

MODULE II - GENERAL FACILITY CONDITIONS

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MODULE II - GENERAL FACILITY CONDITIONS

II.A. APPLICABILITY

- II.A.1. The requirements of this permit module pertain to the Hazardous Waste Management Unit identified within Module III.
- II.A.2. The Permittee is not allowed to receive hazardous waste into the Central Hazardous Waste Facility (CHWSF) from any off-facility source (except where the Permittee is also the generator).

II.B. DESIGN AND OPERATION OF FACILITY

- II.B.1. The Permittee shall design, construct, maintain, and operate the Hazardous Waste Management Unit subject to this permit to minimize the possibility of a fire, explosion, or any sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, groundwater, or surface water.
- II.B.2. The Permittee shall maintain the Hazardous Waste Management Unit subject to this permit in accordance with the approved designs included as Attachment 1-5.

II.C. WASTE ANALYSIS PLAN

- II.C.1. The Permittee shall follow the procedures of the Waste Analysis Plan included as Attachment 1-1. In addition, the Permittee shall comply with any other conditions involving waste analysis in Module III.
- II.C.2. Turn-in documentation shall be available prior to storage at the CHWSF. Turn-in documentation shall include a description of the waste generating process; known components of the waste, and any other generator information necessary for safe handling and proper waste characterization.
- II.C.3. The Permittee shall maintain documentation showing that, prior to storage in the CHWSF, all F999 and P999 wastes have been decontaminated to the action levels specified in Attachment 1-10. For chemical agent-related analyses, the Limit of Detection (LOD) is experimentally determined initially using the MDL determination defined in 40 CFR Part 136, and where applicable verified or determined at least annually as specified in Attachment 1-10. Where the method detection limit (MDL) is used as the action level, the Permittee shall submit, within 14 days of completion, the results of annual MDL studies to the Executive Secretary. . Annual verifications of the MDLs shall be maintained for review at DPG. The Permittee may accept F999 and P999 wastes only if associated chemical agent MDL studies or verifications are current.
- II.C.4. The Permittee shall use sampling and analytical methods listed in the Waste Analysis Plan. Equivalent or superior methods may be used only with prior approval. Updates to test methods, resulting from improvements or refinements by the U.S. Environmental Protection Agency (EPA) shall be adopted by the Permittee in accordance with Utah Administrative Code R315-3-4.3 (the Rules).

- II.C.5. The Permittee shall use a laboratory certified by the State of Utah to perform all analyses required by this permit. If analysis is performed for parameters for which State of Utah certification is unavailable, the Permittee shall obtain the necessary 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.C.6. The Permittee shall comply with the applicable waste analysis requirements of R315-8-18 (Subpart BB requirements) and R315-8-22 (Subpart CC requirements) of the Rules. Subpart BB requirements may apply to equipment, i.e., pumps, compressors, sample lines, tubing, etc. that may contact hazardous waste with volatile organic compound (VOC) concentrations greater than 10% by weight. If sampling results indicates VOC levels greater than 10% by volume, a Subpart BB plan may be required. In accordance with R315-8-18 of the Rules, exemption from Subpart BB requirements will be verified through monthly monitoring.
- II.C.7. Subpart CC requirements apply to containers that have a design capacity of greater than twenty-six and four tenth (26.4) gallons. Currently the CHWSF is subject to Subpart BB and CC requirements for applicable containers and equipment.

II.D. SECURITY

- II.D.1. The Permittee shall comply with security conditions and procedures contained in this permit as Attachment 1-2.

II.E. GENERAL INSPECTION REQUIREMENTS

- II.E.1. The Permittee shall comply and follow the inspection schedule found in Attachment 1-3 and Permit Condition III.K. In addition, the Permittee shall comply with the following conditions as well as conditions pertaining to inspections in Modules III and IV.
- II.E.2. The Permittee shall remedy any deterioration or malfunction as required by R315-8-2.6(c) of the Rules. Where a hazard is imminent or has already occurred, remedial action shall be taken immediately.
- II.E.3. Records of inspections shall be kept as required by R315-8-2.6(d) and R315-8-9.5 of the Rules. The Permittee must inspect the floor and sumps at the CHWSF for signs of deterioration of all floor coatings as specified in Attachment 1-3 of this permit
- II.E.4. Any problem, which could endanger human health or the environment (e.g., tank rupture, dike failure, transportation spills, etc.), shall be immediately documented in the operating record and 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 twenty-four (24) hours.
- II.E.5. Problems found during periodic inspections conducted under this Module shall be corrected to ensure that any deterioration or malfunction, as discovered, does not lead to an environmental or human health hazard. If, continued operation of the waste management unit involved in the inspection is determined to 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.E.6. The Permittee may make the following revisions to the inspection requirements (included as Attachment 1-3 of this permit), in accordance with the procedures for Class 1 permit modifications, which require pre-approval from the Executive Secretary, in accordance with R315-3-4.3 of the Rules [40 Code of Federal Regulation, CFR, §270.42]:
- II.E.6.a. Upon certification of closure of an individual hazardous waste management unit, any portion of the Inspection Plan specific to that unit shall be deleted from the inspection requirements.
 - II.E.6.b. The Permittee may modify inspection requirements in an existing inspection form, table, figure, or record in cases where such modifications will result in more comprehensive or detailed inspection requirements.
 - II.E.6.c. If necessary, the Permittee shall create additional inspection forms, tables, figures, or records to address inspection requirements for equivalent replacement equipment, which is to be routinely inspected. These shall become part of the operating records.
 - II.E.6.d. The Permittee shall submit updated inspection requirements referenced in the Permit for the CHWSF within fifteen (15) days after amending and updating these documents. The Executive Secretary shall notify the Permittee of the necessity of modifying the Permit. The Permittee is not prohibited from submitting updated referenced documents as permit modifications as required by R315-3-4.3 of the Rules.

II.F. PERSONNEL TRAINING

- II.F.1. The Permittee shall conduct personnel training as required by R315-8-2.7 of the Rules and comply with Attachment 1-4 of this permit. New personnel working with or around hazardous waste or responding to emergency events shall complete the required personnel training within six (6) months of their hire date. In addition, the Permittee shall comply with the following conditions:
- II.F.2. The Permittee shall provide training in the use of the Contingency Plan on an annual basis to ensure that all on-site (CHWSF) employees are able to respond effectively to emergencies by familiarizing them with emergency procedures and emergency equipment identified in Attachments 1-6, and 1-7.
- II.F.3. The Permittee shall maintain training documents and records as required by R315-8-2.7(d)(e) of the Rules in accordance with the Training Plan. These records shall indicate the type and amount of training received.
- II.F.4. The Permittee shall maintain a copy of the CHWSF Training Plan at the CHWSF until closure of the Facility.
- II.F.5. The Permittee shall provide written notification of changes to any job position, job title, job description or the related relevant job responsibilities to include job requisite skill, education, and other qualifications required for each job position for all personnel assigned or responding to emergency response actions required by Attachment 1-4 as specified by

R315-8-2.7(d) of the Rules. Upon approval the Permittee shall submit these items as permit modifications as required by R315-3-4.3 of the Rules.

II.G. GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE

- II.G.1. The Permittee shall comply with the requirements of R315-8-2.8 of the Rules to prevent accidental reaction of ignitable or reactive waste. "No Smoking" signs shall be conspicuously placed wherever there is a hazard from ignitable or reactive waste. .
- II.G.2. In addition to the requirements of R315-8-2.8 of the Rules the Permittee shall comply with the conditions of Module III pertaining to ignitable, reactive, or incompatible waste.

II.H. LOCATION STANDARDS AND SITING CRITERIA

- II.H.1. It has been determined that this facility has met the location standards as required by State and Federal Rules. Supporting documentation is provided in Attachment 1-5.

II.I. PREPAREDNESS AND PREVENTION

- II.I.1. The Permittee shall follow the CHWSF Preparedness and Prevention Plan, Attachment 1-6.
- II.I.2. Required Equipment. At a minimum, the Permittee shall maintain, in good operating condition, the equipment at the facility as set forth in Attachment 1-6 , and as required by R315-8-3.3 and R315-8-3.4 of the Rules.
- II.I.3. The Executive Secretary shall notify the Permittee of the necessity of modifying the documents referenced in Attachment 1-6 of this permit. The Permittee is not prohibited from submitting updated referenced documents as permit modifications as required by R315-3-4.3 of the Rules.
- II.I.4. Testing and Maintenance of Equipment. The Permittee shall test and maintain fire suppression equipment as required by the NFPA to ensure proper operation in time of emergency.
- II.I.5. The Permittee shall maintain records of the preventative maintenance and repair activities specified in Condition II.J.4. The Permittee shall keep schedules, reflecting the minimum and planned frequency for the performance of preventative maintenance activities in the operating records at the facility.
- II.I.6. Access to Communications or Alarm System. The Permittee shall maintain access to the communications or alarm system as required by R315-8-3.5 of the Rules and as described in Attachment 1-6.
- II.I.7. Required Aisle Space. At a minimum, the Permittee shall maintain aisle space as required by R315-8-3.6 of the Rules. A minimum of two feet is required for aisle space.
- II.I.8. Arrangements with Local Authorities. The Permittee shall make arrangements (Coordination Agreements) with local (Dugway Proving Ground, DPG) authorities as required by R315-8-3.7 of the Rules. The Coordination Agreements are referenced in the

Contingency Plan (Attachment 1-7). Copies of the Coordination Agreements will be maintained on file at the CHWSF. The Permittee shall document all attempts to make such agreements, any refusals, and all final agreements in the facility operating records and provide notification to the Executive Secretary that demonstrates delivery of a copy of the facility contingency plan(s) to local (DPG) authorities indicated by this Permit Condition.

II.J. CONTINGENCY PLAN

II.J.1. Implementation of Plan. The Permittee shall immediately implement the provisions of the CHWSF contingency action required by Attachment 1-7. The Permittee shall comply with R315-9 of the Rules in reporting releases to the Executive Secretary.

II.J.2. Copies of Plan. The Permittee shall comply with the requirements of R315-8-4.4 of the Rules.

II.J.3. Amendments to Plan. The Permittee shall review and immediately amend, if necessary, the Contingency Plan, as required by R315-8-4.5 of the Rules. The Permittee shall also review the Contingency Plan semiannually in accordance with Attachment 1-7.

II.J.4. Assembly Point. The Permittee shall use the assembly points designated in the Contingency Plan (Attachment 1-7).

II.J.5. Emergency Coordinator. A trained emergency coordinator shall be available at all times in case of an emergency, as required by R315-8-4.6 of the Rules. The names, addresses, and telephone numbers of all persons qualified to act as emergency coordinators shall be supplied to the Executive Secretary at the time of approval and certification as required by R315-8-4-3(c) of the Rules. The Permittee shall notify the Executive Secretary of any changes to the list of Emergency Coordinators in Attachment 1-7.

II.J.6. The Executive Secretary shall notify the Permittee of the necessity of modifying the documents of Attachment 1-7. The Permittee is not prohibited from submitting updated referenced documents as permit modifications as required by R315-3-4.3 of the Rules.

II.K. MANIFEST SYSTEM

II.K.1. When sending hazardous waste off-site, the Permittee shall comply with the manifest requirements of R315-8-5.2 and R315-8 of the Rules.

II.K.2. If a waste load(s) is refused for storage at the permitted storage area and returned to the on-facility generator, such action must be documented in the operating records.

II.L. RECORDKEEPING AND REPORTING

II.L.1. In addition to the recordkeeping and reporting requirements specified elsewhere in this permit, the Permittee shall comply with this section.

II.L.2. The Permittee shall maintain written operating records at the facility in accordance with R315-8-5.3 of the Rules [40 CFR §264.73, incorporated by reference] and R315-50-2 of the Rules [40 CFR §264, Appendix I] incorporated by reference.

- II.L.3. The Permittee shall, by March 31 of each year, submit to the Executive Secretary a certification pursuant to R315-8-5.3 of the Rules [40 CFR §264.73(b)(9) incorporated by reference], The certification must verify 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. The certification must also verify that the proposed method of treatment, storage, or disposal is the most practicable method currently available to the Permittee and that it minimizes the present and future threat to human health or the environment.
- II.L.4. The Permittee shall comply with the biennial report requirements of R315-8-5.6 of the Rules, 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 as required by Condition I.Y.
- II.L.5. The Permittee shall submit additional reports to the Executive Secretary in accordance with R315-8-5.8 of the Rules.
- II.L.6. All reports, notifications, applications, or other materials required to be submitted to the Executive Secretary shall be submitted at the address shown in Condition I.D.D.
- II.M. CLOSURE/POST-CLOSURE**
- II.M.1. Performance Standard. The Permittee shall close the facility as required by R315-8-7 of the Rules 40 CFR §§264.110 – 120, incorporated by reference and Attachment 1-8.
- II.M.2. For the hazardous waste management unit, minor deviations from the permitted Closure Plan in Attachment 1-8, 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 sixty days after completion of closure of the hazardous waste management unit the Permittee shall submit the certification statements and narrative report to the Executive Secretary.
- II.M.3. Amendment to Closure Plan. The Permittee shall amend the closure plan as found in Attachment 1.8 in accordance with R315-3-4.3 of the Rules [40 CFR § 270.42], incorporated by reference, whenever necessary, or when required to do so by the Executive Secretary.
- II.M.4. Notification of Closure. The Permittee shall notify the Executive Secretary in writing of the partial closure of any portion of the facility in accordance with R315-8-9 of the Rules [40 CFR §264.112 d], incorporated by reference. The Permittee shall notify the Executive Secretary at least one hundred and eighty days prior to the commencement of final facility closure. The closure plan contained in Attachment 1-8 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 Executive Secretary for approval for the Hazardous Waste Management Unit undergoing closure.
- II.M.5. Time Allowed for Closure. After receiving the final volume of hazardous waste, the Permittee shall treat or remove from the site all hazardous waste in accordance with the schedules specified in Attachment 1-8. After receiving the final volume of hazardous waste,

the Permittee shall complete closure activities in accordance with the schedules specified in Attachment 1-8.

- II.M.6. Disposal or Decontamination of Equipment, Structures and Soil. The Permittee shall decontaminate or dispose of all CHWSF equipment, structures, soil, and rinsate as required by R315-8-7 of the Rules [40 CFR §§264.110 – 120] and Attachment 1-8. Facility equipment, structures and soil which have not been decontaminated will be disposed of only at a hazardous waste treatment, storage, or disposal facility that has a hazardous waste treatment, storage, or disposal permit or plan approval.
- II.M.7. Certification of Closure. The Permittee shall certify that the facility has been closed in accordance with the specifications in Attachment 1-8 as required by R315-8-7 of the Rules [40 CFR §§264.110 – 112], and shall provide a certification by an independent, registered professional engineer qualified by experience and education in the appropriate engineering field.
- II.M.8. In the event that the hazardous waste management unit cannot be closed by removing hazardous waste and hazardous waste constituents from contaminated subsoil and any contaminated groundwater as specified in the Closure Plan, Attachment 1-8, the Permittee shall submit the information to describe post-closure care for the Hazardous Waste Management Unit to the Executive Secretary, as a permit modification request, in accordance with R315-3-4.3 of the Rules [40 CFR §270.42]. Within ninety days after notification from the Executive Secretary the Permittee shall commence closure activities in accordance with R315-8-7 of the Rules [40 CFR §264.118(a) incorporated by reference].
- II.M.9. Survey Plat. If wastes are left in place at the time of closure, the Permittee shall submit a survey plat no later than the submission of certification of closure of the hazardous waste disposal unit, in accordance with R315-8-7 of the Rules [40 CFR §264.116].
- II.M.10. Additional Closure Permit Conditions. The following permit conditions shall apply to closure of the hazardous waste management unit identified in Module III in addition to any closure action described elsewhere in this permit:
- II.M.10.a. Rinsate resulting from decontamination of facility structures and equipment at the time of closure will be sampled and analyzed in accordance with Attachment 1-8. Rinsate shall be removed and treated or disposed of in accordance with the Closure Plan (Attachment 1-8).
- II.M.10.b. Soil samples shall be collected and analyzed in accordance with Attachment 1-8, Section 8-1 (e) Background Soils Investigation in order to establish background levels of contaminants.
- II.M.10.c. Following closure, soil samples will be taken and analyzed for all constituents stored or treated during the lifetime of the storage facility. The soil samples shall be at least equal in number, and to the closest extent possible, from the same location as the background samples, which were taken prior to facility construction and operation. Any soil exceeding the background concentration plus two standard deviations shall be removed and disposed of properly.

- II.M.10.d. Roadway surface and ground areas shall be sampled in accordance with Attachment 1-8 and Condition I.O.3. Samples shall be collected and analyzed for all constituents treated, stored, incinerated, or disposed during the lifetime of the facility. Samples shall be compared to background concentrations to be determined during sample collection. Removal of soil shall be required for all areas, which exceed the background concentrations plus two standard deviations.
- II.M.10.e. Other samples shall be collected at the time of closure as specified in the Closure Plan (Attachment 1-8).

II.N. EQUIVALENT MATERIAL/INFORMATION

- II.N.1. The Permittee may petition the use of certain equivalent material/information to be used as a substitute for material/information as authorized by the hazardous waste rules and as specified in the Permit. The Executive Secretary will review and evaluate, on a case-by-case basis, each petition for its soundness and appropriateness for revision or amendment with regard to permit modification requirements and hazardous waste requirements.

II.O. FINANCIAL ASSURANCE

- II.O.1. As indicated by R315-8-8 of the Rules and 40 CFR §264.140(c), States and the Federal government are exempt from the requirements of §264.145, for financial assurance.

II.P. INCAPACITY OF OWNERS OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS

- II.P.1. As indicated by R315-8-8 of the Rules and 40 CFR §264.140(c), States and the Federal government are exempt from the requirements of §264.148 describing the incapacity of Permittee, guarantors or financial institutions.

II.Q. FINANCIAL ASSURANCE FOR CLOSURE/POST-CLOSURE

- II.Q.1. As indicated by R315-8-8 of the Rules and 40 CFR §264.140(c), States and the Federal government are exempt from the requirements of §264.145, for financial assurance.

II.R. LIABILITY REQUIREMENTS

- II.R.1. As indicated by R315-8-8 of the Rules and 40 CFR §264.140(c), States and the Federal government are exempt from the requirements of §264.147, for liability.