

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 HWMUs

II.B.1. The Permittee shall design, construct, maintain and operate 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 air, soil, groundwater or surface water which could threaten human health or the environment. This shall include but not be limited to the following:

II.B.1.a. using non-sparking scoops and shovels for cleaning up spills; and

II.B.1.b. using motorized equipment for cleaning up spills of ignitable materials only if the equipment is explosion proof.

II.B.2. The Permittee shall construct all HWMUs in accordance with the approved designs contained in this permit (i.e. drawings and specifications contained in Attachments 1 through 13), except for minor changes deemed necessary by the Permittee to facilitate proper construction of the HWMU. Minor deviations from the approved designs to accommodate proper construction and the substitution of equivalent or superior materials or equipment shall be noted on the as-built drawings and specifications, and a rationale for those deviations shall be provided in written form. After completion of construction of a HWMU, the Permittee shall submit final as-built drawings and the written report to the Director as part of the construction certification documentation specified in Condition I.R.

II.B.3 After review of the as-built drawings, the Director will notify the Permittee in writing of any change which he concludes is not minor and is necessary for proper construction. The Director may notify the Permittee that it has violated the permit by making such changes without approval prior to construction and may require the Permittee to remove and replace any construction inconsistent with any approved designs and specifications.

II.C. REQUIRED NOTICE

- II.C.1. When the Permittee is to receive hazardous waste from an off-site source (except where the Permittee is also the generator), he must inform the generator in writing that he has the appropriate permits for, and will accept the waste the generator is shipping. This shall be accomplished by sending the generator a statement of these facts once for each waste stream. The Permittee must keep a copy of this written notice as part of the operating record as required by Condition II.M.2.
- II.C.2 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, as required by UAC R315-8-2.3(a)(1). Notice of subsequent shipments of the same waste from the same foreign source in the same calendar year is not required.

II.D. WASTE ANALYSIS PLAN

- II.D.1. The Permittee shall comply with all applicable requirements of UAC R315-8-2.4 and the procedures of the Waste Analysis Plan included as Attachment 1 of this permit. The Permittee shall adhere to the following requirements:
- II.D.2. The contents of each container to be placed on the container storage pads shall be classified per UAC R315-50-5 (adopted and incorporated by reference, Appendix V of 40 CFR 264) to determine possible incompatible storage conditions. These classifications shall be recorded in the facility operating record.
- II.D.3. Any liquid collected from secondary containment systems shall be managed as hazardous waste unless the Permittee determines otherwise. The Permittee shall document any knowledge-based determination in the facility operating record by recording 1) the date liquid is recovered, 2) the quantity of liquid recovered, and 3) the basis for generator knowledge.
- II.D.4. The Permittee shall only use test methods described in the Waste Analysis Plan. Changes in test methods described in the Waste Analysis Plan as a result of an improvement or refinement by EPA or the State of Utah of that method shall be adopted by the Permittee in accordance with UAC R315-4-1.5(a) and Condition I.O.4.
- II.D.5. The Permittee shall verify the analysis of each waste stream when there is a change in the waste or in the process generating the waste as part of its quality assurance program, in accordance with the latest edition of Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, EPA Publication SW-846, or equivalent methods approved by the Director, when chemical analysis is

utilized. The Permittee shall document the basis of hazardous waste determinations using generator knowledge.

II.D.6. At a minimum, the Permittee shall:

II.D.6.a. Maintain proper functional instruments;

II.D.6.b. Use approved sampling and analytical methods;

II.D.7. 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 laboratory must 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.D.8. The Permittee shall inspect the integrity of all samples provided by generators and shall document the results of this assessment in the operating log. The inspection shall include evaluation of the following: 1) type of sample container, 2) quantity of sample, 3) integrity of sample container, 4) integrity of preservation techniques (i.e., temperature of container at time of receipt), 5) head-space tolerance, and 6) hold time with respect to sample collection date. All criteria shall be evaluated by EPA SW-846 standards. The Permittee shall maintain the integrity of samples judged acceptable.

II.D.9. Parameter ranges reported on generator waste profile sheets for pH may not be accepted by the Permittee if the reported range for pH exceeds 3.0 standard units (SU) for pH or if the reported range for specific gravity (SG) exceeds 0.20 standard units for SG. The acceptance tolerance for SG will be \pm the WPS reported range. If an end value for a reported pH range is 3 or less, or 11.5 or more, the Permittee shall verify the presence or absence of the characteristic of corrosivity through analytical measurement during inspection of incoming waste shipments.

II.E. SECURITY

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

II.E.2. The Permittee shall maintain an electronically controlled gate at the main truck entrance.

II.F. GENERAL INSPECTION REQUIREMENTS

- II.F.1. The Permittee shall follow the inspection schedule found in Attachment 3 and keep records of inspections as required by UAC R315-8-2.6(d). In addition, the Permittee shall comply with the following conditions as well as conditions pertaining to inspections 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 from the time that the problem is detected, the Permittee shall submit a written report to the Director, before the expiration of the 72 hour period, that shall include a proposed time schedule for correcting the problem.
- II.F.3. Any problem which could endanger human health or the environment (tank rupture, dike failure, transportation spills, etc.) 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. Problems found during scheduled inspections conducted under this Module shall be corrected within the time frame stipulated in Conditions II.F.2. and II.F.3. If, upon determination by the Director or the Permittee, continued operation of the HWMU 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. The Permittee may make the following revisions to the Inspection Schedule and Procedures in Attachment 3, in accordance with the procedures for Class 1 permit modifications which require pre-approval from the Director, in accordance with UAC R315-4-1.5.
- II.F.5.a. Upon certification of closure of an individual HWMU, any portion of the Inspection Plan specific to that unit may be deleted from the Inspection Procedures.
- II.F.5.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 Procedures.

II.F.5.c. If necessary, the Permittee may create additional inspection forms, tables, figures, or records to address inspection requirements for equivalent replacement equipment which is to be routinely inspected.

II.G. PERSONNEL TRAINING

II.G.1. The Permittee shall conduct personnel training as required by UAC R315-8-2.7. The training program shall follow the outline found in Attachment 7. New personnel working with or around hazardous waste shall complete the required personnel training within six months of their hire date. In addition, the Permittee shall comply with the following conditions:

II.G.1.a. The Permittee shall provide training in the use of the Contingency Plan on an annual basis for all on-site employees.

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). At a minimum, these records shall include employee names, dates of hire, positions, training received, and dates when introductory, on-the-job, and annual training are completed. These records are maintained in writing in either printed form in the plant files or electronically .

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 and the requirements of all applicable National Fire Protection Association (NFPA) codes.

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 AND SITING CRITERIA

II.I.1. It has been determined that this facility has met the location standards and siting criteria for new facilities required by State and Federal Rules. Supporting documentation is provided in Attachment 6.

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 in good operating condition at the facility 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 required by the NFPA to assure its proper operation in time of emergency.
- II.J.4. The Permittee shall maintain records of these preventative maintenance and repair activities specified in Condition II.J.3 and shall keep schedules, reflecting minimum and planned frequency for the performance of preventative maintenance activities in the Operating Record at the facility in accordance with Condition II.M.
- 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. The Permittee shall maintain aisle space as required by UAC R315-8-3.6. Aisle space shall be maintained to allow the unobstructed movement of personnel, fire protection equipment, discharge control equipment, and decontamination equipment to any area of facility operation in an emergency.
- II.J.7. The Permittee shall attempt to make arrangements (Coordination Agreements) with State and local authorities as required by UAC R315-8-3.7. Any refusals to make such agreements shall be documented in the Operating Record.

II.K. CONTINGENCY PLAN

- II.K.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 waste constituents which threatens or could threaten human health or the environment. The Permittee shall comply with UAC R315-9 in reporting releases to the Director as specified in Condition I.T.
- II.K.2. The Permittee shall comply with the requirements of UAC R315-8-4.4 for copies of the Contingency Plan.
- II.K.3. The Permittee shall review and immediately amend, if necessary, the Contingency Plan, as required by UAC R315-8-4.5 and Attachment 4.

II.K.4. A trained emergency coordinator shall be available at all times in case of an emergency, as required by UAC R315-8-4.6. The names, addresses, and telephone numbers of all persons qualified to act as emergency coordinators shall be updated in accordance with Condition II.K.3.

II.L. MANIFEST SYSTEM

II.L.1. The Permittee shall comply with the manifest requirements of UAC R315-8-5.2, UAC R315-8-5.4, and UAC R315-8-5.7. The Permittee shall sign manifests within two days of arrival at the facility. The manifest (or equivalent shipping document) number shall be recorded in the operating record with each waste load that arrives at the Permittee's facility. Hazardous wastes shall not be placed in storage before the completion of the preacceptance procedures outlined in Attachment 1 unless an unmanifested waste report is filed with the Director within 15 days as required by UAC R315-8-5.7.

II.L.2. If the waste load is refused and returned to the generator, such action shall be documented in the Operating Record.

II.L.3. Copies of all manifests received by the Permittee shall be in the operating record.

II.L.4. Copies of all manifests for waste generated by the Permittee shall be in the operating record.

II.M. RECORDKEEPING AND REPORTING

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

II.M.2. The Permittee shall maintain a written Operating Record at the facility in accordance with UAC R315-8-5.3 and UAC R315-50-2.

II.M.3. The Permittee shall, by March 1 of each year, submit to the Director a certification pursuant to UAC R315-8-5.3 signed in accordance with UAC R315-5-4.41(a)(8).

II.M.4. 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 and/or stored at the Permittee's facility during the previous odd-numbered year as required by Condition I.Y.

II.M.5. The Permittee shall submit additional reports to the Director in accordance with UAC R315-8-5.8.

II.M.6. All reports, notifications, applications, or other materials required to be submitted to the Director shall be submitted at the address shown in Condition I.DD.

II.N. CLOSURE/POST-CLOSURE

II.N.1. The Permittee shall close the facility as required by UAC R315-8-7.

II.N.2. For all HWMUs, minor deviations from the permitted 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/post-closure plan in accordance with UAC R315-8-7 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 45 days prior to the commencement of final facility closure. The closure plan contained in Attachment 8 will be reviewed before commencing partial or final facility closure. If the closure plan requires modification, the plan shall be modified, in accordance with UAC R315-4-1.5, and submitted to the Director for approval for each HWMU undergoing closure.

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 schedule specified in Attachment 8. After receiving the final volume of hazardous waste, the Permittee shall complete closure activities in accordance with the schedule specified in Attachment 8.

II.N.6. The Permittee shall decontaminate or dispose off-site, all facility equipment, structures, soil and rinsate as required by UAC R315-8-7 and Attachment 8. Facility equipment, structures, soil and rinsate which have not been decontaminated will be managed as hazardous waste.

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, registered professional engineer qualified by experience and education in the appropriate engineering field.

II.O. COST ESTIMATES FOR THE FACILITY CLOSURE

- II.O.1. By July 27 of each calendar year, the Permittee shall adjust the closure cost estimate for inflation, in accordance with UAC R315-8-8 and submit a copy of that adjusted closure cost estimate to the Director, and 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. FINANCIAL ASSURANCE FOR FACILITY CLOSURE

- II.P.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. LIABILITY REQUIREMENTS

- II.Q.1. The Permittee shall demonstrate continuous compliance with the requirements of UAC R315-8-8, including the requirements to 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 two (2) million U.S. dollars, exclusive of legal defense costs.
- II.Q.2. The Permittee shall submit an approvable certificate of hazardous waste liability insurance worded as required by UAC R315-8-8 from the Permittee's insurance broker, each year prior to the date of the policy expiration.
- II.Q.3. Changes in liability coverage mechanisms shall be approved by the Director pursuant to UAC R315-8-8.

II.R. INCAPABILITY OF OWNER OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS

- II.R.1. The Permittee shall comply with UAC R315-8-8.