the preventative maintenance and repair activities specified in Condition II.K.3. and shall keep schedules, reflecting minimum and planned frequency for the performance of preventative maintenance activities in the Operating Record at the facility.
- II.K.5. The Permittee shall maintain access to the communications or alarm system as required by UAC R315-8-3.5.
- II.K.6. At a minimum, the Permittee shall maintain 30 inches of aisle space between containers or pallets of containers at storage areas M-186 and E-501.
- II.K.7. The Permittee shall attempt to make arrangements (Coordination Agreements) with State and local authorities as required by UAC R315-8-3.7. Copies of the Coordination

Agreements shall be kept in the Operating Record. The attempts to make such agreements, any refusals and all final agreements shall be documented in the Operating Record.

**II.L. CONTINGENCY PLAN**

- II.L.1. The Permittee shall immediately carry out the provisions of Attachment 4, 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 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.L.2. The Permittee shall provide copies of the Contingency Plan to emergency agencies who may be called in an emergency, shall maintain a copy of the Plan at the facility, and shall provide a copy upon request in accordance with UAC R315-8-4.4.
- II.L.3. The Permittee shall review the Contingency Plan, in accordance with UAC R315-8-4.5 and shall modify it in accordance with Condition I.D., if necessary.
- II.L.4. A trained emergency coordinator shall be available at all times in case of an emergency, in accordance with UAC R315-8-4.6 and identified in Attachment 4.

**II.M. MANIFEST SYSTEM**

- II.M.1. The Permittee shall comply with the manifest requirements of UAC R315-5-2 and UAC R315-8-5. The manifest tracking number shall be recorded in the Operating Record with each waste load that arrives or leaves the Permittee's facility.

**II.N. RECORDKEEPING AND REPORTING**

- II.N.1. The permittee shall maintain an accurate written Operating Record at the facility in accordance with UAC R315-8-5.3 (40 CFR 264.73 incorporated by reference) and R315-50-2 (Appendix I to Part 264 incorporated by reference).
- II.N.2. The Permittee shall, by March 1 of each year, submit to the Director a certification pursuant to UAC R315-8-5.3 [40 CFR 264.73(b)(9) incorporated by reference], signed in accordance with UAC R315-3-2.2, that the Permittee has a program in place to reduce the volume and toxicity of hazardous waste that he generates to the degree determined by the Permittee to be economically practicable; and 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 or the environment.
- II.N.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 include wastes generated, treated or stored at the Permittee's facility during the previous odd-numbered year.
- II.N.4. The Permittee shall submit additional reports to the Director in accordance with UAC R315-8-5.8.

II.N.5. All reports, notifications, applications, or other materials required to be submitted to the Director shall be submitted in accordance with Condition I.DD.

**II.O. CLOSURE/POST-CLOSURE**

II.O.1. The Permittee shall close the facility as required by UAC R315-8-7, UAC R315-101 and Attachment 5.

II.O.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 reports to the Director.

II.O.3. The Permittee shall amend the closure/post-closure plan in accordance with UAC R315-8-7 and Condition I.D. whenever necessary, or when required to do so by the Director.

II.O.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 the commencement of final facility closure. The closure plan contained in Attachment 5 will be reviewed 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.O.5. After receiving the final volume of hazardous waste, the Permittee shall treat or remove from the site all hazardous waste and complete closure activities in accordance with the schedule specified in Attachment 5.

II.O.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 5. Facility equipment, structures and soil which have not been decontaminated shall be disposed of only at a permitted hazardous waste treatment, storage or disposal facility.

II.O.7. The Permittee shall certify that the facility has been closed in accordance with the specifications in Attachment 5 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.O.8. In the event that any of the hazardous waste management units covered by this permit cannot be clean closed by decontaminating or removing contaminated structures or soil, or releases have occurred which have impacted soil or groundwater, the Permittee shall modify the Closure/Post-Closure Plan for that hazardous waste management unit in accordance with 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 R315-101.

II.O.9. 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 R315-101.

**II.P. COST ESTIMATES FOR HWMU CLOSURE**

- II.P.1. The Permittee's closure cost estimate for each HWMU shall be prepared and maintained at the facility in accordance with UAC R315-8-8 (40 CFR 264.142 incorporated by reference) and Attachment 5.
- II.P.2. 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. The closure cost estimates shall identify the costs, in current dollars, of the steps necessary to perform final closure for each HWMU in accordance with UAC R315-8-9.9 and UAC R315-8-8 (40 CFR 264.142 incorporated by reference).
- II.P.3. On the five year anniversary date of the submittal of the closure cost estimates required by Condition II.P.2. above, the Permittee shall conduct a detailed evaluation of the closure cost estimates for each HWMU 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 report is submitted.
- II.P.4. The Permittee shall revise the closure cost estimate within 30 days after the Director has approved the request to modify the affected closure plan(s).
- II.P.5. For each new HWMU placed into operation, an updated closure cost estimate to the facility must be prepared which includes the new unit, 60 days prior to waste being placed on or into the new unit.

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

- II.Q.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.Q.2. The Permittee shall revise the financial assurance for facility closure 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.R. LIABILITY REQUIREMENTS**

- II.R.1. The Permittee shall demonstrate continuous compliance with the liability requirements of UAC R315-8-8 (40 CFR 264.147(a) incorporated by reference). The Permittee shall

have and maintain hazardous waste liability coverage for sudden accidental occurrences in the amount of at least one \$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.

- II.R.2. The Permittee shall demonstrate continuous compliance with the requirements of UAC R315-8-8 (40 CFR 264.147(b) incorporated by reference) to have and maintain liability coverage for non-sudden accidental occurrences arising from operations of the two Hazardous Waste Management Units, designated as the M-136 and M-225 Thermal Treatment Areas.
- II.R.3. Changes in liability coverage mechanisms shall be approved by the Director 60 days prior to such a change.

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

- II.S.1. The Permittee shall comply with the notification and financial requirements of UAC R315-8-8 (40 CFR 264.148 incorporated by reference).