



## CERTIFIED

July 22, 2013

Veolia ES Technical Solutions, LLC  
P.O. Box 453  
West Carrollton, OH 45449

**Re: Draft Renewal Permit Issuance  
Veolia ES Technical Solutions, LLC  
EPA ID No. OHD 093 945 293**

Dear Sir/Madam:

The Ohio EPA, Division of Materials and Waste Management (DMWM) staff has reviewed your Ohio Hazardous Waste Facility Installation and Operation Permit (Permit) renewal application. It is the recommendation of the staff that the director issue a draft renewal Permit for Veolia ES Technical Solutions, LLC since the proposed changes to the permit appear to comply with applicable hazardous waste rules. Therefore, I have enclosed a draft renewal Permit in accordance with Rule 3745-50-40 of the Ohio Administrative Code.

A public hearing will be held on Thursday, August 22, 2013 at 6:30 p.m. at the West Carrollton Municipal Building Community Room, 300 E. Central Ave., West Carrollton, Ohio. The public notice concerning the issuance of the draft renewal Permit will appear in the Dayton Daily News newspaper on July 23, 2013. A public announcement in similar form will be made over a local radio station. Ohio EPA will accept written comments relevant to the Permit application and the draft renewal Permit until September 6, 2013. Written comments should be submitted before the close of the public comment period to Ohio EPA, Division of Materials and Waste Management, Attn: Shawn Sellers, Engineering, Remediation & Authorizations Section, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621.

You can review copies of the Permit application and the draft renewal Permit at the following location:

Ohio EPA – Southwest District Office  
401 E. Fifth Street  
Dayton, OH 45402  
(937) 285-6357

You can review the draft renewal Permit at the following location:

Dayton Metro Library  
West Carrollton Branch  
300 E. Central Ave.  
West Carrollton, OH 45449

Details about this draft action may be viewed on Ohio EPA's website at <http://www.epa.ohio.gov/dmwm>.

After carefully considering public comments, Ohio EPA will reconsider the draft renewal Permit and should issue or deny the final renewal Permit after September 6, 2013.

If you have any questions concerning the draft renewal Permit, please call Tom Koch of the Ohio EPA Southwest District Office at (937) 285-6357.

Sincerely,



Georgia Frakes, Management Analyst  
Division of Materials & Waste Management

#### Attachments

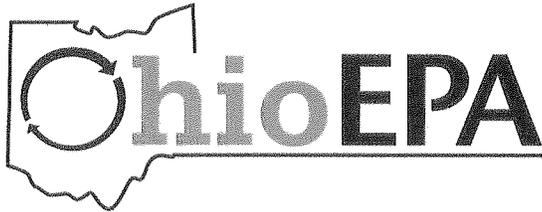
cc: Shawn Sellers, DMWM, CO  
Scott Hester, DMWM, CO  
Laura Morgan, DMWM, CO  
Ed Lim, DERR, CO  
Todd Anderson, Legal  
Darla Peelle, PIC  
Tim Hull, DERR, SWDO  
Tom Koch, DMWM, SWDO  
George Strobel, DMWM, SWDO  
Jae Lee, US EPA

## **PUBLIC NOTICE**

**Montgomery County**

### **HAZARDOUS WASTE DRAFT PERMIT RENEWAL ISSUANCE**

On July 22, 2013, Ohio EPA issued a draft renewal Hazardous Waste Facility Installation and Operation Permit (Permit) to Veolia ES Technical Solutions, LLC (Veolia) for its facility located at 4301 Infirmary Road, West Carrollton, Ohio 45449, in Montgomery County, Ohio EPA ID Number OHD093945293. The renewal permit authorizes Veolia to store up to 158,400 gallons of containerized hazardous waste in two container storage areas. Additionally, the facility is authorized to store and treat a total volume of 462,000 gallons of hazardous waste in forty tanks. To issue this draft renewal permit, Ohio EPA determined that the Permit application is complete and meets the appropriate standards and that the applicant has a history of compliance with relevant environmental laws. A public meeting will be held on Thursday, August 22, 2013 at the West Carrollton Municipal Building Community Room, 300 E. Central Avenue, West Carrollton, Ohio to receive public comments. You may send written comments to Ohio EPA, Division of Materials and Waste Management, P.O. Box 1049, Columbus, Ohio 43216-1049, before the close of business on September 6, 2013. A copy of the Permit is available for review at the following locations: Dayton Metro Library, West Carrollton Branch, 300 E. Central Avenue, West Carrollton, Ohio 45449, Ohio EPA Southwest District Office, 401 E. Fifth Street, Dayton, Ohio 45402, Tel: (937) 285-6357, or Ohio EPA Central Office, Division of Materials and Waste Management, 50 West Town Street, Suite 700, Columbus, Ohio 43215, Tel: (614) 644-2621.



July 2013

## Draft Hazardous Waste Permit Renewal

**Facility Name:** Veolia ES Technical Solutions, L.L.C.

**U.S. EPA I.D.:** OHD093945293

**Location:**

4301 Infirmary Road  
West Carrollton, OH 45449

**Facility Owner:**

Veolia ES Technical Solutions, L.L.C.  
700 East Butterfield Road, Suite 201  
Lombard, IL 60148

**Facility Operator:**

Veolia ES Technical Solutions, L.L.C.  
P.O. Box 453  
West Carrollton, OH 45449

**Activity:**

Permit renewal for storage and treatment of hazardous waste.

**Comment Period:**

July 23, 2013 – September 6, 2013

**Submit Comments to:**

Ohio EPA  
Shawn Sellers  
Division of Materials and Waste Management  
P.O. Box 1049  
Columbus, Ohio 43216-1049  
(614) 644-2621  
[shawn.sellers@epa.ohio.gov](mailto:shawn.sellers@epa.ohio.gov)

U.S. EPA, Region 5  
Jae Lee  
RCRA Branch (LR-8J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590  
1-800-621-8431 ext. 63781  
[lee.jae@epa.gov](mailto:lee.jae@epa.gov)

### What is the history of the hazardous waste program?

The Resource Conservation and Recovery Act (RCRA), an amendment to the Solid Waste Disposal Act, was passed in 1976. The main reason for the amendment was to address the growing volume of municipal and industrial solid waste generated across the United States. A few goals established by RCRA include the protection of human health and the environment from potential hazards of waste disposal, to reduce the amount of waste generated and to ensure that waste produced are managed in an environmentally sound manner.

When RCRA was written, U.S. Congress' intent for the states was to assume primary responsibility for implementing the hazardous waste regulations with oversight from the United States Environmental Protection Agency (U.S. EPA). U.S. EPA must approve each state as an authorized state. To become an authorized state, each must demonstrate that the state program is at least equivalent to and consistent with federal laws, provide adequate enforcement authority and provide availability of information similar to the federal program. Since 1989, the State of Ohio has been an authorized state by U.S. EPA for the majority of the hazardous waste program.

Currently, the State of Ohio is not authorized by U.S. EPA to issue a permit for organic air emissions (40 CFR Part 264, Subparts AA, BB, and CC) from hazardous waste storage units. U.S. EPA has drafted a RCRA permit to address organic air emissions from hazardous waste storage units. U.S. EPA's draft permit and Ohio EPA's draft permit have been issued concurrently and both share the same comment period.

### How can I become more involved?

A public meeting will be held to receive comments on August 22, 2013 at 6:30 p.m. at the West Carrollton Municipal Building Community Room, 300 E. Central Ave., West Carrollton, OH. Oral and written comments will be received during the public meeting. All persons,

# Draft Hazardous Waste Permit Renewal

including the applicant, may submit written comments relating to this draft action. Written comments may be submitted before the end of the comment period to the address in the box on the left.

The comment period begins on Tuesday July 23, 2013 and ends on Friday September 6, 2013. A copy of the permit application and the draft permit is available for review by the public at the following locations:

Ohio EPA, Southwest District Office  
401 East Fifth Street  
Dayton, Ohio 45402  
(937) 285-6357

Ohio EPA, Central Office  
Division of Materials and Waste Management  
Lazarus Government Center  
50 West Town St., Suite 700  
Columbus, Ohio 43215  
(614) 644-2621

A copy of the Ohio draft permit is available for review by the public online at the following locations:

Online under the "Stakeholder Input" tab at:  
[epa.ohio.gov/dmwm/](http://epa.ohio.gov/dmwm/).

Dayton Metro Library  
West Carrollton Branch  
300 E. Central Ave.  
West Carrollton, OH 45449

The federal draft permit is available for review by the public at: [epa.gov/region5/waste/permits/actions.htm](http://epa.gov/region5/waste/permits/actions.htm).

Within sixty (60) days of the close of the public comment period, Ohio EPA will, without prior hearing, issue the permit (or deny the request) in accordance with Chapter 3734 of the Ohio Revised Code (ORC). If Ohio EPA approves the application, taking into account public comments, a renewal permit will be issued with terms and conditions as are necessary to ensure compliance with hazardous waste rules.

## What does the facility do?

Veolia ES Technical Solutions, L.L.C. is a permitted hazardous waste storage and treatment facility located in West Carrollton, Ohio. No hazardous waste disposal

takes place on site. All waste that comes into the facility is either treated or repackaged and sent off-site to a final disposal or recycling destination.

## What would this hazardous waste permit allow the facility to do?

This permit allows Veolia ES Technical Solutions, L.L.C. to store up to 158,400 gallons of containerized hazardous waste in two container storage areas – the Drum Storage Building and the Decant Building.

Additionally, the facility would be authorized to store and treat a total volume of 462,000 gallons of hazardous waste in 40 tanks. Treatment activities allowed would be decanting, distillation and fuel blending. Tanks are located in four areas at the facility: the East Tank Farm, the West Tank Farm, the Solvent Distillation Process Area and the Decant Building. This permit also allows Veolia Technical Solutions, L.L.C. to address Corrective Action requirements under Ohio Administrative Code (OAC) rule 3745-54-101

## What is the regulatory basis to support this permit renewal?

The Director has determined that Veolia ES Technical Solutions, L.L.C. has submitted an application for renewal one hundred eighty (180) days prior to the expiration date of its present permit which was issued by Ohio EPA on September 30, 2003. The Director has considered the application, inspection reports, a report regarding the facility's compliance with the present permit, and the rules adopted under ORC Section 3734. The Director has found that the Part B permit application meets the Director's performance standards and that the facility has a history of compliance with this chapter, rules adopted under it, the existing permit, and orders entered into, which demonstrates reliability, expertise, and competency to subsequently operate the facility under this chapter, the rules, and the permit.

## Who can I contact for more information?

For additional information, please contact Thomas Koch at (937) 285-6594 or Jae Lee of the U.S. EPA Regional Office in Chicago, Illinois at (312) 886-3781.

**OHIO ENVIRONMENTAL PROTECTION AGENCY**  
**OHIO HAZARDOUS WASTE FACILITY**  
**INSTALLATION AND OPERATION PERMIT RENEWAL**

Permittee: **Veolia ES Technical Solutions, L.L.C.**

Mailing Address: **Veolia ES Technical Solutions, L.L.C.**  
**P.O. Box 453**  
**West Carrollton, OH 45449**

Owner: **Veolia ES Technical Solutions, L.L.C.**  
**700 East Butterfield Road; Suite 201**  
**Lombard, IL 60148**

Operator: **Veolia ES Technical Solutions, L.L.C.**  
**P.O. Box 453**  
**West Carrollton, OH 45449**

Location: **Veolia ES Technical Solutions, L.L.C.**  
**4301 Infirmary Road**  
**West Carrollton, OH 45449**

US EPA ID: **OHD 093 945 293**

Issue Date:

Effective Date:

Expiration Date:

AUTHORIZED ACTIVITIES

In reference to the application of Veolia ES Technical Solutions, L.L.C. for an Ohio Hazardous Waste Facility Installation and Operation Renewal Permit under Ohio Revised Code (ORC) Chapter 3734 and the record in this matter, you are authorized to conduct at the above-named facility the following hazardous waste management activities:

- **Storage of hazardous waste in containers**
- **Storage and treatment of hazardous waste in tanks**
- **Treatment of hazardous waste in one Miscellaneous Unit**
- **Corrective Action**

PERMIT APPROVAL

\_\_\_\_\_  
Scott J. Nally, Director  
Ohio Environmental Protection Agency

This permit approval is based upon the record in this matter which is maintained at the offices of the Ohio Environmental Protection Agency. The Director has considered the application, accompanying information, inspection reports of the facility, a report regarding the facility's compliance or noncompliance with the terms and conditions of its permit and rules adopted by the Director under this chapter, and such other information as is relevant to the operation of the facility. The Director has determined that the facility under the existing permit has a history of compliance with ORC Chapter 3734, rules adopted under it, the existing permit, or orders entered to enforce such requirements that demonstrate sufficient reliability, expertise, and competency to operate the facility henceforth under this chapter, rules adopted under it, and the renewal permit.

Entered into the Journal of the Director this \_\_\_\_ day of \_\_\_\_\_, 2013.

By \_\_\_\_\_ of the Ohio Environmental Protection Agency.

## MODULE A - GENERAL PERMIT CONDITIONS

### A. GENERAL PERMIT CONDITIONS

#### A.1 Effect of Permit

ORC Sections 3734.02 (E) and (F) and 3734.05  
OAC Rule 3745-50-58(G)

- (a) The Permittee is authorized to store hazardous waste in containers and to store and treat hazardous waste in accordance with the terms and conditions of this Ohio hazardous waste permit (permit), ORC Chapter 3734, all applicable Ohio hazardous waste rules, all applicable regulations promulgated under the Resource Conservation and Recovery Act (RCRA), as amended, and the permit application. The permit application, as submitted to Ohio EPA on April 4, 2013 and last updated on July 15, 2013, is hereby incorporated into this permit. In the instance of inconsistent language or discrepancies between the above, the language of the more stringent provision shall govern.
- (b) Any management of hazardous waste not authorized by this permit is prohibited, unless otherwise expressly authorized or specifically exempted by law. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, or invasion of other private rights. Compliance with the terms and conditions of this permit does not obviate Permittee's obligation to comply with other applicable provisions of law governing protection of public health or the environment including but not limited to the Community Right to Know law under ORC Chapter 3750.

#### A.2 Permit Actions

OAC Rule 3745-50-58(F)

This permit may be modified or revoked as specified by Ohio law. The filing of a request by the Permittee for a permit modification, or the notification of planned changes or anticipated noncompliance on the part of the Permittee, does not stay any permit term or condition.

A.3 Permit Effective/Expiration Date  
OAC Rule 3745-50-54

The effective date of this permit is the date the permit is entered into the Director's Journal. The permit expiration date is ten years after the date of journalization of this permit.

A.4 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.5 Duty to Comply  
OAC Rule 3745-50-58(A)

The Permittee must comply with all applicable provisions of ORC Chapter 3734, all applicable Ohio hazardous waste rules, and all terms and conditions of this permit, except to the extent and for the duration such noncompliance is authorized by the laws of the State of Ohio. Any permit noncompliance, other than noncompliance authorized by the laws of the State of Ohio, constitutes a violation of ORC Chapter 3734 and is grounds for enforcement action, revocation, modification, denial of a permit renewal application or other appropriate action.

A.6 Duty to Reapply and Permit Expiration  
OAC Rules 3745-50-40(D), 3745-50-58(B), 3745-50-56 and ORC Section 3734.05(H)

- (a) If the Permittee wishes to continue an activity allowed by this permit after the expiration date of this permit, the Permittee must submit a completed permit application for a hazardous waste facility installation and operation permit renewal and any necessary accompanying general plans, detailed plans, specifications, and such information as the Director may require, to the Director no later than one hundred eighty (180) days prior to the expiration date of this permit, unless a later submittal date has been authorized by the Director upon a showing of good cause.

- (b) The Permittee may continue to operate in accordance with the terms and conditions of the expired permit until a renewal permit is issued or denied if:
  - (i) the Permittee has submitted a timely and complete permit application for a renewal permit under OAC Rule 3745-50-40; and
  - (ii) through no fault of the Permittee, a new permit has not been issued pursuant to OAC Rule 3745-50-40 on or before the expiration date of this permit.
- (c) The Corrective Action obligations contained in this permit will continue regardless of whether the facility continues to operate or ceases operation and closes. The Permittee is obligated to complete facility-wide Corrective Action under the conditions of this permit regardless of the operational status of the facility. The Permittee must submit an application for permit renewal at least 180 days before the expiration date of this permit pursuant to OAC Rule 3745-50-40(D) unless a) the permit has been modified to terminate the Corrective Action schedule of compliance and the Permittee has been released from the requirements for financial assurance for Corrective Action; or b) a later submittal date has been authorized by the Director.

A.7 Need to Halt or Reduce Activity Not a Defense  
OAC Rule 3745-50-58(C)

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

A.8 Duty to Mitigate  
OAC Rule 3745-50-58(D)

The Permittee must take all reasonable steps to minimize releases to the environment and must carry out such measures as are reasonable to prevent significant adverse impact on human health or the environment resulting from noncompliance with this permit.

A.9 Proper Operation and Maintenance  
OAC Rule 3745-50-58(E)

The Permittee must at all times properly operate and maintain the facility (and related appurtenances) to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes effective management practices, adequate funding, adequate operator staffing and training, and where appropriate, adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the terms and conditions of this permit.

A.10 Duty to Provide Information  
OAC Rule 3745-50-58(H)

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

A.11 Inspection and Entry  
OAC Rules 3745-50-58(I) and 3745-50-30, and ORC Section 3734.07

(a) The Permittee must allow the Director, or an authorized representative, upon stating the purpose and necessity of the inspection and upon proper identification, to:

- (i) enter, at reasonable times, upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the terms and conditions of this permit;
- (ii) have access to and copy, at reasonable times, any records required to be kept under the terms and conditions of this permit;
- (iii) inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under the terms and conditions of this permit; and
- (iv) sample, document, or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by ORC Chapter 3734 and the rules adopted thereunder, any

substances or parameter at any location.

- (b) Any record, report or other information obtained under the hazardous waste rules or Chapter 3734 of the Revised Code shall not be available to the public upon the Permittees satisfactory showing to Ohio EPA that all or part of the information would divulge methods or processes entitled to protection as trade secrets pursuant to Ohio Trade Secret Law and OAC Rule 3745-50-30.

A.12 Monitoring and Records  
OAC Rule 3745-50-58(J)

- (a) Any sample and measurement taken for the purpose of monitoring must be representative of the monitored activity. Further, a sample must be a representative sample, as such term is defined and used in the Ohio hazardous waste rules. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from Appendix I of OAC Rule 3745-51-20, Laboratory Methods. Laboratory methods must be those specified in Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods, EPA Publication SW-846, Third Edition (November 1986), as amended by Updates I (dated July 1992), II (dated September 1994), IIA (dated August 1993), IIB (dated January 1995), III (dated December 1996) and IIIA (dated April 1998), and additional supplements or editions thereof; Standard Methods for the Examination of Water and Wastewater: Twentieth Edition, 1999; or an equivalent method as specified in the approved waste analysis plan, or as this term is defined and used in the Ohio hazardous waste rules.
- (b) Records of monitoring information must specify the:
  - (i) date(s), exact place(s), and time(s) of sampling or measurements;
  - (ii) individual(s) who performed the sampling or measurements;
  - (iii) date(s) analyses were performed;
  - (iv) individual(s) who performed the analyses;
  - (v) analytical technique(s) or method(s) used; and
  - (vi) results of such analyses.

A.13 Signatory Requirement and Certification of Records  
OAC Rules 3745-50-58(K) and 3745-50-42

All applications, reports or information must be properly signed and certified in accordance with OAC Rule 3745-50-58(K).

A.14 Retention of Records and Information Repository  
OAC Rules 3745-50-40(G), 3745-50-58(J), 3745-50-58(M) and 3745-50-58(N)

- (a) The Permittee must 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 OAC Rule 3745-54-73(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, certification, or application.
- (b) The record retention period may be extended by request of the Director at any time and is automatically extended during the course of any unresolved enforcement action regarding the facility.
- (c) The Permittee must maintain, in accordance with the Ohio hazardous waste rules, records of all data used to complete the permit application and any amendments, supplements or modifications of such application. The Permittee must retain a complete copy of the current application for the effective life of the permit as indicated in Permit Condition A.3.
- (d) The Permittee must maintain records from all ground water monitoring wells and associated ground water surface elevations for the active life of the facility, and for disposal facilities for the post-closure care period as well.
- (e) Corrective Action records must be maintained at least three (3) years after all Corrective Action activities have been completed.

A.15 Planned Changes  
OAC Rules 3745-50-51 and 3745-50-58(L)(1)

The Permittee must give notice to the Director as soon as possible of any planned physical alterations or additions to the facility. All such changes must be made in accordance with OAC Rule 3745-50-51.

A.16 Waste Shipments  
OAC Rule 3745-53-11, ORC Section 3734.15(C)

The Permittee must only use properly registered transporters of hazardous waste to remove hazardous waste from the facility, in accordance with all applicable laws and rules.

A.17 Anticipated Noncompliance  
OAC Rule 3745-50-58(L)(2)

The Permittee must give advance notice to the Director of any planned changes in the permitted facility or operations which may result in noncompliance with the terms and conditions of this permit. Such notification does not waive the Permittee's duty to comply with this permit pursuant to Permit Condition A.5.

A.18 Transfer of Permits  
OAC Rules 3745-50-52, 3745-50-58(L)(3) and 3745-54-12

(a) The permit may be transferred to a new owner or operator only if such transfer is conducted in accordance with ORC Chapter 3734 and the rules adopted thereunder. This permit may be transferred by the Permittee to a new owner or operator only if the permit has been modified under OAC Rule 3745-50-51. Before transferring ownership or operation of the facility, the Permittee must notify the new owner or operator in writing of the requirements of ORC Chapter 3734 and the rules adopted thereunder (including all applicable Corrective Action requirements).

(b) The Permittee's failure to notify the new owner or operator of the requirements of the applicable Ohio law or hazardous waste rules does not relieve the new owner or operator of its obligation to comply with all applicable requirements.

A.19 Compliance Reports  
OAC Rules 3745-50-58(L)(5) and 3745-50-50

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule (developed in accordance with OAC Rule 3745-50-50) of this permit must be submitted to the Director no later than fourteen (14) days following each scheduled date.

A.20 Immediate Reporting of Noncompliance  
OAC Rule 3745-50-58(L)(6)

- (a) The Permittee must report orally to Ohio EPA's Division of Environmental Response and Revitalization within twenty-four (24) hours from the time the Permittee becomes aware of any noncompliance with this permit, ORC Chapter 3734, or the rules adopted thereunder, which may endanger human health or the environment, including:
  - (i) information concerning the release of any hazardous waste that may cause an endangerment to public drinking water supplies; and
  - (ii) any information of a release or discharge of hazardous waste or a fire or explosion from the hazardous waste facility, which could threaten the environment or human health outside the facility.
  
- (b) The report must consist of the following information (if such information is available at the time of the oral report):
  - (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.

A.21 Follow-Up Written Report of Noncompliance  
OAC Rule 3745-50-58(L)(6)(c)

- (a) A written report must also be provided to Ohio EPA's Division of Environmental Response and Revitalization and the Division of Materials and Waste Management Southwest District Office within five (5) days of the time the Permittee becomes aware of the circumstances reported in Permit Condition A.20.
- (b) The written report must address the items in Permit Condition A.20 and must contain a description of such noncompliance and its cause; the period(s) of noncompliance (including exact dates and times); whether the noncompliance has been corrected; and, if not, the anticipated time it is expected to continue; and steps taken or planned to minimize the impact on human health and the environment and to reduce, eliminate, and prevent recurrence of the noncompliance.
- (c) The Permittee need not comply with the five (5) day written report requirement if the Director, upon good cause shown by the Permittee, waives that requirement and the Permittee submits a written report within fifteen (15) days of the time the Permittee becomes aware of the circumstances.

A.22 Other Noncompliance  
OAC Rules 3745-50-58(L)(10) and 3745-50-58(L)(4)

The Permittee must report to the Director all other instances of noncompliance not provided for in Permit Conditions A.19 and A.20. These reports must be submitted within thirty (30) days of the time at which the Permittee is aware of such noncompliance. Such reports must contain all information set forth within Permit Condition A.20.

A.23 Reserved

A.24 Other Information  
OAC Rule 3745-50-58(L)(11)

If at any time the Permittee becomes aware that it failed to submit any relevant facts, or submitted incorrect information to the Director, the Permittee must promptly submit such facts, information, or corrected information to the Director.

A.25 Confidential Information  
OAC Rule 3745-50-30

In accordance with ORC Chapter 3734 and the rules adopted thereunder, the Permittee may request confidentiality for any information required to be submitted by the terms and conditions of this permit, or any information obtained by the Director, or an authorized representative, pursuant to the authority provided under Permit Condition A.11.

A.26 Ohio Annual Permit, Disposal, and Treatment Fees  
OAC Rules 3745-50-33 through 3745-50-36

The annual permit fee, calculated pursuant to OAC Rule 3745-50-36 and payable to the Treasurer of the State, must be submitted to the Director on or before the anniversary of the date of issuance during the term of the permit. For the purpose of the payment of the Ohio Annual Permit Fee, the date of issuance is the date the permit was entered into the Journal of the Director of Ohio EPA.

A.27 Compliance Schedule - Documents  
OAC Rules 3745-50-50 and 3745-50-51

(a) The Permittee must submit to the Ohio EPA within sixty (60) days after permit journalization, in accordance with Ohio's hazardous waste rules, the following information to be incorporated into the permit application:

(i) Updated Closure/Post-Closure Cost Estimate  
OAC Rules 3745-55-42 and 3745-55-44

Section I of the permit application containing the financial assurance mechanism for closure must be updated to include a copy of the current closure/post-closure cost estimate as set forth in OAC Rules 3745-55-42 and 3745-55-44.

(ii) Updated Financial Assurance Mechanism for Closure  
OAC Rules 3745-55-43

Section I of the permit application containing the financial assurance mechanism for closure must be updated to include a copy of the current financial assurance mechanism, as set forth in OAC Rules 3745-55-43, and as specified by the wording requirements of OAC Rule 3745-55-51. The value of the financial assurance mechanism must reflect at least the current amount of the closure/post-closure cost estimate.

During the life of the permit the facility may change the financial assurance mechanism as stated in OAC Rules 3745-55-43. The facility must submit the financial assurance mechanism documentation to the Director of Ohio EPA in accordance with the parameters set forth in OAC Rule 3745-55-43.

(iii) Updated Liability Requirements  
OAC Rule 3745-55-47

Section I of the permit application containing the mechanism used to demonstrate third party liability coverage must be updated to include a copy of the current liability mechanism as set forth in OAC Rule 3745-55-47 and as specified by the wording requirements of OAC Rule 3745-55-51.

During the life of the permit the facility may change the mechanism used to demonstrate liability coverage as stated in OAC Rule 3745-55-47. The facility must submit the liability mechanism documentation to the Director of Ohio EPA in accordance with the parameters set forth in OAC Rule 3745-55-47.

This information must be submitted in accordance with OAC Rule 3745-50-51.

(b) The Permittee must submit the documents to:

- 1) Ohio EPA, Director  
c/o DMWM, Engineering, Remediation, and Authorizations Section  
P.O. Box 1049  
Columbus, Ohio 43216-1049

Or for delivery service use:

Ohio EPA, Director  
c/o DMWM, Engineering, Remediation, and Authorizations Section  
50 West Town Street  
Suite 700  
Columbus, Ohio 43215

- 2) Ohio EPA, Southwest District Office  
c/o DMWM  
401 East Fifth Street  
Dayton, Ohio 45402

A.28 Information to be Maintained at the Facility  
OAC Rule 3745-54-74

- (a) Unless otherwise specified by the hazardous waste rules, the Permittee must maintain at the facility, until closure is completed and certified by a qualified, registered professional engineer, pursuant to OAC Rule 3745-55-15, and until the Director releases the Permittee from financial assurance requirements pursuant to OAC Rule 3745-55-43, the following documents (including amendments, revisions and modifications):
  - (i) waste analysis plan, developed and maintained in accordance with OAC Rule 3745-54-13 and the terms and conditions of this permit;
  - (ii) contingency plan, developed and maintained in accordance with OAC Rule 3745-54-53 and the terms and conditions of this permit;
  - (iii) closure plan, developed and maintained in accordance with OAC Rule 3745-55-12 and the terms and conditions of this permit;
  - (iv) cost estimate for facility closure, developed and maintained in accordance with OAC Rule 3745-55-42 and the terms and conditions of this permit;
  - (v) personnel training plan and the training records, developed and maintained in accordance with OAC Rule 3745-54-16 and the terms and conditions of this permit;
  - (vi) operating record, required by OAC Rule 3745-54-73 and the terms and conditions of this permit; and
  - (vii) inspection schedules, developed in accordance with OAC Rules 3745-54-15, 3745-55-74 and 3745-55-95 and the terms and conditions of this permit.
  - (viii) Reserved

- (ix) annually-adjusted cost estimate for facility as required by OAC Rules 3745-55-42 and 3745-55-44 and the terms and conditions of this permit.
  - (x) all other documents required by Module A, Permit Conditions A.12 and A.27.
- (b) The Permittee must maintain copies of all inspection logs at the facility for a period not less than three (3) years from the date of inspection.

A.29 Waste Minimization Report  
OAC Rules 3745-54-73 and 3745-54-75

- (a) The Permittee must submit a Waste Minimization Report describing the waste minimization program required by OAC Rules 3745-54-75(H), (I), and (J); 3745-54-73(B)(9); and 3745-52-20(A) at least once every five years. The provisions of OAC Rules 3745-54-75(H), (I) and (J); and 3745-54-73(B)(9) must be satisfied annually.
- (b) The Permittee must submit the Waste Minimization Report to Ohio EPAs Office of Compliance Assistance and Pollution Prevention within one hundred eighty (180) days of the effective date of this permit, and must submit updates to this report once every five years thereafter.

## MODULE B - GENERAL FACILITY CONDITIONS

### B. GENERAL FACILITY CONDITIONS

#### B.1 Design and Operation of Facility OAC Rule 3745-54-31

- (a) The Permittee must design, 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 or hazardous waste constituents to air, soil, ground water or surface waters which could threaten human health or the environment.
- (b) The Permittee must not accept more than 90,000 tons in any one calendar year from off-site sources during the life of the permit, until such time as this permit condition is modified or renewed. This is a facility wide limitation and includes all units.

#### B.2 Required Notices OAC Rule 3745-54-12

- (a) 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 must inform the generator in writing that he has the appropriate permits, and will accept the waste the generator is shipping. The Permittee must keep a copy of this written notice as part of the operating record.

- (b) Hazardous Wastes from Foreign Sources

The Permittee must notify the U.S. EPA regional administrator 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 OAC Rule 3745-54-12(A). Notice of subsequent shipments of the same waste from the same foreign source is not required.

**B.3** General Waste Analysis Plan  
OAC Rule 3745-54-13

- (a) Before an owner or operator treats, stores, or disposes of any hazardous wastes, or nonhazardous wastes if applicable under OAC Rule 3745-55-13(D), he must obtain a detailed chemical and physical analysis of a representative sample of the wastes. At a minimum, this analysis must contain all the information which must be known to treat, store, or dispose of the waste in accordance with the requirements of Chapters 3745-54 to 3745-57, 3745-205, and 3745-270 of the Administrative Code.
- (b) The Permittee must follow the procedures described in the waste analysis plan found in Section C of the permit application and the terms and conditions of this permit.
- (c) The Permittee must verify the analysis of each waste stream annually as part of its quality assurance program, in accordance with Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, EPA Publication SW-846, or equivalent methods approved by the Director. At a minimum, the Permittee must maintain proper functional 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 must inform the laboratory in writing that it must operate under the waste analysis conditions set forth in this permit.

**B.4** Security  
OAC Rule 3745-54-14

The Permittee must comply with the security provisions of OAC Rule 3745-54-14(B)(2) and (C) and Section F of the permit application.

**B.5** General Inspection Requirements  
OAC Rules 3745-54-15 and 3745-54-73

The Permittee must inspect the facility in accordance with OAC Rule 3745-54-15 and the inspection schedule set forth in Section F of the permit application. The Permittee must remedy any deterioration or malfunction discovered by an inspection, as required by OAC Rule 3745-54-15(C). Records of inspection must be kept for a minimum of three years from the date of inspection. These records must be a part of the facility's operating record as required by OAC Rule 3745-54-73.

B.6 Personnel Training  
OAC Rule 3745-54-16

The Permittee must conduct personnel training, as required by OAC Rule 3745-54-16. This training program must contain at least the elements set forth in Section H of the permit application. The Permittee must maintain training documents and records as required by OAC Rule 3745-54-16(D) and (E).

B.7 General Requirements for Ignitable, Reactive, or Incompatible Wastes  
OAC Rule 3745-54-17

- (a) The Permittee must comply with the requirements of OAC Rule 3745-54-17 and must follow the procedures for handling ignitable, reactive, and incompatible wastes set forth in Sections C and D of the permit application.
- (b) The Permittee must provide electrical grounding for all containers, tanks, and transport vehicles during all operations involving the handling of ignitable or reactive wastes.
- (c) The Permittee must provide, and require the use of, spark proof tools during all operations involving the handling of all ignitable or reactive wastes.
- (d) The Permittee must prohibit smoking and open flames in each area where ignitable, reactive or incompatible hazardous wastes are managed and must post appropriate signs.
- (e) Reserved.

B.8 Reserved.

B.9 Required Equipment  
OAC Rule 3745-54-32

At a minimum, the Permittee must maintain at the facility all the equipment required by OAC Rule 3745-54-32 and the equipment set forth in the contingency plan contained in Section G of the permit application.

B.10 Testing and Maintenance of Equipment  
OAC Rule 3745-54-33

The Permittee must inspect, test and maintain the equipment required by Permit Condition B.9 as necessary to assure its proper operation in time of emergency, as specified in OAC Rule 3745-54-33, Section F of the permit application and the terms and conditions of this permit.

B.11 Access to Communications or Alarm System  
OAC Rule 3745-54-34

The Permittee must maintain access to the communications and alarm systems, as required by OAC Rule 3745-54-34, Section F of the permit application and the terms and conditions of this permit.

B.12 Required Aisle Space  
OAC Rule 3745-54-35

At a minimum, the Permittee must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, as required by OAC Rule 3745-54-35.

B.13 Arrangements with Local Authorities  
OAC Rule 3745-54-37

- (a) The Permittee must comply with the requirements of OAC Rule 3745-54-37(A) by making a diligent effort to:
  - (i) make arrangements and familiarize all emergency response agencies which are likely to respond in an emergency with the

location and layout of the facility, properties of hazardous waste managed at the facility and associated hazards, places where facility personnel will normally be working, entrances to and roads inside the facility, and possible evacuation routes as depicted and explained in Section G of the permit application;

- (ii) make arrangements with Ohio EPA emergency response teams, emergency response contractors, and equipment suppliers;
  - (iii) make arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and types of injuries or illnesses which could result from fires, explosions, or releases at the facility; and
  - (iv) make agreements designating primary emergency authority to a specific police and a specific fire department and make agreements with any others to provide support to the primary emergency authority, where more than one police and fire department may respond to an emergency.
- (c) Where authorities decline to enter into such agreements or arrangements set forth in OAC Rule 3745-54-37(A), the Permittee must document the refusal in the operating record as required by OAC Rule 3745-54-37(B).

**B.14 Implementation of Contingency Plan**  
OAC Rules 3745-54-51 and 3745-54-56

The Permittee must immediately carry out the provisions of the contingency plan and follow the emergency procedures described in OAC Rule 3745-54-56, 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.

In regard to spills and related toxic gas releases, the plan must describe the criteria to be used by the emergency coordinator to determine when the plan will be implemented. At a minimum, the plan must be implemented in the following situations:

- (a) Any fire involving hazardous waste; or
- (b) Any explosion involving hazardous waste; or
- (c) Any uncontrolled hazardous waste reaction that produces or has the potential to produce hazardous conditions, including noxious, poisonous, flammable and/or explosive gases, fumes, or vapors; harmful dust; or explosive conditions; or
- (d) Any hazardous waste release, outside of a secondary containment system, that causes or has the potential to cause off-site soil and/or surface water contamination; or
- (e) Any hazardous waste release that produces or has the potential to produce hazardous conditions, including noxious, poisonous, flammable and/or explosive gases, fumes, or vapors; harmful dust; or explosive conditions.

B.15 Content of the Contingency Plan  
OAC Rule 3745-54-52

The Permittee must comply with OAC Rule 3745-54-52 and the contingency plan, as set forth in Section G of the permit application.

B.16 Contingency Plan - Released Material and Emergency Response Material and By-products  
OAC Rule 3745-54-56(G)

- (a) Immediately after an emergency, the emergency coordinator must provide for treating, storing, or disposing of recovered waste, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility.
- (b) All liquid or solid material resulting from fire, explosion, released material or emergency response material and by-products that the Permittee is required to evaluate to determine whether such material is hazardous waste in accordance with OAC Rule 3745-52-11, must be collected and managed as a hazardous waste unless the Permittee can demonstrate

that such waste is not hazardous in accordance with OAC Rule 3745-51-03(C) and (D).

**B.17 Amendments to Plan**  
OAC Rule 3745-54-54

The Permittee must review the contingency plan at least annually and upon the occurrence of any event listed in OAC Rule 3745-54-54. If necessary or appropriate, the Permittee must amend the contingency plan as required by OAC Rule 3745-54-54 in accordance with OAC Rule 3745-50-51.

**B.18 Copies of Plan**  
OAC Rule 3745-54-53

- (a) The Permittee must comply with the requirements set forth in OAC Rule 3745-54-53 regarding contingency plan distribution. The Permittee must maintain at the facility a copy of the contingency plan and all revisions to the plan.
- (b) The Permittee must, in accordance with OAC Rule 3745-54-53, submit a copy of the contingency plan to all local police departments, fire departments, hospitals and local emergency response teams that may be called upon to provide emergency services. The Permittee must notify such agencies and the local authorities, in writing, within ten (10) days of the effective date of any amendments of, revisions to, or modifications to the contingency plan.
- (c) The Permittee must, in accordance with OAC Rule 3745-54-53, submit a copy of the contingency plan to the Ohio Environmental Protection Agency's Division of Environmental Response and Revitalization.

**B.19 Emergency Coordinator**  
OAC Rule 3745-54-55

The Permittee must comply with the requirements set forth in OAC Rule 3745-54-55 regarding the emergency coordinator.

**B.20 Emergency Procedures**  
OAC Rule 3745-54-56

The Permittee must comply with the requirements regarding emergency procedures set forth in OAC Rule 3745-54-56, Section G of the permit application and the terms and conditions of this permit.

**B.21 Availability, Retention and Disposition of Records**  
OAC Rule 3745-54-74

All records shall be furnished by the Permittee upon request to, and made available at all reasonable times for inspection by, Ohio EPA, in accordance with OAC Rule 3745-54-74.

**B.22 Operating Record**  
OAC Rule 3745-54-73

The Permittee must comply with the requirements set forth in OAC Rule 3745-54-73 regarding an operating record, including information to be recorded and the maintenance thereof.

**B.23 Contingency Plan Records**  
OAC Rule 3745-54-56(J)

The Permittee must note in the operating record the time, date, and details of any incident that requires the implementation of the contingency plan. Within fifteen (15) days after any such incident, the Permittee must submit to the Director a written report of the incident containing the elements set forth in OAC Rule 3745-54-56(J).

**B.24 Manifest System**  
OAC Rules 3745-54-70, 3745-54-71, 3745-54-72 and 3745-54-76

- (a) In managing waste at the facility, the Permittee must comply with OAC Chapter 3745-52 and OAC Rules 3745-54-71, 3745-54-72 and 3745-54-76 with regard to the manifest system.

- (b) Manifest discrepancy report. If a significant discrepancy in a manifest is discovered, the Permittee must attempt to reconcile the discrepancy. If not resolved with fifteen (15) days after receiving the waste, the Permittee must submit a letter describing the discrepancy and attempts to reconcile it, and a copy of the manifest, to the Director in accordance with OAC Rule 3745-54-72.
- (c) Unmanifested waste report. If the Permittee receives unmanifested waste which is not excluded from the manifest requirements of OAC Rule 3745-51-05, then the Permittee must submit an unmanifested waste report to the Director within fifteen (15) days after receipt of the waste. The report must include the information required under OAC Rule 3745-54-76.

**B.25 Biennial Reports and Additional Reports**  
OAC Rules 3745-54-75 and 3745-54-77

The Permittee must comply with the biennial report requirements set forth in OAC Rule 3745-54-75 and the additional report requirements set forth in OAC Rule 3745-54-77.

**B.26 Closure Performance Standard**  
OAC Rule 3745-55-11

During facility closure, the Permittee must implement the provisions of the closure plan found in Section I of the permit application in such a manner as to achieve compliance with OAC Rule 3745-55-11.

**B.27 Closure Plan**  
OAC Rules 3745-55-10, 3745-55-11 and 3745-55-13

The Permittee must implement those procedures detailed within Section I of the permit application, in accordance with OAC Rules 3745-55-10 through 3745-55-20.

B.28 Amendment of Closure Plan  
OAC Rules 3745-55-12 and 3745-50-51

Should a change in the facility closure plan become necessary, the Permittee must amend the closure plan in accordance with OAC Rule 3745-55-12(C).

B.29 Content of Closure Plan  
OAC Rule 3745-55-12

The Permittee must maintain the closure plan at the facility which contains the elements set forth in OAC Rule 3745-55-12 and all elements required by the terms and conditions of this permit.

B.30 Notification of Closure  
OAC Rule 3745-55-12

The Permittee must notify the Director in writing at least 45 days prior to the date on which he expects to begin final closure of a facility, as required by OAC Rule 3745-55-12(D).

B.31 Time Allowed For Closure  
OAC Rule 3745-55-13

Within ninety (90) days after receiving the final volume of hazardous waste, the Permittee must remove from the facility, or treat or dispose of on-site, all hazardous waste in accordance with the closure plan. The Director may approve a longer closure period if the Permittee complies with all applicable requirements for requesting a modification to the permit as set forth in OAC Rule 3745-55-13(A). The Permittee must complete all closure activities within one hundred eighty (180) days after receiving the final volume of hazardous waste in accordance with OAC Rule 3745-55-13. The Director may approve a longer closure period if the Permittee complies with all applicable requirements for requesting a modification to the permit as set forth in OAC Rule 3745-55-13(B).

B.32 Disposal or Decontamination of Equipment, Structures, and Soils  
OAC Rule 3745-55-14

- (a) The Permittee must decontaminate or dispose of all contaminated facility equipment, structures, and soils, as required by OAC Rule 3745-55-14, the closure plan and the terms and conditions of this permit.
- (b) The Permittee must notify the Ohio EPA 5 working days prior to all rinseate and soil sampling.

B.33 Certification of Closure  
OAC Rule 3745-55-15

The Permittee and a qualified, registered professional engineer must certify that each hazardous waste management unit or the facility has been closed in accordance with the specifications in the closure plan and the terms and conditions of this permit, as required by OAC Rule 3745-55-15. The Permittee must furnish to the Director, upon request, documentation supporting the certification.

B.34 Survey Plat  
OAC Rule 3745-55-16

The Permittee must submit a survey plat to the Director and the local zoning authority no later than the submittal of certification of closure of each hazardous waste disposal unit, in accordance with OAC Rule 3745-55-16.

B.35 Reserved

B.36 Cost Estimate for Facility Closure  
OAC Rule 3745-55-42

- (a) The Permittee's most recent closure cost estimate, prepared in accordance with OAC Rule 3745-55-42, is specified in Section I of the permit application.

- (b) The Permittee must adjust the closure cost estimate for inflation within 60 days prior to the anniversary date of the establishment of the financial instrument(s) used to comply with OAC Rule 3745-55-43.
- (c) The Permittee must revise the closure cost estimate whenever there is a change in the facility's closure plan that increases the cost of closure, as required by OAC Rule 3745-55-42(C).
- (d) The Permittee must submit to the Ohio EPA and keep at the facility the latest closure cost estimate as required by OAC Rule 3745-55-42(D).

**B.37 Financial Assurance for Facility Closure**

The Permittee must maintain continuous compliance with OAC Rule 3745-55-43, and provide documentation of financial assurance, which meets the requirements of OAC Rule 3745-55-51, in at least the amount of the cost estimates required by Permit Condition B.36.

**B.38 Liability Requirements**

The Permittee must maintain continuous compliance with the requirements of OAC Rule 3745-55-47 and the documentation of liability by providing liability coverage which meets the requirements of OAC Rule 3745-55-51 for sudden 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.

**B.39 Incapacity of Owners or Operators, Guarantors, or Financial Institutions  
OAC Rule 3745-55-48**

The Permittee must comply with requirements set forth in OAC Rule 3745-55-48 regarding the incapacity of owners, operators, guarantors or financial institutions.

**B.40 General Requirements for Land Disposal Restrictions  
OAC Chapter 3745-270**

The Permittee must comply with all applicable regulations regarding land disposal prohibitions and restrictions as required by OAC Chapter 3745-270.

## MODULE C - CONTAINER STORAGE AND TREATMENT

### C. CONTAINER STORAGE AND TREATMENT

Veolia ES Technical Solutions, L.L.C is permitted to store waste in two container storage areas; the Drum Storage Building, and the Decant Building. The Drum Storage Building and the Decant Building are connected. Each of the two areas of the building is separated by a fire door and each has a unique secondary containment.

The Drum Storage Building has an area of approximately 110' x 170' and can store up to 105,600 gallons (equivalent to 1920 55-gallon drums) of hazardous waste.

The Decant Building has an area of approximately 163' x 83' and can store up to 52,800 gallons (equivalent to 960 55-gallon drums) of hazardous waste. The Decant Building also contains one permitted hazardous waste 2,000 gallon tank (TK-6002). The allowable volume of the Decant Building for containers and the tank storage capacity is 54,800 gallons.

The Drum Receiving Building can be used to temporarily stage up to 11,000 gallons (equivalent to 200 55-gallon drums) of hazardous waste.

Typical containers received include, but are not limited to, pint, quart, gallon and five gallon consumer commodity cans and pails, along with 30, 55, 85 and 110 gallon steel and plastic drums, 250 gallon totes and rolloff boxes.

#### C.1 Container Storage/ Quantity Limitation

- (a) The Permittee is authorized to store 158,400 gallons of containerized hazardous waste at any given time in the permitted container storage areas located in the Drum Receiving Building, the Drum Storage Building, and the Decant Building and associated staging areas. (Figure A-2 of the Permit Application).
- (b) For the purpose of compliance with the capacity limitation of this permit, each container will be considered to be storing an amount of hazardous waste equal to its capacity, regardless of the actual quantity stored in the container, unless the computer tracking system can give an instantaneous account of the volume in storage.

- (c) Permit Condition C.1(a) does not apply to the Permittee's activities as a generator accumulating hazardous waste on-site in compliance with OAC Rule 3745-52-34 and 40 CFR Part 265, subparts AA, BB, and CC.

However, when accumulating waste within the permitted container storage area, in accordance with OAC Rule 3745-52-34 and 40 CFR Part 265, subparts AA, BB, and CC, the Permittee must not, for the total amount of hazardous waste stored and accumulated, exceed the maximum container storage inventory established under this permit condition.

C.2 Reserved

C.3 Waste Identification

The Permittee must store in containers only the hazardous waste codes in the attached list of authorized codes, Attachment 1.

C.4 Limitation on Time of Storage

The Permittee must not store hazardous waste for a period which exceeds one year, except that upon good cause shown, the Ohio EPA may extend such time period. Each container stored must be clearly marked to identify its contents and the date each period of storage begins.

C.5 Condition of Containers  
OAC Rule 3745-55-71

If a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects), the Permittee must 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 and the hazardous waste facility chapters of the OAC.

C.6 Compatibility of Waste with Containers  
OAC Rule 3745-55-72

The Permittee must use a container made of or lined with materials which will not react with, and are otherwise compatible with, the hazardous waste to be stored, so that the ability of the container to contain the waste is not impaired.

C.7 Management of Containers  
OAC Rule 3745-55-73

- (a) The Permittee must keep all containers closed during storage, except when it is necessary to add or remove waste, and must not open, handle, or store containers in a manner which may rupture the container or cause it to leak.
- (b) In the event lab-pack wastes are generated they must be handled in compliance with applicable storage requirements.
- (c) In the event lab-pack wastes are generated they must be packaged in drums containing absorbent material that is compatible with the waste.

C.8 Containment Systems  
OAC Rule 3745-55-75

- (a) The Permittee must maintain the containment system in accordance with the plans and specifications contained the permit application.
- (b) The Permittee must maintain the containment system as described in the permit application, designed with sufficient capacity to contain ten percent of the total volume of the containers or the volume of the largest container, whichever is greater. The containment system must be free of cracks and gaps and sufficiently impervious to contain leaks and spills and accumulated precipitation until the collected material is detected and removed.
- (c) The base of the containment system must be sloped or the containment system must be otherwise designed and operated to drain and remove liquids resulting from leaks, spills, or precipitation, unless the containers are elevated or are otherwise protected from contact with accumulated liquids.
- (d) Run-on into the containment system must be prevented unless the collection system has sufficient excess capacity in addition to that required in Permit Condition C.8(b) above.
- (e) Spilled or leaked waste and accumulated precipitation must be removed from the sump or collection area in a timely manner. This time period is not to exceed twenty-four (24) hours from the time spilled and/or leaked waste is discovered to have reached the hazardous waste pad sump.

C.9 Reserved

C.10 Inspection Schedules and Procedures  
OAC Rules 3745-54-15 and 3745-54-73

The Permittee must inspect the container storage area in accordance with the inspection schedule contained in Section F of the permit application and in accordance with OAC Rule 3745-54-15. The inspection schedule must be designed to detect for leaking and/or deteriorating containers and/or containment systems. The Permittee must note the results of these inspections in the inspection log along with any remedial action taken.

Areas subject to spills, such as loading or unloading areas, shall be inspected daily when in use pursuant to the inspection procedure described in Section F of the permit application. The Permittee must maintain these inspection results in the facility operating record.

C.11 Recordkeeping  
OAC Rule 3745-54-73

The Permittee must comply with all recordkeeping requirements of OAC Rule 3745-54-73 as part of the facility operating record.

C.12 Special Container Provisions for Ignitable or Reactive Waste  
OAC Rules 3745-54-17 and 3745-55-76

- (a) The Permittee must not store ignitable or reactive waste except in accordance with OAC Rules 3745-54-17 and 3745-55-76.
- (b) The Permittee must not locate containers holding ignitable or reactive waste within 15 meters (50 feet) of the facility's property line.
- (c) The Permittee must take precautions to prevent accidental ignition or reaction of ignitable or reactive waste and shall follow the storage procedures specified in the permit application.

C.13 Special Container Provisions for Incompatible Waste  
OAC Rules 3745-54-17(B) and 3745-55-77

- (a) The Permittee must not store incompatible waste except in accordance with OAC Rules 3745-54-17(B) and 3745-55-77.

- (b) The Permittee must not place hazardous waste in an unwashed container that previously held an incompatible waste or material.
- (c) The Permittee must separate or protect (by means of a dike, berm, wall, or other device) a storage container holding a hazardous waste that is incompatible with any waste or other materials stored nearby in other containers or tanks.

C.14 Reserved

C.15 Closure and Post-Closure

OAC Rules 3745-55-10 through 3745-55-20, and 3745-55-78

At closure of the container areas, the Permittee must remove all hazardous waste and hazardous waste residues from the containment system, in accordance with the procedures in the closure plan set forth in Section I of the permit application.

## MODULE D - TANK STORAGE, TREATMENT, AND MANAGEMENT

Veolia ES Technical Solutions, L.L.C. is permitted to store and treat hazardous waste in four areas. The East Tank Farm, the West Tank Farm, the Solvent Distillation Process Area, and the Decant Building.

The two tank farms are designated "East" and "West." The East Tank Farm is comprised of 23 hazardous waste tanks. The West Tank Farm is comprised of 14 hazardous waste tanks. The Solvent Distillation Process Area utilizes 2 hazardous waste tanks. The Decant Building contains 1 hazardous waste tank.

### D.1 Tank Storage Quantity Limitation/Waste Identification

- (a) The Permittee may store a total volume of 462,000 gallons of hazardous waste in 40 tanks subject to the terms of this permit and as detailed in the table below.

The Permittee shall store in tanks only the hazardous waste codes specified in the permit application and summarized below:

- (b) During any calendar year, the Permittee must not manage through tank storage hazardous waste in excess of the maximum annual quantity set forth in Permit Condition B.1(b).

**East Tank Farm** - Consists of 23 tanks typically used to store incoming waste solvent feedstocks for blending and/or pH adjustment into hazardous waste fuels or for reclamation into product solvents. Hazardous waste fuels that have been blended are typically stored in the East Tank Farm.

Location	Tank	*Gallons	Dimensions	Secondary Containment Volume (Gallons)	Description of Hazardous Waste
East Tank Farm	TK-1001	8000	9 ft. Ø x 20 ft. h	81,128 gallons – total capacity of East Tank Farm	Fuels Blending and/or pH Adjustment See Attachment 1 for hazard codes
East Tank Farm	TK-1002	8000	9 ft. Ø x 20 ft. h		
East Tank Farm	TK-1003	12000	10 ft. Ø x 25.25 ft. h		
East Tank Farm	TK-1004	12000	10 ft. Ø x 25.25 ft. h		
East Tank Farm	TK-1005	12000	10 ft. Ø x 25.25 ft. h		
East Tank Farm	TK-1006	12000	10 ft. Ø x 25.25 ft. h		
East Tank Farm	TK-1007	12000	10 ft. Ø x 25.25 ft. h		
East Tank Farm	TK-1008	12000	10 ft. Ø x 25.25 ft. h		
East Tank Farm	TK-1009	12000	10 ft. Ø x 25.25 ft. h		
East Tank Farm	TK-1010	12000	10 ft. Ø x 25.25 ft. h		
East Tank Farm	TK-1011	12000	10 ft. Ø x 25.25 ft. h		
East Tank Farm	TK-1012	12000	10 ft. Ø x 25.25 ft. h		
East Tank Farm	TK-1013	12000	10 ft. Ø x 25.25 ft. h		
East Tank Farm	TK-1014	12000	10 ft. Ø x 25.25 ft. h		
East Tank Farm	TK-1015	12000	10 ft. Ø x 25.25 ft. h		
East Tank Farm	TK-1016	12000	10 ft. Ø x 25.25 ft. h		
East Tank Farm	TK-1017	12000	10 ft. Ø x 22 ft. h		
East Tank Farm	TK-1018	12000	10 ft. Ø x 22 ft. h		
East Tank Farm	TK-1019	12000	10 ft. Ø x 22 ft. h		
East Tank Farm	TK-1020	20000	10.5 ft. Ø x 31.5 ft. h		
East Tank Farm	TK-1021	20000	10.5 ft. Ø x 31.5 ft. h		
East Tank Farm	TK-1022	20000	10.5 ft. Ø x 31.5 ft. h		
East Tank Farm	TK-1023	20000	10.5 ft. Ø x 31.5 ft. h		

\*Permitted capacities reflected are rounded to the nearest 1000-gallons.

**West Tank Farm** – Consists of 14 tanks typically used to store clean wastes and products such as reclaimed solvents if they are not shipped directly to customers immediately following processing.

Location	Tank	*Gallons	Dimensions	Secondary Containment Volume (Gallons)	Description of Hazardous Waste
West Tank Farm	TK-2001	8000	9 ft. Ø x 20 ft. h	64,874 gallons – total capacity of West Tank Farm	Fuels Blending and/or pH Adjustment See Attachment 1 for hazard codes
West Tank Farm	TK-2002	8000	9 ft. Ø x 20 ft. h		
West Tank Farm	TK-2003	8000	9 ft. Ø x 20 ft. h		
West Tank Farm	TK-2004	8000	9 ft. Ø x 20 ft. h		
West Tank Farm	TK-2005	13000	10 ft. Ø x 25.5 ft. h		
West Tank Farm	TK-2006	13000	10 ft. Ø x 25.5 ft. h		
West Tank Farm	TK-2007	13000	10 ft. Ø x 25.5 ft. h		
West Tank Farm	TK-2008	13000	10 ft. Ø x 25.5 ft. h		
West Tank Farm	TK-2011	14000	10 ft. Ø x 28.5 ft. h		
West Tank Farm	TK-2012	8000	8 ft. Ø x 25 ft. h		
West Tank Farm	TK-2013	8000	8 ft. Ø x 25 ft. h		
West Tank Farm	TK-2014	8000	8 ft. Ø x 25 ft. h		
West Tank Farm	TK-2015	8000	8 ft. Ø x 25 ft. h		
West Tank Farm	TK-2016	8000	8 ft. Ø x 25 ft. h		

\*Permitted capacities reflected are rounded to the nearest 1000-gallons.

**Solvent Distillation Process Area** – Consists of 2 tanks. Tank D-4214 has a volume of 10,000 gallons and supplies feedstock materials to Unit 2 (wiped film evaporator) for processing. Tank D-4217 has a volume of 12,000 gallons and collects still bottoms from the distillation operations.

Location	Tank	Gallons	Dimensions	Secondary Containment Volume (Gallons)	Description of Hazardous Waste
Solvent Distillation Process Area	TK-4214	10000	10 ft. Ø x 20.75 ft. h	34,962 gallons – total capacity of Solvent Distillation Process Area	Fuels Blending/Distillation and/or pH Adjustment See Attachment 1 for hazard codes
Solvent Distillation Process Area	TK-4217	12000	10 ft. Ø x 25 ft. h		

**Decant Building Tank** - The Drum Dispersion Unit Room located inside of the Decant Building houses one 2000-gallon tank. Tank TK-6002 holds waste solvents that are used as a diluent in the Drum Dispersion Unit.

Location	Tank	Gallons	Dimensions	Secondary Containment Volume (Gallons)	Description of Hazardous Waste
Decant Building	TK-6002	2000	6 ft. Ø x 10.25 ft. h	78,585 gallons – total capacity of Decant Building	Fuels Blending See Attachment 1

D.2 Limitations on Treatment of Hazardous Waste in Tanks

- (a) The Permittee is authorized to treat hazardous waste in the tanks specified in the table above. The Permittee shall treat in tanks only the hazardous waste codes specified in the permit application.
- (b) The provision of Condition D.2(a) shall not apply to the Permittee's activities as a generator treating hazardous waste in tanks on-site in compliance with the provisions of OAC Rule 3745-52-34.

D.3 Reserved

D.4 Containment and Detection of Releases.  
OAC Rule 3745-55-93

- (a) Reserved
- (b) Existing Tank Systems with Secondary Containment. The Permittee must design, construct, and operate the secondary containment system, in accordance with the detailed design plans and descriptions contained in the permit application.
- (c) Reserved

D.5 Operating Requirements  
OAC Rule 3745-55-94

- (a) The Permittee must not place hazardous wastes or treatment reagents in the tank system if they could cause the tank, its ancillary equipment, or a containment system to rupture, leak, corrode, or otherwise fail.
- (b) The Permittee must prevent spills and overflows from the tank or containment systems using the methods described in the permit application. The Permittee must comply with the requirements of OAC Rule 3745-55-96 if a leak or spill occurs in the tank system.

D.6 Inspection Schedules and Procedures  
OAC Rule 3745-55-95

- (a) The Permittee must inspect the tank systems, in accordance with the Inspection Schedule found in Section F of the permit application, and must complete the items in Permit Conditions D.6(b) and D.6(c) as part of those inspections:

- (b) The Permittee must inspect the overfill controls, in accordance with the procedure and schedule in the permit application.
- (c) The Permittee must inspect the following components of the tank system once each operating day:
  - (i) Aboveground portions of the tank system, if any, to detect corrosion or releases of waste;
  - (ii) Data gathered from monitoring and leak detection equipment (e.g., pressure or temperature gauges, monitoring wells) to ensure that the tank system is being operated according to its design; and
  - (iii) Construction materials and the area immediately surrounding the externally accessible portion of the tank system, including the secondary containment system, to detect erosion or signs of releases of hazardous waste (e.g., wet spots, dead vegetation).
- (d) Reserved
- (e) The Permittee must document compliance with Permit Condition D.6 in the operating record of the facility.

D.7 Response to Leaks or Spills  
OAC Rule 3745-55-96

- (a) In the event of a leak or a spill from the tank system or from a secondary containment system, or if a system becomes unfit for continued use, the Permittee must remove the system from service immediately and complete the following actions:
  - (i) Immediately stop the flow of hazardous waste into the tank system or secondary containment system.
  - (ii) In the event of a leak or a spill from the tank system or from a secondary containment system, the Permittee must inspect the system to determine the cause of the release.
  - (iii) If the release was from the tank system, the Permittee must, within twenty-four hours after detection of the leak, or, if the Permittee demonstrates that it is not possible, at the earliest practicable time, remove as much of the waste as is necessary to prevent further

release of hazardous waste to the environment and to allow inspection and repair of the tank system to be performed.

If the material released was to a secondary containment system, all released materials must be removed within twenty-four hours or in as timely a manner as possible to prevent harm to human health and the environment.

- (iv) The Permittee must immediately conduct a visual inspection of all releases to the environment and based on that inspection: (1) prevent further migration of the leak or spill to soils or surface water and (2) remove and properly dispose of any visible contamination of the soil or surface water.
- (b) Unless the requirements of Permit Conditions D.7(b)(i) through D.7(b)(vi) are satisfied, the Permittee must close its tank system in accordance with OAC Rule 3745-55-97 and its closure plan if there has been a leak or spill from the tank system, from a secondary containment system, or if a system becomes unfit for continual use.
  - (i) For a release caused by a spill that has not damaged the integrity of the system, the Permittee must remove the released waste and make any necessary repairs to fully restore the integrity of the system before returning the tank system to service.
  - (ii) For a release caused by a leak from the primary tank system to the secondary containment system, the Permittee must repair the primary system prior to returning it to service.
  - (iii) Reserved
  - (iv) Reserved
  - (v) Reserved
  - (vi) If the Permittee replaces a component of the tank system to eliminate the leak, that component must satisfy the requirements for new tank systems or components in OAC Rules 3745-55-92 and 3745-55-93.
- (c) For all major repairs (e.g., installation of an internal liner, repair of a ruptured tank, or repair or replacement of a secondary containment vault) to eliminate leaks or restore the integrity of the tank system, the Permittee

must obtain a certification by a qualified, registered professional engineer in accordance with OAC Rule 3745-50-42(D)(1) that the repaired system is capable of handling hazardous wastes without release for the intended life of the system before returning the system to service. This certification must be submitted to the Director within seven days after returning the tank system to use.

D.8 Recordkeeping and Reporting

OAC Rules 3745-55-96, 3745-55-91(A), and 3745-55-92(G)

- (a) The Permittee must report to the Director, within 24 hours of detection, when a leak or spill occurs from the tank system or secondary containment system to the environment. A leak or spill of one pound or less of hazardous waste, that is immediately contained and cleaned-up, need not be reported. Releases that are contained within a secondary containment system need not be reported.
- (b) Within 30 days of detecting a release to the environment from the tank system or secondary containment system, the Permittee must report the following information to the Director:
  - (i) Likely route of migration of the release;
  - (ii) Characteristics of the surrounding soil (including soil composition, geology, hydrogeology, and climate);
  - (iii) Results of any monitoring or sampling conducted in connection with the release. If the Permittee finds it will be impossible to meet this time period, the Permittee should provide the Director with a schedule of when the results will be available. This schedule must be provided before the required 30-day submittal period expires;
  - (iv) Proximity of downgradient drinking water, surface water, and populated areas; and
  - (v) Description of response actions taken or planned.
- (c) The Permittee must obtain, and keep on file at the facility, the written statements by those persons required to certify the design and installation of the tank system.
- (d) The Permittee must keep on file at the facility the written assessment of the tank system's integrity.

(e) Reserved.

D.9 Closure and Post-Closure Care  
OAC Rule 3745-55-97

- (a) At closure of the tank system(s), the Permittee must follow the procedures in the closure plan in the permit application.
- (b) If the Permittee demonstrates that not all contaminated soils can be practically removed or decontaminated, in accordance with the closure plan, then the Permittee must close the tank system(s) and perform post-closure care.

D.10 Special Tank Provisions for Ignitable or Reactive Wastes  
OAC Rule 3745-55-98

- (a) The Permittee must not place ignitable or reactive waste in the tank system or in the secondary containment system, unless the procedures specified in the permit application are followed. The Permittee must document compliance with this condition and place it in the operating record.
- (b) The Permittee must comply with the requirements for the maintenance of protective distances between the waste management area and any public ways, streets, alleys, or an adjoining property line that can be built upon, as required in Tables 22.4.1.1 to 22.4.1.6 the National Fire Protection Association's "Flammable and Combustible Liquids Code" (2008 or most recent edition) incorporated by reference in OAC Rule 3745-50-11.

D.11 Special Tank Provisions for Incompatible Wastes  
OAC Rule 3745-55-99

- (a) The Permittee must not place incompatible wastes, or incompatible wastes and materials, in the same tank system or the same secondary containment system, unless the procedures specified in the permit application are followed. The Permittee must document compliance with this condition and place that documentation into the operating record.
- (b) The Permittee must not place hazardous waste in a tank system that has not been decontaminated and that previously held an incompatible waste or material, unless the requirements of Permit Condition D.11(a) are met.

D.12 Reserved

## MODULE E - CORRECTIVE ACTION REQUIREMENTS

### CORRECTIVE ACTION REQUIREMENTS

The goals of the corrective action program are to evaluate the nature and extent of releases of hazardous substances from facilities, and to develop and implement appropriate corrective measures to protect human health and the environment. On October 30, 1996, the United States Environmental Protection Agency (U.S. EPA) issued a Resource Conservation and Recovery Act (RCRA) Hazardous and Solid Waste Amendments (HSWA) permit to Veolia ES Technical Solutions, L.L.C., requiring corrective action activities. The facility has completed Phase I of its RCRA Facility Investigation (RFI) and has submitted the RFI Phase I report and the Phase II Scope of Work to U.S. EPA and Ohio EPA.

Upon issuance of the state renewal permit, Ohio EPA will assume authority for conducting regulatory oversight of all RCRA Corrective Action activities required at this facility (including review and approval of the Phase I RFI report), as detailed in Conditions E.5 through E.11.

E.1. Corrective Action at the Facility  
OAC Rules 3745-50-10 & 3745-54-101

In accordance with OAC Rule 3745-50-10, "waste management unit" means any discernible unit at which solid waste, hazardous waste, infectious waste (as those terms are defined in Chapter 3734. of the Revised Code), construction and demolition debris (as defined in Chapter 3734. of the Revised Code), industrial waste, or other waste (as those terms are defined in Chapter 6111. of the Revised Code), has been placed at any time, irrespective of whether the unit was intended for the management of solid waste, hazardous waste, infectious waste, construction and demolition debris, industrial waste, or other waste. Such units include any area at a Facility at which solid waste, hazardous waste, infectious waste, construction and demolition debris, industrial waste, or other waste has been routinely and systematically released. For the purpose of Corrective Action, facility is defined as all contiguous property under the control of the owner or operator seeking a permit under Subtitle C of RCRA. The terms Interim Measure (IM), RCRA Facility Investigation (RFI), Corrective Measures Study (CMS) and Corrective Measure Implementation (CMI) are defined in U.S. EPA's RCRA Corrective Action Plan (OSWER Directive 9902.3-2A, May, 1994).

The Permittee must institute Corrective Action as necessary to protect human health and the environment for all releases of hazardous waste(s) or hazardous constituent(s) from any waste management units (WMUs) at the Facility,

regardless of the time at which waste was placed in such units.

E.2. Corrective Action Beyond the Facility Boundary  
OAC Rule 3745-54-101

The Permittee must implement Corrective Action(s) beyond the Facility property boundary, where necessary to protect human health and the environment, unless the Permittee demonstrates to the satisfaction of Ohio EPA that, despite the Permittee's best efforts, 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 addressed under the RFI, CMS, and CMI phases, as determined to be necessary on a case-by-case basis.

E.3 Identification Of WMUs  
OAC Rules 3745-50-44(D) & 3745-54-101

The following WMUs are being investigated at the facility:

WMU 1 Truck Loading Bays  
WMU 2 Concrete Pad, and  
WMU 4 French Drains

Detailed information concerning these WMUs is provided in Section J of the Part B Application.

E.4 Reserved.

E.5 RCRA Facility Investigation  
OAC Rule 3745-54-101

To date Veolia ES Technical Solutions, L.L.C. has completed Phase I of its RFI and submitted the RFI Phase I report (Cox-Colvin, August 22, 2000) and the Phase II Scope of Work Document (Cox-Colvin, August 22, 2000). Upon Ohio EPA approval of the RFI Phase I report, the Permittee shall proceed into Phase II of the RFI to thoroughly evaluate the nature and extent of the release of hazardous waste(s) and hazardous constituent(s) from all applicable WMUs identified in Condition E.3. In the event that newly discovered WMUs or releases are identified at the facility, the Permittee will conduct a subsequent RFI to evaluate the nature and extent of releases of hazardous waste(s) and hazardous constituent(s) associated with such areas, in accordance with Condition E.11.

The major tasks and required submittal dates are shown below. The scope of work for each of the tasks associated with RFI-related activities is found in U.S. EPA's RCRA Corrective Action Plan.

(a) RFI Workplan

The Permittee shall submit a written RFI Phase II Scope of Work to Ohio EPA within ninety (90) days after the effective date of this permit. In the case of a newly discovered waste management unit, the Permittee shall submit a written RFI Workplan on a timeframe established by Ohio EPA.

- (i) If necessary, Ohio EPA shall provide written comments on the RFI Phase II Scope of Work to the Permittee; or in the case of a newly discovered waste management unit, comments on the RFI Workplan for the new unit.
- (ii) Within forty-five (45) days of receipt of Ohio EPA's comments, the Permittee shall submit either an amended or new RFI Phase II Scope of Work that incorporates Ohio EPA's comments; or in the case of a newly discovered waste management unit, an amended or new RFI Workplan.
- (iii) Ohio EPA shall approve or modify and approve, in writing, the amended or new RFI Phase II Scope of Work; or in the case of a newly discovered waste management unit, the amended or new RFI Workplan. The RFI Phase II Scope of Work or RFI Workplan for a newly discovered unit, as approved or as modified and approved, shall be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved RFI Phase II Scope of Work or RFI Workplan for a newly discovered unit must be authorized by Ohio EPA.

(b) RFI Implementation

The Permittee shall implement the RFI Phase II Scope of Work according to the terms and schedule in the approved RFI Phase II Scope of Work. In the case of a newly discovered waste management unit, the Permittee shall implement the RFI Workplan for the newly discovered unit according to the terms and schedule in the approved RFI Workplan.

(c) RFI Final Report

Within sixty (60) days after the completion of Phase II of the RFI or the

RFI for a newly discovered unit, the Permittee shall submit an RFI Final Report to Ohio EPA. The RFI Final Report shall describe the procedures, methods, and results of the RFI. The Final Report must contain adequate information to support both the RFI objectives developed within the Phase I Report (Cox-Colvin & Associates; August 22, 2000) and further decisions concerning corrective action at the Facility.

- (i) If necessary, Ohio EPA shall provide written comments on the RFI Report to the Permittee.
- (ii) Within forty-five (45) days of receipt of Ohio EPA's comments, the Permittee shall submit either an amended or new RFI Report that incorporates Ohio EPA's comments.
- (iii) Ohio EPA shall approve or modify and approve, in writing, the amended or new RFI Report. The RFI Report, as approved or as modified and approved, shall be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved RFI Report must be authorized by Ohio EPA.

#### E.6 Interim Measures

Based on the RFI Final Report or other information documenting a release of hazardous waste or constituents to the environment, Ohio EPA may require the development and implementation of an interim measure (this may include an IM Workplan) at any time during the life of the permit to mitigate or eliminate a threat to human health or the environment. With Ohio EPA's prior approval, the Permittee may conduct voluntary Interim Measures at any time during the life of the permit. Implementation of voluntary Interim Measures does not preclude Ohio EPA from requiring additional Interim Measures necessary to mitigate or eliminate a threat to human health or the environment. Detailed information regarding the IMs implemented at Veolia can be found in Section J of the Part B Application.

#### E.7 Determination Of No Further Action

##### (a) Permit Modification

Based on the results of the completed RFI and other relevant information, the Permittee may submit an application to Ohio EPA for a permit modification under OAC Rule 3745-50-51 to terminate the Corrective Action tasks of the Schedule of Compliance. The class of the permit

modification will be determined in accordance with OAC Rule 3745-50-51. Other tasks identified in the Schedule of Compliance shall remain in effect. This permit modification application must conclusively demonstrate that there are no releases of hazardous waste or constituents that pose a threat to human health and the environment.

If, based upon review of the Permittee's request for a permit modification, the results of the completed RFI, and other information, including comments received during the initial (60-day) public comment period required for Class 2 or Class 3 permit modifications, Ohio EPA determines that releases or suspected releases which were investigated either are nonexistent or do not pose a threat to human health and the environment, Ohio EPA will approve the requested modification.

(b) Periodic Monitoring

A determination of no further action shall not preclude Ohio EPA from requiring continued or periodic monitoring of air, soil, ground water, or surface water, if necessary to protect human health and the environment, when site-specific circumstances indicate that potential or actual releases of hazardous waste or constituents are likely to occur.

(c) Further Investigations

A determination of no further action shall not preclude Ohio EPA from requiring further investigations, studies, or remediation at a later date, if new information or subsequent analysis indicates that a release or likelihood of a release from a WMU at the Facility is likely to pose a threat to human health or the environment. In such a case, Ohio EPA shall initiate a modification to the terms of the permit to rescind the determination made in accordance with Permit Condition E.7.a. Additionally, in the event Ohio EPA determines that there is insufficient information on which to base a determination, the Permittee, upon notification, is required to perform additional investigations as needed.

E.8 Corrective Measures Study (CMS)

If Ohio EPA determines, based on the results of the RFI and any other relevant information, that corrective measures are necessary, Ohio EPA will notify the Permittee in writing that the Permittee shall conduct a CMS either as described below or as described in Ohio EPA's notification to the Permittee. The purpose of the CMS will be to develop and evaluate the corrective action alternative(s) and to outline one or more alternative corrective measure(s) that will satisfy the

performance objectives specified by Ohio EPA.

(a) CMS Workplan

The Permittee shall submit a written CMS Workplan to Ohio EPA within ninety (90) days from the notification by Ohio EPA of the requirement to conduct a CMS.

- (i) If necessary, Ohio EPA shall provide written comments on the CMS Workplan to the Permittee.
- (ii) Within forty-five (45) days of receipt of Ohio EPA's comments, the Permittee shall submit either an amended or new CMS Workplan that incorporates Ohio EPA's comments.
- (iii) Ohio EPA shall approve or modify and approve, in writing, the amended or new CMS Workplan. The CMS Workplan, as approved or as modified and approved, shall be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved CMS Workplan must be authorized by Ohio EPA.

(b) CMS Workplan Implementation

The Permittee shall implement the CMS Workplan according to the terms and schedule in the approved CMS Workplan.

(c) CMS Final Report

Within sixty (60) days after the completion of the CMS, the Permittee shall submit a CMS Final Report to Ohio EPA. The CMS Final Report shall summarize the results of the investigations for each remedy studied and must include an evaluation of each remedial alternative.

- (i) If necessary, Ohio EPA shall provide written comments on the CMS Report to the Permittee.
- (ii) Within forty-five (45) days of receipt of Ohio EPA's comments, the Permittee shall submit either an amended or new CMS Report that incorporates Ohio EPA's comments.
- (iii) Ohio EPA shall approve or modify and approve, in writing, the amended or new CMS Report. The CMS Report, as approved or

as modified and approved, shall be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved CMS Report must be authorized by Ohio EPA.

#### E.9 Corrective Measures Implementation

Based on the results of the CMS, the Permittee shall implement one or more of the Corrective Measures authorized by Ohio EPA. Ohio EPA shall authorize one or more of the Corrective Measures in the CMS, and shall notify the Permittee in writing of the decision. The Corrective Measure selected for implementation must: (1) be protective of human health and the environment; (2) attain media cleanup standards; (3) control the source(s) of releases so as to reduce or eliminate further releases of hazardous waste(s) (including hazardous constituent(s)); and (4) comply with all applicable standards for management of wastes.

If two or more of the Corrective Measures studied meet the threshold criteria set out above, Ohio EPA will authorize the Corrective Measures Implementation by considering remedy selection factors including: (1) long-term reliability and effectiveness; (2) the degree to which the Corrective Measure will reduce the toxicity, mobility or volume of contamination (3) the Corrective Measure's short-term effectiveness; (4) the Corrective Measure's implementability; and (5) the relative cost associated with the alternative. (Note: the assigned numbering of the above-stated threshold criteria does not imply relative importance and any one of these individual criteria might prove to be the most important factor used by Ohio EPA in authorizing the CMI. Furthermore, Ohio EPA recognizes that the attainment of media cleanup standards does not necessarily entail removal or treatment of all contaminated material above specific constituent concentrations. Depending on the site-specific circumstances, remedies may attain media cleanup standards through various combinations of removal, treatment, engineering or institutional controls).

In authorizing the proposed Corrective Measure(s), Ohio EPA may also consider such other factors as may be presented by site-specific conditions.

##### (a) Permit Modification

Ohio EPA will initiate a permit modification, as provided by OAC Rule 3745-50-51 to require implementation of the corrective measure(s) authorized.

The Permittee shall not implement the corrective measure until the permit

is modified pursuant to OAC Rule 3745-50-51.

(b) Financial Assurance  
OAC Rule 3745-54-101

As part of the modification of this permit to incorporate CMI, the Permittee shall provide financial assurance in the amount necessary to implement the corrective measure(s) as required by OAC Rule 3745-54-101(b) and (c).

Within 30 days after receiving approval of the CMI Work Plan, the Permittee must provide a third party, itemized cost estimate which outlines the tasks required to implement the corrective measure(s). Within 30 days of Ohio EPA approval of the cost estimate, the Permittee shall provide financial assurance in the amount equal to the approved cost estimate. A financial assurance mechanism which meets the requirements of OAC rules 3745-55-47 through 3745-55-51 is sufficient to comply with this financial assurance requirement. With prior approval by Ohio EPA, the Permittee may on any date reduce the amount of financial assurance maintained so that the amount is equal to the estimated costs of completing the corrective measure(s).

E.10 Newly Identified WMUs or Releases  
OAC Rule 3745-54-101

(a) General Information

The Permittee shall submit to Ohio EPA, within 30 days of discovery, the following information regarding any new WMU identified at the Facility:

- (i) The location of the unit on the site topographic map;
- (ii) Designation of the type of unit;
- (iii) General dimensions and structural description, including any available drawings;
- (iv) When the unit was operated; and
- (v) Specifications of all waste(s) that have been managed at the unit.

(b) Release Information

The Permittee shall submit to Ohio EPA, within 30 days of discovery, all available information pertaining to any release of hazardous waste(s) or hazardous constituent(s) from any new or existing WMU.

E.11 Corrective Action for Newly Identified WMUs and Releases  
 OAC Rule 3745-54-101

The Permittee shall submit a written RCRA Facility Investigation Workplan to Ohio EPA upon a time frame established in written notification by Ohio EPA that further investigations or corrective measures are necessary.

Further investigations or corrective measures will be established by Ohio EPA.

The Permittee shall make such submittal in accordance with time frames established by Ohio EPA.

E.12. Compliance Schedule for Corrective Action

The Permittee shall complete the Corrective Action in accordance with the schedule below.

<b>Corrective Action Compliance Schedule</b>	
<b>Document</b>	<b>Submittal Deadline</b>
RFI Phase II Scope of Work	Ninety (90) calendar days after the effective date of permit
Amended or new RFI Phase II Scope of Work	Forty-five (45) calendar days after receipt of Scope of Work comments
RFI Implementation	According to schedule in approved Scope of Work
RFI Final Report	Sixty (60) calendar days after completion of RFI Phase II
CMS Workplan	Ninety (90) calendar days after notification of requirements to perform CMS
Amended or New CMS Workplan	Forty-five (45) calendar days after receipt of CMS Workplan comments
CMS Workplan	According to schedule in approved CMS Workplan

<b>Corrective Action Compliance Schedule</b>	
<b>Document</b>	<b>Submittal Deadline</b>
Implementation	
CMS Final Report	Sixty (60) calendar days after completion of CMS
Amended or New CMS Final Report	Forty-five (45) calendar days after receipt of CMS Final Report comments
Newly Identified WMUs	Thirty (30) calendar days after discovery
Release Information	Thirty (30) calendar days after discovery

DRAFT

## MODULE F - MISCELLANEOUS UNITS

### F. MODULE HIGHLIGHTS

The Permittee is permitted for one Miscellaneous Unit; the Drum Dispersion Unit (DDU). The DDU is used to remove hazardous waste and non-hazardous waste from containers and blend the waste into a pumpable liquid. This unit can process up to 75,000 gallons per day as reflected on Line 4, Process Code X02, of the Application Form 2050-0024, Box 7 Process Codes and Design Capabilities.

The Drum Dispersion Unit is located inside the Decant Building and houses one 2000-gallon tank TK-6002. This tank holds waste solvents that are used as a diluent in the Drum Dispersion Unit process. The DDU uses the solvent to keep the contents suspended in a pumpable state. The tank will contain flowable RCRA or non-RCRA regulated liquids. The liquids from the tank are pumped into the DDU during processing to keep the homogenized slurry in a rotating particle-sizer (the hydrapulper) in a pumpable state, as necessary.

The DDU has the ability to crush 55-gallon and 85-gallon containers. The DDU uses a conveyor system and platform to lift and feed drums into the main chamber which can hold four containers; two in the staging area and two in the crushing chamber. Once containers are in the crushing chamber, the atmosphere is purged with nitrogen. Then, the container bottoms are hydraulically pierced and waste falls into the hydrapulper below. After the bottom is pierced, the containers are crushed, forcing residual materials from the container. All of the emptying processes in the crushing chamber occur in an oxygen depleted atmosphere to prevent possible fires or explosions. The crushing chamber is equipped with an explosion vent rated at 7" of water column to protect the system from over pressurization.

The wastes are then mixed and homogenized into a consistent solution by the hydrapulper. Once the batch of drums has been processed, the wastes will be piped out to the tank farm by pumping or by pressurizing the hydrapulper. A new batch of containers will then be run through the DDU.

The RCRA empty crushed drums are pneumatically pushed down a nitrogen purged chute that has two knife gates and into a collection hopper. The RCRA empty drums are transferred from the hopper to a container suitable for transportation. The drums are then sent off-site for metals recycling or disposal.

F.1. Reserved

F.2. Process Capacity/Annual Limitation  
ORC Section 3734.02(F) and OAC Rule 3745-50-43

The Permittee shall not exceed a maximum process capacity of 75,000 gallons per day for the Drum Dispersion Unit.

F.3. Waste Identification  
OAC Rule 3745-50-43

The Permittee shall treat in the Drum Dispersion Unit, only the hazardous waste codes specified in Part A of the approved permit application. Waste restrictions that apply are described in the permit application.

F.4. Reserved

F.5. Containment System  
OAC Rule 3745-55-93

Secondary containment for this Miscellaneous Unit consists of the containment room itself. This room is used to house the Drum Dispersion Unit. Secondary containment of this Unit meets the specifications of secondary containment at the facility in accordance with the following:

- (a) Secondary containment must be designed, installed and operated to prevent any migration of waste or accumulated liquid out of the system to soil, groundwater, or surface water.
- (b) Secondary containment must be capable of detecting and collecting releases and accumulated liquids until the collected materials is removed.
- (c) The secondary containment must meet the requirements of OAC Rule 3745-55-93.

F.6. General Operating Requirements  
OAC Rule 3745-55-94

Hazardous wastes shall not be placed in the Miscellaneous Unit system if they could cause the miscellaneous unit, its ancillary equipment, or the secondary containment system to rupture, leak, corrode, or otherwise fail, as required by OAC Rule 3745-55-94.

The Drum Dispersion Unit must be maintained and operated in accordance with the procedures and practices in Section D of the approved permit application and accepted industry practice.

F.7. Inspections  
OAC Rule 3745-55-95

The Permittee shall document compliance in the facility's operating record as required by this permit and the OAC.

F.8. Response to Leaks or Spills and Disposition of Leaking or Unfit for Use Miscellaneous System  
OAC Rule 3745-55-96

If a leak or spill is detected from this Unit or the secondary containment system, or if the Unit is unfit for use, it must be removed from service immediately and the Permittee must satisfy the following requirements in accordance with OAC Rule 3745-55-96.

(a) Cessation of Use

The Permittee must immediately stop the flow of hazardous waste into the Unit and/or the secondary containment system and conduct an inspection to determine the cause of the release.

(b) Removal of Waste from the Miscellaneous Unit or Secondary Containment System

(i) The Permittee must, within twenty-four hours after detection of the leak, remove as much waste as necessary to prevent further release of hazardous waste to the environment and to allow inspection and repair of the system to be performed.

(ii) If the material released was to the secondary containment system, all released materials must be removed within twenty-four hours to prevent harm to human health and the environment.

(c) Containment of Visible Releases to the Environment

The Permittee shall immediately conduct a visual inspection of the release and, based upon that inspection, prevent further migration of the leak or spill to soil or surface water and remove, and properly dispose of, any visible contamination of the soil or surface water.

(d) Notifications

Any release to the environment, except as provided in OAC Rule 3745-55-96(D)(2), must be reported to the Director of Ohio EPA within twenty-four hours of detection.

(e) The Permittee shall ensure that any major repair has been satisfactorily performed and the Unit is capable of handling hazardous waste without release for the intended life of the system. The certification must be submitted to the director of Ohio EPA within seven days after returning the system to use.

F.9. Reserved

F.10 Closure and Post-Closure Care  
OAC Rules 3745-57-91 and 3745-57-93

At closure of the Miscellaneous Unit, the Permittee shall follow the procedures in Section I of the approved Permit Application in accordance with OAC Rules 3745-55-10 through 3745-55-40.

# ATTACHMENT 1 TO PERMIT

Veolia ES Technical Solutions, L.L.C.

West Carrollton “Approved Waste Codes”

## D-CODES

D001	D002	D003	D004	D005
D006	D007	D008	D009	D010
D011	D018	D019	D020	D021
D022	D023	D024	D025	D026
D027	D028	D029	D030	D031
D032	D033	D034	D035	D036
D037	D038	D039	D040	D041
D042	D043			

## F-CODES

F001	F002	F003	F004	F005
F006	F007	F008	F009	F010
F011	F012	F019	F024	F025
F032	F034	F035	F037	D038
D039				

## K-CODES

K001	K002	K003	K004	K005
K006	K007	K008	K009	K010
K011	K013	K014	K015	K016
K017	K018	K019	K020	K021
K022	K023	K024	K025	K026
K027	K028	K029	K030	K031
K032	K033	K034	K035	K036
K037	K038	K039	K040	K042
K043	K046	K048	K049	K050
K051	K052	K060	K061	K062
K069	K071	K073	K083	K084
K085	K086	K087	K088	K093
K094	K095	K096	K097	K099
K100	K101	K102	K103	K104
K105	K106	K107	K108	K109
K110	K111	K112	K113	K114
K115	K116	K117	K118	K131
K132	K136	K141	K142	K143
K144	K145	K147	K148	K149
K150	K151	K156	K157	K158
K159	K161	K169	K170	K171
K172	K174	K175	K176	K177

## ATTACHMENT 1 TO PERMIT (cont.)

### Veolia ES Technical Solutions, L.L.C.

#### West Carrollton "Approved Waste Codes" cont.

#### U-CODES

U001	U002	U003	U004	U005
U006	U007	U008	U009	U010
U011	U012	U014	U015	U016
U017	U018	U019	U020	U021
U022	U023	U024	U025	U026
U027	U028	U029	U030	U031
U032	U033	U034	U035	U036
U037	U038	U039	U041	U042
U043	U044	U045	U046	U047
U048	U049	U050	U051	U052
U053	U054	U055	U056	U057
U058	U059	U060	U061	U062
U063	U064	U066	U067	U068
U069	U070	U071	U072	U073
U074	U075	U076	U077	U078
U079	U080	U081	U082	U083
U084	U085	U086	U087	U088
U089	U090	U091	U092	U093
U094	U095	U096	U097	U098
U099	U101	U102	U103	U105
U106	U107	U108	U109	U110
U111	U112	U113	U114	U115
U116	U117	U118	U119	U120
U121	U122	U123	U124	U125
U126	U127	U128	U129	U130
U131	U132	U133	U134	U135
U136	U137	U138	U140	U141
U142	U143	U145	U146	U147
U148	U149	U150	U151	U152
U153	U154	U155	U156	U157
U158	U159	U160	U161	U162
U163	U164	U165	U166	U167
U168	U169	U170	U171	U172
U173	U174	U176	U177	U178
U179	U180	U181	U182	U183
U184	U185	U186	U187	U188
U189	U190	U191	U192	U193
U194	U196	U197	U200	U201
U202	U203	U204	U205	U206
U207	U208	U209	U210	U211
U213	U214	U215	U216	U217
U218	U219	U220	U221	U222

**ATTACHMENT 1 TO PERMIT (cont.)**

**Veolia ES Technical Solutions, L.L.C.**

**West Carrollton “Approved Waste Codes” cont.**

**U-CODES**

U223	U225	U226	U227	U228
U234	U235	U236	U237	U238
U239	U240	U243	U244	U246
U247	U248	U249	U271	U277
U278	U279	U280	U328	U353
U359	U364	U365	U366	U367
U372	U373	U375	U376	U377
U378	U379	U381	U382	U383
U384	U385	U386	U387	U389
U390	U391	U392	U393	U394
U395	U396	U400	U401	U402
U403	U404	U407	U409	U410
U411				