

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

Permittee: Heritage - WTI, Inc.

Mailing

Address: Heritage - WTI, Inc.
1250 Saint George Street
East Liverpool, OH 43920

Ohio Permit No.: 02 - 15 - 0589

US EPA ID: OHD 980 613 541

Owner: Heritage - WTI, Inc.
1250 Saint George Street
East Liverpool, OH 43920

Issue Date: March 23, 2005

Effective Date: March 23, 2005

Operator: Heritage - WTI, Inc.
1250 Saint George Street
East Liverpool, OH 43920

Expiration Date: March 23, 2015

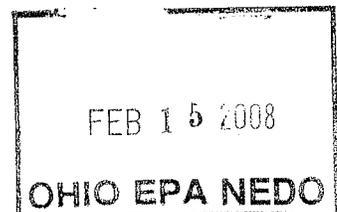
Location: Heritage - WTI, Inc.
1250 Saint George Street
East Liverpool, OH 43920

AUTHORIZED ACTIVITIES

In reference to the application of Heritage - WTI, Inc. 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 in containers and tanks
- ◆ Treatment in containers, tanks, miscellaneous units and by incineration
- ◆ Corrective Action

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

OHIO E.P.A.
MAR 23 2005
ENTERED DIRECTOR'S JOURNAL

Permittee: Von Roll America, Inc.
Mailing Address: Von Roll America, Inc.
1250 Saint George Street
East Liverpool, OH 43920-3400
Owner: Von Roll America, Inc.
1250 Saint George Street
East Liverpool, OH 43920-3400
Operator: Von Roll America, Inc.
1250 Saint George Street
East Liverpool, OH 43920-3400
Location: Von Roll America, Inc.
1250 Saint George Street
East Liverpool, OH 43920-3400

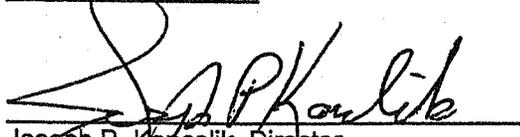
Ohio Permit No.	02-15-0589
USEPA ID	QHD 980613541
Issue Date	March 23, 2005
Effective Date	March 23, 2005
Expiration Date	March 23, 2010

AUTHORIZED ACTIVITIES

In reference to the application of Von Roll America, Inc. 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:

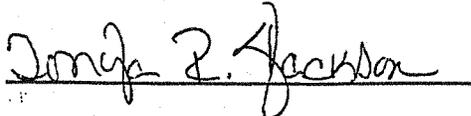
- ◆ Storage in containers and tanks
- ◆ Treatment in containers, tanks, miscellaneous units and by incineration
- ◆ Corrective Action

PERMIT APPROVAL


Joseph P. Koncelik, 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 23 day of March, 2005.

By  of the Ohio Environmental Protection Agency.

being this to be a true and correct copy of the
Ohio Environmental Protection Agency
Environmental Protection Agency
2005

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 tanks and to treat hazardous waste in containers and tanks, miscellaneous units and by incineration in accordance with the terms and conditions of this 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 approved hazardous waste facility installation and operation permit renewal application, as such application has been revised and supplemented and as such application may be modified pursuant to the hazardous waste rules. The approved permit application as submitted to Ohio EPA on July 20, 1994 and any subsequent amendment thereto, and last updated on January 15, 2003 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, revoked, suspended, or renewed as specified by Ohio law. The filing of a request for a permit modification, revision, revocation, suspension, or renewal or the notification of planned changes or anticipated noncompliance on the part of the Permittee, does not stay the applicability or enforceability of any permit term or condition.

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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 MARCH 23, 2015 ~~five 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 shall 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 the rules adopted thereunder and is grounds for enforcement action, suspension, 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 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 before the expiration date of this permit or upon approval of the Director a later date prior to the expiration date if the Permittee can demonstrate good cause for late submittal.

- (b) The Permittee may continue to operate in accordance with the terms and condition of the expired permit until a renewal permit is issued or denied if:
 - (i) the Permittee has submitted a timely and complete 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 reissuance 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) permission for a later date has been granted by the Director. The Director shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

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 shall expeditiously take all reasonable steps necessary to minimize or correct any adverse impact on the environment or to public health resulting from noncompliance with this permit.

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

The Permittee shall 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, but is not limited to, 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 shall furnish the Director, within a reasonable time, any relevant information which the Director may request to determine whether cause exists for modifying, revising, revoking or suspending this permit or to determine compliance with this permit. The Permittee shall also furnish 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), 3745-50-30 and ORC Section 3734.07

- (a) The Permittee shall 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 Permittee's satisfactorily 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 shall be a representative sample or measurement, 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; SW-846:Third Edition, November 1992; and additional supplements or editions thereof; Standard Methods for the Examination of Water and Wastewater: Seventeenth Edition, 1989; or an equivalent method as specified in the approved waste analysis plan, Section C of the approved Part B permit application or as such term is defined and used in the Ohio hazardous waste rules.
- (b) Records of monitoring information shall 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 shall be properly signed and certified in accordance with OAC Rule 3745-50-58(K).

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

- (a) The Permittee shall 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 (e.g., A.12(b), A.28, B.2, B.5, B.6, B.14(c), B.23, B.42, B.44(b), D.5(f), D.7, D.9(a), I(A).3, I(A).5 and I(A).8), the certification required by paragraph B(9) of rule 3745-54-73 of the Administrative Code, and records of all data used to complete the application for this permit, for a period of at least three 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 are automatically extended during the course of any unresolved enforcement action regarding the facility.
- (c) The Permittee shall maintain, in accordance with the Ohio hazardous waste rules, records of all data used to complete the Part B permit application and any amendments, supplements, modifications, or revisions, of such application and shall retain a complete copy of the application for the life of the facility.
- (d) The Permittee shall 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 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 shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility or any planned revisions to the permit. 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 shall 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 shall 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 Condition A.5.

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

- (a) This permit is not transferable to any person except after notice of the Director.
- (b) 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 shall 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).

- (c) 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 shall be submitted to the Director no later than fourteen days following each scheduled date.

A.20. Immediate Reporting of Noncompliance

OAC Rule 3745-50-58(L)(6)

- (a) The Permittee shall report orally to Ohio EPA's East Liverpool field office and the Division of Emergency and Remedial Response within twenty-four hours from the time the Permittee becomes aware of any noncompliance with this permit, ORC Chapter 3734 or the rules adopted thereunder, which endangers 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 human health or the environment.
- (b) The report shall 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 description of incident including the name and quantity of material(s) involved;
 - (iv) the extent of injuries, if any;
 - (v) an assessment of actual or potential hazards to the environment and human health, where this is applicable;

- (vi) any monitoring results;
- (vii) a description of response efforts as well as the estimated quantity and disposition of recovered material that resulted from the incident; and
- (viii) a list of other agencies notified of the incident, as applicable.

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

- (a) A written report shall also be provided to Ohio EPA's Division of Emergency and Remedial Response and the Division of Hazardous Waste Management Northeast District Office within five days of the time the Permittee becomes aware of the circumstances reported in Condition A.20.
- (b) The written report shall address the items in Condition A.20 and shall 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 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 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 shall report to the Director, all other instances of noncompliance not provided for in Condition A.20. These reports shall be submitted within a month of the time at which the Permittee is aware of such noncompliance. Such reports shall contain all information set forth within Condition A.20 of this permit.

A.23. Certification of Construction or Modification
OAC Rule 3745-50-58(L)(2)

Pursuant to OAC Rule 3745-50-58(L)(2) the Permittee may not commence storage or treatment of hazardous waste in any modified portion of the facility until the Permittee has submitted to the Director, by certified mail or hand delivery, a letter signed by the Permittee and a qualified registered professional engineer stating that the facility has been constructed, or modified in compliance with the permit; and

- (a) the Director has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or
- (b) the Director has either waived the inspection or has not within fifteen days of the date of the submittal of the letter, notified the Permittee of his intent to inspect.

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, misleading, or incomplete information to the Director, the Permittee shall promptly submit such facts, information, or corrected information to the appropriate entity.

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 of any information required to be submitted by the terms and conditions of this permit. Including any information obtained by the Director, or an authorized representative, pursuant to the authority provided under condition A.11 of this permit.

A.26. Ohio Annual Permit Fee
OAC Rule 3745-50-36

The annual permit fee, calculated pursuant to OAC Rule 3745-50-36 and payable to the Treasurer of the State, shall 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) To-be-constructed portions of the facility. Regarding future systems and to-be-constructed portions of the facility described in the Permittee's permit application, prior to construction, detailed plans must be submitted to the Ohio EPA for review to ensure the plans are consistent with the existing permit. If the plans are inconsistent with or not authorized by the existing permit, a permit modification in accordance with OAC Rule 3745-50-51 will be required prior to construction.
- (b) The Permittee shall not manage hazardous waste in any modified or newly constructed portions of the facility until compliance is achieved with the Ohio hazardous waste rules, the terms and conditions of this permit, and with the following:
 - (i) Documents required by this condition shall be submitted as follows:
 - a) At least thirty days prior to commencing construction at the facility, the Permittee shall submit to Ohio EPA all relevant detailed final design and construction plans as approved by the Building Official in accordance with OAC Rule 4101:2-1-23 (including ancillary equipment, blue prints, material of the construction, etc.) covering each aspect of the proposed construction. The final design and construction plans mean final design and specifications necessary for the commencement of the construction.
 - b) A schedule of new construction including the estimated starting and completion dates.

- (ii) If the final plans, as submitted, are inconsistent with the conceptual and/or preliminary plans contained in the approved permit application and with the terms and conditions of this permit, such submittal may be considered by Ohio EPA as information constituting a change to the permitted facility and thus require submission of a permit modification.
 - (iii) Upon completion of construction, the Permittee shall submit to Ohio EPA, when applicable, by certified mail or hand delivery, a "certificate of use and occupancy" issued by the Building Official in accordance with OAC Rule 4101:2-1-27 [for tank systems, the Permittee shall provide a tank installation certification in accordance with OAC Rule 3745-55-92(B)] and a certification stating that the construction was completed in compliance with applicable rules, the terms and conditions of this permit, applicable state building codes (e.g., codes for fire, electrical service, and plumbing), and the approved permit application.
 - (iv) Within sixty days after completion of new construction, "as built" drawings shall be submitted to Ohio EPA. If the submitted "as built" drawings appear inconsistent with the construction design plans submitted under Permit Condition A.27(b)(i), such submittal may be considered by Ohio EPA as information constituting a change to the permitted facility and thus require submission of a permit modification.
 - (v) No hazardous waste shall be managed at the newly constructed portion(s) of the facility until Ohio EPA, in accordance with OAC Rule 3745-50-58(L), has inspected such portion(s) of the facility and finds that it is in compliance with all applicable rules, the terms and conditions of this permit, and the approved permit application.
 - (vi) At least sixty (60) days prior to the receipt of hazardous waste in any modified or newly constructed portions of the facility, the Permittee shall submit updated financial requirements for closure of the facility and liability requirements. This includes the cost estimate for closure as required by OAC Rule 3745-55-42, financial assurance for facility closure as required by OAC Rule 3745-55-43, and liability insurance as required by OAC Rule 3745-55-47.
- (c) RESERVED

(d) Reserved.

(i) Reserved.

(ii) Reserved.

(iii) Reserved.

(iv) The Permittee submitted a Class 1 permit modification dated March 9, 2010 to remove language in the permit, vacate the conditions in Attachment 10 to the permit, and void any temporary conditions associated with the Class 2 permit modification received 03/18/2009.

(e) Reserved.

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- (f) Unless specified otherwise, the Permittee shall submit a copy of all documents to the following locations:

Ohio Environmental Protection Agency
Division of Hazardous Waste Management
Attn: Regulatory and Information Services
P.O. Box 1049
122 S. Front Street
Columbus, Ohio 43216-1049

Ohio Environmental Protection Agency
Division of Hazardous Waste Management
Northeast District Office
2110 East Aurora Road
Twinsburg, Ohio 44087

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

- (a) The Permittee shall maintain at the facility, until closure is completed and certified by a qualified, independent, 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 3745-55-47, the following documents (including amendments, revisions, and modifications):
- (i) waste analysis plan, as found in Section C of the approved Part B permit application, developed and maintained in accordance with OAC Rule 3745-54-13 and the terms and conditions of this permit;
 - (ii) contingency plan, Section G of the approved Part B permit application, developed and maintained in accordance with OAC Rule 3745-54-53 and the terms and conditions of this permit;

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- (iii) closure plan, Section I of the approved Part B permit application, 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, Section H of the approved Part B permit application, and the training records, as 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, except for those portions of the operating record maintained at an off-site location pursuant to Condition B.22;
 - (vii) inspection schedules, Section F of the approved Part B permit application, developed in accordance with OAC Rules 3745-54-15, 3745-55-74, 3745-55-95 and the terms and conditions of this permit;
 - (viii) annually-adjusted cost estimate for facility closure, as required by OAC Rules 3745-55-42 and 3745-55-44 and the terms and conditions of this permit;
 - (ix) all other documents required by this permit, e.g., Permit Conditions A.12, sampling and analysis; B.42, groundwater monitoring; and B.44, riverbank and fill material monitoring.
- (b) All amendments, revisions, and modifications to any plan required by the terms and conditions of this permit or the Ohio hazardous waste rules shall be submitted to the Director. No such change shall be made unless the Permittee has received approval in accordance with the Ohio hazardous waste rules.

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- (c) The Permittee shall maintain copies of all inspection logs at the facility for a period not less than three years from the date of inspection.
- (d) Corrective action reports and records, as required by the terms and conditions of this permit, must be maintained for at least three years after all corrective action activities have been completed.

A.29. Waste Minimization Report

OAC Rules 3745-54-73 and 3745-54-75

- (a) The Permittee shall 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(B) at least once every two years. The provision of OAC Rules 3745-54-75(H), (I), and (J); and 3745-54-73(B)(9) must be satisfied annually.
- (b) In completing this report, the Permittee should refer to the following information: instructions prepared by Ohio EPA for completing the Waste Minimization Annual Report required by OAC Rules 3745-54-75(H), (I), and (J); the Federal Register notice of May 28, 1993, vol. 58, p. 31114, "Interim Final Guidance: Guidance to Hazardous Waste Generators on the Elements of a Waste Minimization Program"; and U.S. EPA's "Facility Pollution Prevention Guide" including planning and organization, assessment, feasibility analysis, implementation, measuring progress, and maintaining the program.
- (c) The Permittee shall submit the Waste Minimization Report to the Technical Assistance Section, Office of Pollution Prevention within one hundred eighty days of journalization of this permit, and shall submit updates to this report biennially thereafter.

B. GENERAL FACILITY CONDITIONS

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

- (a) The Permittee shall 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 constituents to air, soil, and ground or surface waters which could threaten human health or the environment.
- (b) The Permittee is limited to treating the following quantities of hazardous waste in any one calendar year from any off-site sources during the life of the permit, until such time as this Condition is modified, renewed, or revised. This is a facility wide limitation and includes all units.
 - (i) The two incinerators (1 existing, 1 not yet constructed) may treat a combined total of 176,000 tons per year of hazardous waste. Each individual incinerator may treat 88,000 tons per year.
 - (ii) The Inorganic Waste Treatment System (not yet constructed) may treat 83,000 tons per year of hazardous waste; and
 - (iii) The General Wastewater Treatment System (not yet constructed) may treat up to ten percent of the total waste received at the facility. This ten percent limitation will be subject to revision as required by any agreements between the facility and the city of East Liverpool.
- (c) The Permittee may receive off-site generated non-hazardous wastewater (NHW) for use on-site as process water. When needed, the NHW may be treated through the general wastewater treatment system prior to use at the facility.
- (d) The Permittee may receive off-site generated waste to be used in fuel blending operations. This waste may, or may not, be blended and stored in permitted tanks prior to transport off-site to permitted facilities for treatment.

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- (e) The Permittee may receive and store off-site generated waste (third party waste) that will not be incinerated at the facility. This waste will be transported off-site to a permitted facility for treatment and/or reclamation. Third party waste will be managed in accordance with this permit and the approved Part B permit application.
- (f) The Permittee may manage mixed infectious and hazardous waste (MIHW) in accordance with the specifications in the Part B permit application and Module I(B) of this permit.
- (g) The Permittee may receive and treat, but not store, approved compressed gas waste streams as listed in Section C, Waste Characteristic and Waste Analysis Plan. The compressed gases will be managed in accordance with this permit and the approved Part B permit application.

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

- (a) The Permittee shall notify the US 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.

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(b) 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), (s)he must inform the generator in writing that (s)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.3. General Waste Analysis Plan
OAC Rule 3745-54-13

- (a) The Permittee shall prepare and approve waste profile sheets (WPS) in accordance with Section C of the approved Part B permit application. Waste codes not permitted in the approved Part A permit application shall not be stored or treated at the facility until the Permittee has received approval in accordance with the Ohio hazardous waste rules.
- (b) The Permittee shall follow the procedures described in the approved waste analysis plan found in Section C of the approved Part B permit application and the terms and conditions of this permit. The Permittee shall 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 shall 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 shall inform the laboratory in writing that it must operate under the waste analysis conditions set forth in this permit, including all requirements found in the facility's quality control/quality assurance plan. All outside contracted laboratories must be audited and their quality control/quality assurance plan evaluated prior to the laboratory performing services for the Permittee. The results of the audits must be maintained as part of the facility's operating record.
- (c) The Permittee shall ensure that all phenolic wastes received for treatment at the facility will be treated by incineration.
- (d) The Permittee shall ensure that all organic wastes not covered by Condition B.3.(c) will be incinerated unless other treatment methods are provided or specified in the approved Part B permit application.

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

- (a) The Permittee shall comply with the security provisions of OAC Rule 3745-54-14(B) and (C), the terms and conditions of this permit, and all applicable sections of the approved Part B permit application, e.g., Section F, Inspection Plan.
- (b) The Permittee shall continuously monitor the entrance gates to the facility while open either by the use of facility personnel or by monitoring equipment such as cameras.

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

The Permittee shall follow the inspection schedule set out in the inspection plan, Section F of the approved Part B permit application, the terms and conditions of this permit, and the requirements of OAC Rules 3745-54-15(C) and (D). The Permittee shall remedy any deterioration or malfunction discovered by an inspection, as required by OAC Rule 3745-54-15(C) or as required by the approved Part B permit application. Records of inspection shall be kept for a minimum of three years from the date of inspection or as required by the approved Part B permit application and the terms and conditions of this permit.

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

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

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

- (a) The Permittee shall comply with the requirements of OAC Rule 3745-54-17 and shall follow the procedures for handling ignitable, reactive, and/or incompatible wastes set forth in the approved Part B permit application (e.g. Sections C, D, F, and G) and the terms and conditions of this permit.
- (b) The Permittee shall provide electrical grounding for all containers, tanks, and transport vehicles during all operations involving the handling of ignitable or reactive wastes.
- (c) The Permittee shall provide, and require the use of, spark proof tools during all operations involving the handling of all ignitable and/or reactive wastes.
- (d) The Permittee shall prohibit smoking and open flames in each area where ignitable, reactive, and/or incompatible hazardous wastes are managed, as well as other active areas on-site, and shall post appropriate signs.
- (e) All wiring and electrical equipment at the to-be-constructed portions of the facility shall meet the National Fire Protection Association's standards for hazardous locations (See National Fire Protection Association, "National Electric Code" National Fire Codes, 1985 Edition, Vol. 3, Chapter 5, Special Occupancies, Articles 500-503, pp. 176 through 189).

B.8. Location Standards
OAC Rule 3745-54-18

- (a) The Permittee shall construct, operate, and maintain the facility to prevent washout of any hazardous waste as required by OAC Rule 3745-54-18(B) and as specified in Section B of the approved Part B permit application.
- (b) ~~On a semi-annual basis~~ Once every five years, the facility will have a survey conducted to take measurements and record data relating to the site grade and fill. These inspections will ensure that fill material and underlying soils remain stable and that no movement occurs which may compromise the integrity of the foundation at the facility. This is in accordance with Permit Condition B.44, Inspection of Riverbank and Fill Material.

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

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

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

The Permittee shall 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, and the applicable sections of the approved Part B permit application, such as Sections F and G, and the terms and conditions of this permit.

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

The Permittee shall maintain access to the communications and alarm systems as required by OAC Rule 3745-54-34, applicable sections of the approved Part B permit application, such as Sections F and G, and the terms and conditions of this permit.

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

At a minimum, the Permittee shall maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of the facility in an emergency as required by OAC Rule 3745-54-35, applicable sections of the approved Part B permit application, and terms and conditions of this permit.

The required aisle space in permitted process and storage areas at the facility is described in Section D of the approved Part B permit application.

- (a) In accordance with a class 2 permit modification (PITs # 110321-2-1), off-site generated waste may be stored inside enclosed vehicles only in the areas of the facility specified in the approved Part B permit application.
- (i) Aisle space will not be required to be maintained between containers stored inside enclosed vehicles provided the procedures specified in the approved Part B permit application are followed before storage and periodically while waste is in storage.
 - (ii) Individual containers will be inspected in accordance with the requirements specified for off-site generated waste stored in enclosed vehicles in accordance with Sections D and F.
 - (iii) Conditions specified in the approved Part B permit application and applicable requirements of the Ohio Fire Code must be followed while storing waste within enclosed vehicles.

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

- (a) The Permittee shall comply with the requirements of OAC Rule 3745-54-37 (A) by making a diligent effort to:
- (i) 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 the Contingency Plan, Section G of the approved Part B permit application;
 - (ii) inform such agencies of safety equipment, supplies, and proper emergency safety procedures that are applicable to the facility and any further requirements related to emergency response imposed by terms and conditions of this permit;
 - (iii) familiarize the local police and fire departments, hospitals, and any other local emergency service, with the properties of hazardous waste managed at the facility and the types of injuries or illness which could result from incidents such as fires, explosions, or releases at the facility, and exposure to the hazardous waste constituents; and
 - (iv) abide with the agreement between VRA and the CITY OF East Liverpool PUBLIC SAFETY FORCES ~~Fire Department~~ regarding the primary emergency authority and support to the primary emergency authority. This agreement can be found in Section G, Contingency Plan, of the approved Part B permit application.
- (b) When a State or local agency declines to enter into the arrangements set forth in OAC Rule 3745-54-37(A), the Permittee shall document the refusal in the operating record as required by OAC Rule 3745-54-37(B).
- (c) The Permittee shall, in accordance with OAC Rule 3745-54-53, submit a copy of its contingency plan, including all amendments, revisions, or changes, to the local authorities designated in the contingency plan. The Permittee shall notify the local authorities, in writing, within ten days of the effective date of any amendments, revisions, or changes to the contingency plan.

- (d) Records of agreements and arrangements with local authorities shall be maintained as part of the facility's operating record.

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

- (a) The Permittee shall immediately carry out the provisions of the approved 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.
- (b) In regard to FIRES, EXPLOSIONS, REACTIONS, 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:
 - (i) any fire involving hazardous waste; or, WITH THE FOLLOWING EXCEPTIONS:
 - (1) A FIRE ON, IN, OR NEAR ONE OF THE FACILITY'S FEED MECHANISMS THAT CAN BE EXTINGUISHED WITH A HAND -HELD FIRE EXTINGUISHER AND DOES NOT REQUIRE THE EMERGENCY RESPONSE TEAM ; OR
 - (2) A FIRE INVOLVING LESS THAN 55 GALLONS OF HAZARDOUS WASTE OR LESS THAN ONE POUND OF UNTREATED ACUTE HAZARDOUS WASTE (P-CODED WASTE) THAT CAN BE EXTINGUISHED WITH A HAND -HELD FIRE EXTINGUISHER AND DOES NOT REQUIRE THE EMERGENCY RESPONSE TEAM; OR
 - (3) A FIRE IN THE SLAG QUENCH TANK THAT DOES NOT REQUIRE THE EMERGENCY RESPONSE TEAM OR THE FIRE DEPARTMENT TO EXTINGUISH; OR
 - (4) A FIRE THAT DOES NOT ACTIVATE THE FACILITY'S FIRE DETECTION SYSTEM AND DOES NOT REQUIRE THE EMERGENCY RESPONSE TEAM OR THE FIRE DEPARTMENT TO EXTINGUISH ; OR
 - (5) INSTANCES WHEN VRA MANUALLY ACTIVATES THE FIRE SUPPRESSION SYSTEM IN ORDER TO PREVENT A FIRE , EXPLOSION, REACTION, OR RELEASE OF HAZARDOUS WASTE OR HAZARDOUS CONSTITUENTS AND THE INCIDENT DOES NOT REQUIRE THE EMERGENCY RESPONSE TEAM OR THE FIRE DEPARTMENT TO EXTINGUISH .

- (ii) any explosion involving hazardous waste, ~~or~~, WITH THE FOLLOWING EXCEPTIONS:
 - (1) AN EXPLOSION WITHIN THE KILN THAT DOES NOT RESULT IN A RELEASE OF FUGITIVE EMISSIONS OR HAZARDOUS WASTE OR HAZARDOUS WASTE CONSTITUENTS TO THE ENVIRONMENT ; OR
 - (2) AN EXPLOSION IN THE SLAG QUENCH TANK THAT DOES NOT RESULT IN A RELEASE OF FUGITIVE EMISSIONS OR HAZARDOUS WASTE OR HAZARDOUS CONSTITUENTS TO THE ENVIRONMENT ;
 - (iii) 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~~, WITH THE FOLLOWING EXCEPTIONS:
 - (1) AN UNCONTROLLED HAZARDOUS WASTE REACTION THAT CAN BE CONTAINED BY THE VAPOR RECOVERY SYSTEM ; OR
 - (2) AN UNCONTROLLED HAZARDOUS WASTE REACTION THAT DOES NOT REQUIRE THE EMERGENCY RESPONSE TEAM OR OUTSIDE ASSISTANCE TO CONTAIN.
 - (iv) 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
 - (v) any hazardous waste release that produces, or has a potential to produce, hazardous conditions, including noxious, poisonous, flammable and/or explosive gases, fumes, or vapors; harmful dust; or explosive conditions.
- (c) The Permittee shall comply with the requirements of OAC Rule 3745-54-56(J) as it relates to recording implementation of the contingency plan.

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

The Permittee shall comply with OAC Rule 3745-54-52, all relevant terms and conditions of this permit, and the contingency plan, as set forth in Section G of the approved Part B permit application.

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

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, shall be collected and managed as a hazardous waste until such time as the Permittee can demonstrate that such waste is not hazardous in accordance with OAC Rules 3745-51-03 (C) and (D).

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

The Permittee shall review the approved 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 shall 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 shall comply with the requirements set forth in OAC Rule 3745-54-53 regarding contingency plan distribution.
- (b) The Permittee shall, in accordance with OAC Rule 3745-54-53, submit a copy of the approved 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 shall notify such agencies and the local authorities, in writing, within ten days of the effective date of any amendments of, revisions to, or modifications to the contingency plan.

- (c) The Permittee shall, in accordance with OAC Rule 3745-54-53, submit a copy of the approved Contingency Plan to the Ohio Environmental Protection Agency's Division of Emergency and Remedial Response.

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

The Permittee shall comply with the requirements set forth in OAC Rule 3745-54-55 and the Contingency Plan, Section G, of the approved Part B permit application regarding the emergency coordinator.

B.20. Emergency Procedures
OAC Rule 3745-54-55

- (a) The Permittee shall comply with the requirements set forth in OAC Rule 3745-54-56, all applicable sections of the approved Part B permit application, e.g., the Contingency Plan, Section G, and the conditions of this permit regarding the emergency procedures.

(b) Reserved.

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

The Permittee shall furnish upon Ohio EPA request and retain all records at the facility, except for those portions of the operating record maintained at an off-site location pursuant to Condition B.22, in accordance with OAC Rule 3745-54-74, the approved Part B permit application, and all terms and conditions of this permit.

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

The Permittee shall comply with the requirements set forth in OAC Rule 3745-54-73 and all applicable sections of the approved Part B permit application regarding an operating record, including information to be recorded and the maintenance thereof.

- (a) The Permittee is authorized to maintain paper portions of the operating record required by OAC Rule 3745-54-73 that are more than three years old at an off-site location with the following conditions:

- (b) All portions of the operating record maintained at off-site locations must be available for Ohio EPA review at the Permittee's facility within five (5) business days of the request, unless this is clearly not reasonable, in which case the Permittee and Ohio EPA will mutually establish the most expeditious schedule practicable.
- (c) The Permittee shall determine and track which portions of the operating record will be maintained off-site and will maintain a list of off-site storage locations.

B.23. Contingency Plan Records
OAC Rules 3745-54-73 and 3745-54-56(J)

The Permittee shall note in the operating record the time, date, and details of any incident that requires the implementation of the contingency plan. Within fifteen days of any such incident, the Permittee shall 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 the management of waste at the facility, the Permittee shall comply with the provisions of 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 the discrepancy is not resolved within fifteen (15) days after receiving the waste, the Permittee must submit a report, including a copy of the manifest, to the Director in accordance with OAC Rule 3745-54-72.
- (c) Unmanifested waste report. This report must be submitted to the Director within fifteen days of receipt of unmanifested waste, which waste is not excluded from the manifest requirements by OAC Rule 3745-51-05, and include the information required under OAC Rule 3745-54-76.

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

The Permittee shall comply with the annual 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 shall implement the provisions of the approved closure plan, Section I of the approved Part B permit application, in such manner as to achieve compliance with OAC Rule 3745-55-11. Compliance with OAC Rule 3745-55-11 will be facilitated by referring to the Division of Hazardous Waste Management's most recent Closure Plan Review Guidance for RCRA facilities.

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

The Permittee shall implement those procedures detailed within Section I of the approved Part B 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 shall amend the approved closure plan in accordance with OAC Rule 3745-55-12 (C) and 3745-50-51.

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

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

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

The Permittee shall notify the Director in writing at least forty five 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 days of receipt of the final volume of hazardous waste, the Permittee shall remove from the facility or treat on site, all hazardous waste in accordance with the approved closure plan. The Director may approve a longer 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 shall complete all closure activities within one hundred eighty days, 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 shall decontaminate and/or dispose of all contaminated facility equipment, structures, and soils, as required by OAC Rule 3745-55-14, the approved closure plan and the terms and conditions of this permit.
- (b) The Permittee shall notify the Ohio EPA Northeast District Office within seven working days prior to all rinseate and soil sampling events.

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

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

B.34. Reserved.

B.35. Reserved.

B.36. Cost Estimate for Facility Closure
OAC Rules 3745-55-42 and 3745-55-44

- (a) The Permittee's most recent closure cost estimate, prepared in accordance with OAC Rules 3745-55-42, 3745-55-44, 3745-55-97(C)(3) & (5), 3745-56-28(C)(3) and 3745-56-58(C)(2) is specified and included in Section I of the approved Part B 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 used to comply with OAC Rule 3745-55-43 and Permit Condition B.39.
- (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
OAC Rules 3745-55-43 and 3745-55-51

The Permittee shall 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
OAC Rules 3745-55-47 and 3745-55-47(B)

The Permittee shall maintain continuous compliance with the requirement 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 required by the applicable rules, exclusive of the legal defense costs.

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

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

B.41. Transportation of Waste to the Facility.

- (a) The Permittee shall advise all transporters in transit to the facility with hazardous waste shipments of the current weather, road, and traffic conditions on a continuing basis. Operators of trucks equipped with citizen band communication equipment shall be advised to contact the facility or to monitor a specific channel on which the facility can be contacted to advise and assist the transporter with respect to current weather, road and traffic information, and other information pertinent to safe delivery. Transporters not equipped to communicate with the facility in transit or monitor information provided by the facility in accordance with this condition, shall obtain such information by telephoning VRA from a point not less than 25 miles distant from the East Liverpool corporation limits.
- (b) The Permittee shall use its best efforts to arrange with the appropriate local law enforcement agencies and the State Highway Patrol for timely access to weather, road and traffic information, and other pertinent information.
 - (i) The Permittee shall use its best efforts to encourage transporters to use routes, as described in Section B of the approved Part B permit application and designated by VRA, in order to minimize the risk of transportation related incidents.

- (ii) The Permittee shall use its best efforts to encourage transporters to schedule arrival at the facility during periods when roads in the East Liverpool area are not in peak traffic use (e.g., early morning and late evening rush hour).
- (c) If the Ohio EPA determines the need for action based upon observations of the existing traffic plan and routes, the Permittee shall use its best efforts to work with the appropriate local authorities to so alter the traffic plan and routes to the facility so as to increase the safety of the public and decrease the risk of transportation accidents.
- (d) If the Ohio EPA determines that transport trucks en route to VRA do not comply with applicable hazardous waste/material transportation rules, including but not limited to manifest requirements, placarding, labeling, leakage, and registration, or transport trucks are not using preferred routes, or not obeying traffic regulations, the Ohio EPA shall notify the Permittee in writing of such occurrence.

Should such transporter noncompliance continue, the Ohio EPA may take such measure as may be necessary to protect public health, safety and the environment, including but not limited to ordering the Permittee to refuse to accept hazardous waste from any such truck transportation company.

B.42. Groundwater Monitoring and Reporting.

The Permittee shall conduct groundwater monitoring in accordance with the requirements set forth in the approved groundwater monitoring plan and all subsequent revisions and modifications to the plan and the approved Part B permit application. Groundwater monitoring, including sampling and analysis, will be conducted on a semi-annual basis and submitted to the Ohio EPA, Division of Hazardous Waste Management, for review. Ground water monitoring results shall be maintained as part of the facility's operating record. The approved groundwater monitoring plan is attached to the permit terms and conditions as Attachment 6.

B.43. Solid or Semi-Solid Treatment Residue Generated by Von Roll America, Inc.

All solid or semi-solid treatment residue generated by VRA shall be considered hazardous until specifically delisted. All waste generated by the facility will be managed in accordance with the approved Part B permit application. Treatment residues generated by the Permittee shall be sampled and analyzed in accordance with Section C of the approved Part B permit application.

B.44. Inspection of Riverbank and Fill Material

- (a) The inspection procedures, schedules, and criteria for riverbank and fill material shall follow the outline in Section F of the approved Part B permit application and shall include the following:
- (i) a visual evaluation of the effects of erosion along the bank of the Ohio River adjacent to the facility;
 - (ii) an inspection of the soil integrity in the area of the installed sheet pile wall through visual inspections and standard surveying techniques; and
 - (iii) at a minimum, visual inspections shall be conducted on a monthly basis and surveying inspections shall be conducted once every ~~six months~~ five years unless visual inspections indicate movement of the soils.
- The results of the completed standard survey observations shall be submitted to the Ohio EPA/DHWM within thirty days of receipt by the Permittee.
- (b) Monitoring shall be conducted in accordance with Section F of the approved Part B permit application and Permit Conditions B.8.(b) and B.44.(a). The results shall be maintained as part of the facility's operating record.
- (c) The Permittee shall take corrective action as necessary to remediate any conditions detected through the inspection procedures outlined in Permit Conditions B.8.(b) and B.44.(a) and Section F of the approved Part B permit application which may cause deterioration of the integrity of the facility's foundation.

B.45. Stack Height

The height of each of the exhaust stacks shall be 150 feet. The elevation at the base of the stacks shall be, at a minimum, 695 feet above sea level. The outlet of the stacks shall not be greater than 850 feet above sea level unless approved according to the Ohio Hazardous Waste Rules and the Ohio EPA Division of Air Pollution Control.

B.46. Prohibition of Shipping Hazardous Waste to VRA/WTI Using the Ohio River.

No hazardous waste will be shipped to the facility by way of the Ohio River.

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C. CONTAINER STORAGE AND TREATMENT

General Overview

Containerized waste generated from both on-site and off-site is stored at several locations throughout the facility as described in Section D of the approved Part B permit application.

The permitted container storage areas are Building A (Drum Warehouse of the Container Processing Building), Building B (External Truck Wash), Building C (Lab Pack Building), Container Holding Building (Slag Canopy), Truck Holding and Sampling Area, North Storage Area, and East Storage Area.

All container storage areas were constructed as containment areas, meeting secondary containment standards with reinforced concrete treated to resist chemical attack. Curbing, liquid collection systems (sumps or troughs), and sloped berms control run-on and run-off as part of the containment system.

Most container storage areas are located in buildings or under roof/canopy, with the exception of the North and East Storage Areas. Container storage areas within buildings or under roof/canopy are equipped with automated fire detection and suppression systems. The North and East Storage Areas have portable fire suppression and emergency response equipment readily available nearby as well as cameras to monitor activities.

Most storage areas are fully enclosed and equipped with forced air ventilation to prevent the accumulation of vapors and fumes, with the exception of the Truck Holding and Sampling Area which are under roof/canopy and the North and East Storage Areas which are open with no roof/canopy.

Most container storage and processing areas have vapor collection points that are connected to the vapor recovery system described in Section D of the permit application.

Adequate aisle space shall be maintained to allow for the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment. Aisle space will not be required to be maintained between containers stored inside enclosed vehicles as a result of the stringent procedures implemented before storage and periodically while waste is in storage. Aisle space specific to each container storage area is described in Section D of the permit application.

All stored containers will be placed on a pallet or other appropriate means to keep the bottom of the container above the concrete surface to facilitate identification of leaking containers. In all cases, containers are inspected for integrity prior to storage. With the exception of waste stored on enclosed vehicles, all waste is inspected on a daily basis.

Building A is located in the northern-most section of the facility's Container Processing Building. The building is 100' x 210' with racks installed to store a variety of containers equivalent to approximately 6,000 fifty-five gallon drums. The permitted storage capacity for this building is 510,000 gallons. The waste is segregated according to waste types with incompatible waste stored in areas with separate spill collection systems. Total secondary containment in this building is 79,497 gallons and is described in Section D of the permit application. The building is equipped with forced air ventilation.

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Building B, also known as the External Truck Wash, is 25' x 70' with racks installed to store up to 15,180 gallons in a variety of container types and sizes. Total secondary containment in this building is 10,000 gallons. The building is permitted for storage in racks, a wash station for containers and equipment, and processing of specific waste streams (described in Section D). Containers will only be located on the floor during processing or staging activities. A minimum of five (5) feet of aisle space will be maintained between pallets of containerized waste when they are on the floor to be processed. All waste stored or processed in Building B will be compatible. The building is equipped with forced air ventilation. Fugitive emissions from processing activities are captured by the vapor recovery system.

Building C, also known as the Lab Pack Building, is 56' x 60' with racks installed to store up to 13,200 gallons in a variety of container types and sizes. Total secondary containment in this building is 11,200 gallons. The building is used primarily for the storage and management of lab pack and loose pack waste described in Section C in the permit application. The building is also used for other processing activities as described in Section D of the permit application. Containers processed or staged in Building C will be no more than five (5) cubic yards in size. The building is equipped with forced air ventilation, a breathing airline, and vapor recovery collection points used during processing activities.

The Container Holding Building, also known as the Slag Canopy, is 50' x 50' with a storage capacity of 100,000 gallons. The building is enclosed to minimize the accumulation of storm water. Total secondary containment is 10,520 gallons. Containers, on pallets or an equivalent device, can be stored on the floor and in heavy duty racks installed in the building. The height of stacked containers on pallets cannot exceed the equivalent height of two (2) stacked pallets of 55 gallon containers. The Permittee will ensure that double-stacked pallets are stable and level. Waste in this building will be similar to that stored and processed in the Container Processing Building (CPB) and the Container Warehouse. This will include incompatible wastes such as water reactives, oxidizers, organic peroxides, reactives, flammables (except Class 1A flammables), and corrosives, as well as non-reactive and non-hazardous waste. Mixed infectious and hazardous waste (MIHW) will not be managed in this area. Processing activities may include, but not limited to, receiving, weighing, labeling, and storage of waste; consolidation of material (superpacking); splitting of material; repacking; sampling for analysis for inbound and outbound scheduled waste; removing pumpable materials; solidifying waste; lab pack activities as described in Section C, the WAP; and third party waste management as described in Permit Condition C.1.(d). The building is equipped with adequate health and safety equipment such as automatic fire detection and suppression systems, forced air ventilation, a breathing airline, and safety showers. Vapor recovery collection points are available to be used during processing activities when necessary.

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The Truck Holding and Sampling Area, a canopied building, is located west of the Container Processing Building. The building is approximately 60' x 96', has a storage capacity of approximately 46,000 gallons, and is permitted for storing containerized and bulk solid wastes. The area is divided into six bays or stations that share a common reinforced concrete sump. Total secondary containment is 22,000 gallons. Containerized waste will not be stored on the floor of this building nor in the racks which are used for consumer products and raw materials. Containers of Mixed Infectious and Hazardous Waste (MIHW), highly reactive waste, and/or pyrophoric wastes are prohibited from storage in this area. All waste will be stored according to compatibility guidelines and, if incompatible wastes are stored in adjacent bays, the Permittee will take action as described in Section D of the Part B permit application to prevent mixing should a release occur. In addition to storage, this area is also used for sampling, staging, and processing waste, decontamination of equipment, and dewatering of bulk solid waste containers.

The North and East Storage Areas (formerly known as the North and East Less Than 90 Day Areas) are located near the General Waste Water Treatment Building. These areas are open (no roof or canopy), do not have a vapor recovery system, and do not have automatic fire detection or suppression in either area. Secondary containment is shared between the areas. These two areas have three purposes: (1) as 90 Day accumulation areas for on-site generated wastes including liquids; (2) as permitted storage areas for off-site generated wastes that do not contain free liquids, and; (3) as areas for specific waste processing activities. Off-site generated waste oxidizers, organic peroxides, pyrophoric materials, Mixed Infectious and Hazardous Waste (MIHW), highly reactive wastes, highly volatile wastes, or odorous materials cannot be stored in these areas. All containers of off-site generated waste must be stored within enclosed vehicles. Waste cannot be stored on open trailers. Off-site generated waste liquids in bulk tankers cannot be stored in either of these areas. All off-site generated waste will be stored in accordance with the Permittee's permit and with the requirements in the state regulations, with the exception of aisle space within vehicles holding containerized waste. Aisle space will not be required to be maintained between containers inside enclosed vehicles provided the procedures specified in the approved Part B permit application are followed before storage and periodically while waste is in storage in these areas. All compatibility guidelines will be followed when storing wastes in these areas and the Ohio Fire Code will be followed for applicable separation distances. Incompatible wastes will not be stored within a single vehicle. Aisle space between vehicles storing waste in the North and East Storage Areas will be adequate to allow for unobstructed movement of personnel, fire protection equipment, spill control equipment, decontamination equipment, and inspection as necessary. All individual containers of off-site generated waste to be stored within vehicles in the North and East Storage Areas will follow established procedures for waste receipt,

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container inspection, segregation of incompatible wastes, weighing, sampling if applicable, dating, labeling, palletizing, and data entry into tracking system. An initial inspection of each container of off-site generated waste will be conducted in accordance with Section F prior to placing containers in enclosed vehicles for storage in the North and East Storage Areas. Individual containers of off-site generated waste may not be double-stacked within the trailer, with the exception of five (5) gallon pails and small stackable containers such as boxes. All waste containers inside the vehicle, whether individual or stacked, must be no more than six (6) feet high. Bulk containers such as roll-offs or end-dumps will also follow established procedures and may be directed to the North and East Storage Areas as well. Permitted capacity for off-site generated waste storage in the North Storage Area is 55,000 gallons or up to a maximum of ten (10) trailers, roll-offs, or end-dumps with up to 5,500 gallons per vehicle. Permitted capacity for off-site generated waste storage in the East Storage Area is 22,000 gallons or up to a maximum of four (4) trailers, roll-offs, or end-dumps with up to 5,500 gallons per vehicle. These limits are based upon the Ohio Fire Code regarding Highly Toxic and Toxic Materials, which is 2,500 cubic feet per pile (vehicle, trailer). As such, each vehicle will be limited to waste storage of approximately eight (8) feet wide by fifty-two (52) feet long by six (6) feet high or the equivalent. A daily inspection of the exterior and interior of each vehicle (trailer or bulk container) storing off-site generated waste will be conducted for evidence of deterioration, leaks or spills. Vehicle doors will be opened and a visual check of the vehicle interior and visible containers will be conducted. All spills or leaks will be addressed immediately upon discovery. Vehicles will be kept closed at all times while in storage, except during the daily inspection. After six (6) months in storage, and every thirty (30) days after that point, each container will be removed from the trailer and individual containers will be inspected in accordance with Section F and the requirements specified for off-site generated waste stored in the North and East Storage Areas. As a third purpose, the North and East Storage Areas are also permitted for certain waste processing activities. The Permittee will not conduct processing activities in these areas on certain waste streams, such as highly volatile material, pyrophoric material, or odorous material. Processing activities will not interfere with the primary use of the North and East Storage Areas as storage for on-site and off-site generated wastes.

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The amount of waste stored in each area will not exceed the permitted capacity at any time. All waste stored, processed, or treated will ultimately be fed to the incineration system for thermal treatment with the exception of third party waste as described in Permit condition C.1(d). Treatment processes currently permitted at the facility will not render the waste non-hazardous.

The Permittee is not permitted to store Class 1A Flammable Liquids, defined by National Fire Protection Association (NFPA) code as liquids with a flashpoint <73 degrees Fahrenheit and a boiling point >100 degrees Fahrenheit anywhere on-site. The Permittee may treat Class 1A Flammable Liquids through the direct feed mechanisms including direct to kiln processing.

Container types received at the facility may include, but are not limited to, drums, pails, boxes, totes, cylinders, consumer packages, lab packs, roll-offs, tanker trucks, and refrigerated trucks. Containers that may be received, stored and processed at the facility are composed of materials such as steel, wood, fiber, and plastic. Sizes and volumes of waste containers vary from millimeter vials in lab packs to cubic yard boxes, tanker trucks, and end-dump trailers.

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The volume of all wastes received and stored is limited by storage capacity as defined in this permit; the total volume of waste treated is limited by the permitted process flow of the incineration system. Additional treatment processes employed at the facility, or permitted as future activities, prior to incineration include: (1) polymerization of isocyanates with a permitted treatment capacity of 1,000 gallons per day; (2) blending of wastes; (3) consolidation of waste in the facility's bucket hoist and in containers; (4) splitting of waste; (5) addition of absorbent material; (6) size reduction; (7) steam heating in the facility's drum heater; and (8) slurrification of some waste streams.

Several types of mechanical processing are included in the Part A permit application, all of which are described in Section D of the permit application. These include: (1) extrusion of waste at a rate of 18,000 pounds per hour per extruder; and (2) extruding (or pushing) of solid waste from drums at a rate of 18,000 pounds per hour using a pusher. One of two permitted extruders currently exists and one is planned for construction in the future. The pusher unit has not been constructed.

The facility is permitted to accept lab packs in containers less than 85 gallons in size. Lab packs typically are received in drums of varying composition, pails, and fiber boxes. A predetermined number of lab packs are audited by the Permittee and compared to the generator's inventory sheet. The facility also accepts waste in containers described as loose packs. Loose pack waste constitutes the consolidation of consumer packaged waste. Management of loose pack and lab pack waste is described in Section C of the permit application.

The facility is permitted to manage mixed infectious and hazardous waste (MIHW) in accordance with the requirements in Sections C and D of the Part B permit application and Module I(B) of this permit.

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C.1. Process Capacity/Annual Quantity Limitation
OAC Rule 3745-50-43(A)(7)

- (a) The Permittee shall not store more than 684,380 total gallons of containerized waste at any given time in the permitted container storage areas and waste staging areas at the facility. Waste staging areas at the facility are described in Section D of the approved permit application.

Container storage areas are listed below:

Building A (Drum Warehouse)	485,750	gallons
Building B (External Truck Wash)	15,180	gallons
Building C (Lab Pack Building)	13,200	gallons
Container Holding Building (Slag Canopy)	47,250	gallons
Truck Holding and Sampling Area	46,000	gallons
North Storage Area	55,000	gallons
East Storage Area	22,000	gallons

The Permittee shall store hazardous waste in the types of containers (size and type) described in Sections C and D of the approved Part B permit application. The Permittee may not store waste for more than one year in any storage area unless such storage is solely for the purpose of accumulation of such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment, or disposal.

- (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.
- (c) Conditions C.1(a) and C.2 shall not apply to the Permittee's activities as a generator accumulating hazardous waste on-site in compliance with the provisions of OAC Rule 3745-52-34(A).

However, when accumulating waste within permitted container storage areas, in accordance with OAC Rule 3745-52-34(A), the Permittee shall not, for the total amount of hazardous waste stored and accumulated, exceed the maximum container storage inventory established under this Condition.

- (d) The Permittee may receive and store waste in containers without intending to treat this waste on-site (third party waste). The Permittee may transfer waste to another permitted facility for additional treatment, storage or disposal. The Permittee will handle this waste in accordance with the practices and procedures in Sections C and D of the approved Part B permit application.
- (e) The Permittee shall not operate as an off-site facility for treatment in containers without first submitting a permit modification. Waste managed at the facility in containers may undergo pretreatment processes such as polymerization, blending, consolidation, splitting, size reduction, steam heating, or the addition of absorbent prior to treatment by the incineration system. ~~All wastes subjected to container treatment activities will be sent to the incinerator for further treatment prior to being sent off-site.~~

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C.2. Waste Identification

ORC Sections 3734.02(F) and 3734.05(H); and OAC Rule 3745-50-43

The Permittee shall store and treat in containers only the hazardous waste codes listed in the Part A permit application. The Permittee shall conduct only the permitted treatment activities described in the approved Part B permit application and the terms and conditions of this permit.

C.3. 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) or if it begins to leak, the Permittee shall transfer the hazardous waste from such container to a container that is in good condition or otherwise manage the waste in accordance with the terms and conditions of this permit or the hazardous waste facility chapters of the OAC.

C.4. Compatibility of Waste with Containers

OAC Rule 3745-55-72

The Permittee shall use containers that are compatible with the hazardous waste to be stored.

C.5. Management of Containers

OAC Rule 3745-55-73

- (a) All container storage shall be conducted within the container storage units as described in Condition C.1. of this permit and Section D of the approved Part B permit application.
- (b) The Permittee shall keep all containers closed during storage, except when it is necessary to add or remove waste, and shall not open, handle, or store containers in a manner which may rupture the container or cause it to leak.
- (c) Lab-packs that are generated on-site (from the facility's on-site laboratory) shall be handled in accordance with applicable storage requirements and in accordance with the conditions described below:

- (i) lab pack containers must be transferred to processing and/or storage areas by the end of each day shift;
 - (ii) containers must be on pallets;
 - (iii) containers must have hazardous waste labels which include information such as the type of waste and the date the lab pack was generated; and
 - (iv) containers must be covered and secured (at a minimum, plastic covers with elastic or rubber bands).
- (d) In the event lab-pack wastes are sent off-site for disposal, they shall be packaged in containers with absorbent material that is compatible with the waste and further managed as described in OAC Rule 3745-57-16.
- (e) The Permittee shall place all containers on pallets when staged or stored. This is not necessary while the waste or the container is being processed.

C.6. Containment Systems.

OAC Rule 3745-55-75; ORC Section 3734.05(H)

- (a) The Permittee shall maintain the containment system in accordance with the plans and specifications contained in Section D of the Part B permit application. Any additional containment systems shall be constructed and maintained in a similar manner as existing systems and, if applicable, information regarding design details and storm water management will be submitted to the Ohio EPA in the form of a permit modification in accordance with OAC Rule 3745-50-51.
- (b) The Permittee shall maintain the containment system as described in the approved Part B 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 shall 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. The Permittee shall ensure that the coating(s) utilized in lining the secondary containment systems are compatible with each waste stored in the permitted container storage areas. For those hazardous wastes that are

deemed incompatible with the liner material, the Permittee shall install a separate secondary containment structure, located within the existing structure, possessing the appropriate liner in order to withstand any degrading effects imposed through initial and/or prolonged contact (e.g., twenty four hours) with released waste materials.

- (c) Spilled or leaked waste and accumulated precipitation shall be removed from the sump or collection area in a timely manner. This time period is not to exceed twenty four hours from the time spilled and/or leaked waste is discovered in the containment system.

C.7. Reserved

C.8. Inspection Schedules and Procedures
OAC Rules 3745-54-15 and 3745-54-73

As required by OAC Rule 3745-54-15, the Permittee shall inspect all container storage areas in accordance with the inspection schedule contained in Section F of the approved Part B permit application, to detect leaking containers and deterioration of containers and the containment system caused by corrosion or other factors. The Permittee shall note the results of these inspections in the inspection log along with any remedial action taken in accordance with the procedures contained in Section F of the approved Part B permit application.

On days when containerized wastes are added to, or removed from, any of the permitted storage areas, the Permittee shall conduct an inspection as described in Section F of the approved Part B permit application, and maintain the inspection results in the facility operating record.

- (a) An initial inspection of each container of off-site generated waste will be conducted prior to placing containers inside enclosed vehicles for storage.
- (b) A daily inspection of the exterior and interior of each vehicle storing off-site generated waste will be conducted for evidence of deterioration, leaks, or spills. Vehicle doors will be opened and a visual check of the vehicle interior and visible containers will be conducted.

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- (c) After six months in storage, and every thirty days thereafter, each container will be removed from the enclosed vehicles. Individual containers will be inspected in accordance with the requirements specified for off-site generated waste stored in enclosed vehicles in accordance with Sections D and F of the approved Part B permit application. The inspection results shall be recorded in the facility operating record.
- (d) Aisle space will not be required to be maintained between containers stored inside enclosed vehicles as a result of the stringent procedures implemented before storage and periodically while waste is in storage.
- (e) Conditions specified in the approved Part B permit application and applicable requirements of the Ohio Fire Code must be followed while storing waste within enclosed vehicles.

C.9. Record Keeping
OAC Rule 3745-54-73

The Permittee shall comply with all record keeping requirements of OAC Rule 3745-54-73 and Permit Conditions, such as A.14 and A.28, as part of the facility's operating record and maintain documentation showing compliance with the requirements of Permit Condition C.13. and OAC Rules 3745-54-17(B) and 3745-55-77.

C.10. Special Container Provisions for Ignitable or Reactive Waste
OAC Rule 3745-54-17 and 55-76

- (a) The Permittee shall not locate containers holding ignitable or reactive waste within fifteen meters (50 feet) of the facility's property line.
- (b) The Permittee shall take precautions to prevent accidental ignition or reaction of ignitable or reactive waste and shall follow the storage and processing procedures specified in Section D of the approved Part B permit application and Permit Condition B.7.

C.11. Special Container Provisions for Incompatible Waste
OAC Rules 3745-55-77 and 3745-54-17

- (a) The Permittee shall not store incompatible waste except in accordance with OAC Rules 3745-54-17(B) and 3745-55-77.
- (b) The Permittee shall not place hazardous waste in an unwashed container that previously held an incompatible waste or material.
- (c) The Permittee shall separate containers of incompatible wastes from each other.
- (d) The Permittee shall not place incompatible wastes in the same container during consolidation activities.

C.12. Reserved

C.13. Closure and Post-Closure
OAC Rules 3745-55-10 through 3745-55-20 and 3745-55-78

- (a) At closure of any or all of the container storage areas, the Permittee shall 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 approved Part B permit application.
- (b) If the Permittee demonstrates that not all contaminated soils can be practically removed or decontaminated in accordance with the closure plan, the Permittee shall close the unit and perform post-closure care following a plan approved by the Director of Ohio EPA.

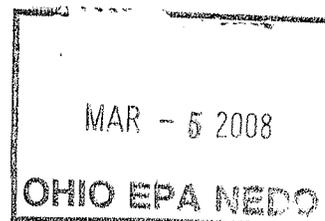
C.14 Container Staging

As applied to this permit, staging refers to the temporary placement of off-site generated waste within the facility. Staging areas are identified and described in the Part B permit application. Staging areas must meet secondary containment standards, have automatic fire detection and suppression systems, and have a roof or canopy whenever possible. The Permittee will ensure that the volume of containers staged in permitted areas does not exceed the secondary containment capacities for each area. The volume of hazardous waste placed in any staging area will be accrued toward the maximum storage inventory limit established by this permit.

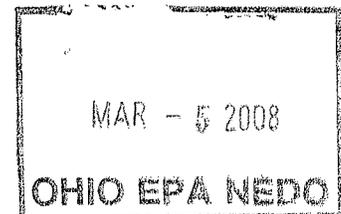
Time limits for staging have been designated in the Part B permit application and are described below. Anticipated time for staging containers over these periods must be brought to the attention of Ohio EPA on-site inspectors in advance. Additional time may be acceptable under certain circumstances. Ohio EPA retains the right to disallow staging of waste in any portion of the facility and require the Permittee to incinerate the waste or place it into storage. Please refer to Section D of the Part B permit application for more information regarding specific staging requirements and conditions.

The facility is permitted to manage mixed infectious and hazardous waste (MIHW) in accordance with Sections C and D of the Part B permit application and Module I(B) of this permit. Refer to Sections C and D of the Part B permit application and Module I(B) of this permit for specific staging requirements for MIHW.

- (a) Waste may be staged in the Truck Holding and Sampling area for up to 3 days. See permit application section D-2c.
 - (1) Containers of waste may be staged on the dock/ramp structure located east of the Truck Holding and Sampling area, during the loading/unloading process, but must be removed at the end of each shift. Containers cannot be staged for more than 24 hours.
- (b) Containers in the Container Processing Building (CPB) shall be staged according to the specific processes being performed. Staging areas have different uses that include, but are not limited to, containers destined for processing through various means and staging or orphan and discrepant containers. See permit application section D-2d.



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- (1) Container Receiving Area (Unloading Docks) and Receiving Conveyor – Containers can be staged at the Container Receiving Area for up to 1 day. Bulk waste containers and container trucks may be staged in the Unloading Dock for up to 3 days. Containers may be staged on the Receiving Conveyor up to 1 day. See permit application section D-2d and D-2d(1).
 - (2) Splitting Station (split staging area/area north of splitting station) – Containers may be staged in this area up to 14 days. All split containers must be managed following compatibility rules and be inspected daily. See permit application section D-2d(2) and section D-2d.
 - (3) Container Pump-Out Stations – A container can be staged at the Container Pump-out Stations for up to 1 day. See permit application section D-2d and D-2d(3).
 - (4) Queuing Lanes (Feed Conveyor 2nd Floor) – Containers staged on the 2nd Floor Feed Conveyors do not have a time limit when the incinerator is in operation. Containers must be removed from the Feed Conveyor carriages within 24 hours of initiating shutdown procedures during an outage. Containers may be loaded on the Feed Conveyor carriages 48 hours prior to start-up after an outage. The containers in this area must be inspected once per shift. See permit application section D-2 and D-2d(9).
 - (5) North Wall of the CPB – Containers awaiting discrepancy resolution, not related to manifest discrepancies, and drums destined for direct drum pump-out may be placed in designated locations along the North Wall of the CPB. A container may be staged at the North Wall for up to 5 days. See permit application section D-2d.
 - (6) All other containers in the CPB shall be processed, which includes placement in permitted storage areas, within 1 day of receipt at the facility. Up to 3 days is acceptable under certain circumstances when Ohio EPA on-site inspectors are informed of the situation. See permit application section D-2d.



(c) Incinerator Feed Building –

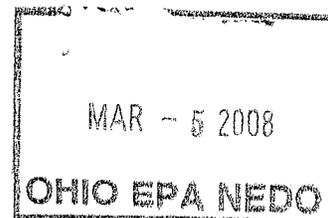
- (1) The canopied bulk waste unloading area (in front of the Bulk Solid Waste Tanks) may be used to stage both bulk containers and other containers. See permit application section D-2e.
 - (i) Bulk deliveries may be staged up to 3 days.
 - (ii) Containers being staged before dumping to the dump-to-pit roll-off can be staged for up to 1 day.
 - (ii) Containers being staged for Bucket Hoist processing can be staged in this location. See Permit (c)(4)(iii) for specific time restrictions on filling Bucket Hoist hoppers.
- (2) Direct Organic Tanker Unloading Station (Bay 3/South Bay) – when not in use feeding waste to the incinerator, bulk waste containers may be staged in Bay #3 up to 3 days. See permit application section D-2e(2).
- (3) Direct Drum Pump-Out Stations – A container can be staged at the Container Pump-Out Stations for up to 1 day. See permit application section D-2d.
- (4) Bucket Hoist (Skip Hoist) – Loading of Bucket Hoist hoppers may occur in any canopied “C” containment area equipped with automated fire detection and suppression systems. Examples of those areas include the canopied bulk waste unloading area in front of the Bulk Solid Waste Tanks, in Building B, in Building C, in the Container Holding Building, and in the CPB. If the material has the potential to emit organic vapors, it will be processed under vapor recovery. Additional restrictions regarding processing of waste, compatibilities, and aisle space apply. See permit application section D-2 and D-2e(4).
 - (i) Prior to processing or storage, all filled Bucket Hoist hoppers must remain in a canopied “C” containment area equipped with automated fire detection and

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suppression and vapor recovery if the material has the potential to emit organic vapors.

- (ii) Hoppers may be staged on the Bucket Hoist Containment Platform for up to 1 day. A person must be present at the Direct Drum Station during the time a hopper is staged on the Containment Platform. Hoppers must be sent to the incinerator or removed from the platform and sent back to a staging or storage area prior to the person at the Direct Drum Station leaving that position.
 - (iii) Hoppers must be processed or placed into storage within 2 days (48 hours) of first initiating the filling of the hopper. The 48 hour time period begins when the individual containers are first staged in an area and includes consolidation in the hoppers. By the end of the 48 hours, the filled hoppers must be processed or stored in a permitted storage area.
- (d) Organic Tanker Unload Stations (East Bay/Bay 1, Bay 2, Bay 3) – The Organic Tanker Unloading Bays may be used to stage bulk waste containers for up to 3 days. See permit application section D-2f.
 - (e) Building B (External Truck Wash) – Staging of bulk containers is permitted for up to 3 days. Staging of other containers is permitted for up to 1 day, in accordance with restrictions regarding compatibilities and aisle space. See permit application section D-2h.
 - (f) Building C (Lab Pack Building) – Containers, other than lab packs or loose packs, processed or staged in Building C will be no more than five cubic yards in size, with the required aisle space, prior to further processing. Containers, other than lab packs or loose packs, may be staged in the Lab Pack Building for up to 5 days. See permit application section D-2i.

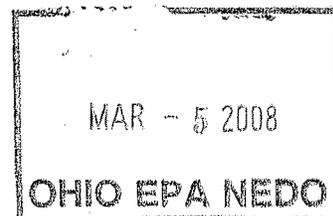


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- (g) Container Holding Building (Slag Canopy) – Containers may be staged in the Container Holding Building for Bucket Hoist hopper filling for up to 1 day. While being filled, Bucket Hoist hoppers may be staged for up to 48 hours. The 48 hour time period begins when the individual containers are first staged until the hoppers must be processed to the hoist or stored. See permit application section D-2j.

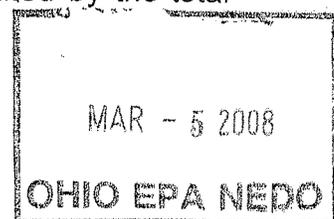


- (h) Containers of waste designated as direct feed waste (not to be stored on-site) will be processed within 24 hours of receipt at the facility. Bulk containers of direct feed waste may be staged, if necessary, in areas of the facility which are covered, have automatic fire detection and suppression systems, and are in "C" storm water management areas. Locations include Truck Holding and Sampling Bays, Organic Tanker Unloading Bays, Direct Organic Tanker Unloading Areas, Container Receiving Unloading Docks.
- (i) The Permittee shall remove all containers being staged for processing and treatment and place them in permitted storage areas within 24 hours of beginning a scheduled or unscheduled outage. However, if the designated time limits for staging will not be exceeded before the incinerator is operating, the Permittee may continue processing and staging activities in accordance with time limits specified here and in Section D of the Part B permit application.
- (j) All other containers staged for processing activities or at locations not previously specified shall be processed within 24 hours of receipt at the facility.

C.15 Processing Compressed Gases and Gas Mixtures

The Permittee is authorized to accept and treat approved compressed gases and gas mixtures through the incineration system. The approved gases are listed in Section C, Waste Characteristics and Waste Analysis Plan, of the approved Part B permit application. The compressed gaseous wastes are received in various types of tanker trucks and are off-loaded and fed directly to the incineration systems (kiln) through the Direct Organic Tanker East (Bay 1/E-Bay). E-bay is described in Section D, Process Description, of the approved Part B permit application. During the off-loading process, all doors to E-bay must be closed and the roof exhaust system must be operating adequately. At all times during off-loading, ventilation in the bay will be maintained at the rate of six air changes per hour.

The Permittee is not authorized to store compressed gaseous waste on-site, but may stage the waste in approved staging areas as described in Section D. The annual maximum quantity of gaseous waste treated will be limited by the total volume of waste permitted to be treated by incineration.



D. TANK STORAGE, TREATMENT AND MANAGEMENT

General Overview

The Permittee is authorized for tank storage and treatment activities associated with organic and inorganic waste treatment operations, laboratory processes, internal and external truck washes, general wastewater treatment, and fuel blending. These activities are described below. Construction has not been started or is only partially completed for many of the permitted operations. Additional specific details for tank systems, including piping and instrumentation diagrams (P&IDs), are provided in Section D of the permit application.

Mixed infectious and hazardous waste (MIHW) must not be placed into any tank system. However, treatment residual (slag) from the incineration of MIHW that contains waste not combusted to ash or slag, except for metallic, glass, and ceramic items, may be placed in the Bulk Solid Waste Tanks for reprocessing. See Sections C and D of the Part B permit application and Module I (B) of this permit for more information.

(A) Organic Waste Treatment Operations

Organic waste treatment operations include bulk solid waste storage tanks, an organic tank farm, pump-out tanks, and flue gas scrubber effluent treatment. The bulk solid waste storage tanks are located in the Incinerator Feed Building. These tanks are utilized to process loose solid waste received in containers, end-dumps and roll off boxes. Four tanks with a total capacity not to exceed 2,400 cubic yards of waste are permitted. Two of these have been installed. The installed tanks are each 18 feet by 33 feet and hold up to 600 cubic yards each of waste. The tanks are reinforced concrete, in-ground, open-topped tanks. There are no pumps, piping, bypass systems, or pressure relief devices associated with these tanks. Waste destined for the bulk solid waste storage tanks cannot carry RCRA waste codes of D002 and D003 or contain any free liquids.

The installed portion of the organic tank farm is located in a building at the southeast end of the facility. It contains 18 aboveground tanks with a capacity of 288,000 gallons. The Permittee is authorized to eventually store a total capacity of 612,300 gallons of waste in 52 tanks. The purpose of the Organic Waste Tank Farm is to receive, blend, and store bulk liquid and sludge waste prior to treatment in the Incineration System.

Tanks may also be used to accumulate waste for fuel blending operations. Waste received from off-site may be blended in tanks in the organic waste tank farm and in container pump-out tanks prior to transport off-site to a permitted facility to be used as fuel or for further treatment. Section C of the approved Part B permit application includes waste restrictions associated with the fuel blending operations.

Existing tanks have secondary containment sized to contain the volume of the largest tank in each group. Tanks are equipped with level and temperature alarms, safety cutoffs, bypass systems, pressure and vacuum relief safety devices, and inert gas blanketing. Section D of the permit application describes each tank as well as the material of construction and the tank specifications.

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The pump-out tanks are located in an enclosed building attached to the south wall of the Drum Processing Building. There are currently 5 pump-out tanks, PT-1 through PT-4, PT-6 associated with the extruder, and one overflow tank PT-5. Pump-out Tanks PT-1 through PT-3 receive waste from the container pump-out stations. Tank PT-4 is used as a blending tank for wastes from PT-1 through PT-3 and PT-6 before waste is pumped to the incineration system or the organic waste tank farm. Tanks are aboveground and constructed of carbon steel. Tanks PT-1, PT-2, and PT-3 have a volume capacity of 2,500 gallons; PT-4 has a capacity of 7,000 gallons; PT-5 and PT-6 are 300 and 500 gallons, respectively. The facility is permitted for an additional system of pump-out tanks with a total capacity of 10,500 gallons of waste, to be constructed with the second Incineration system. The secondary containment has a capacity of 11,200 gallons, which exceeds the volume of the largest pump-out tank. Tanks are equipped with level and temperature alarms, safety cutoffs, bypass systems, pressure and vacuum relief safety devices, and inert gas blanketing.

The permittee is authorized to construct and operate a flue gas scrubber effluent treatment system. This unit is partially installed. When completed, this treatment system will include metal precipitation tanks, clarifier thickener, in-line mixer, rapid sand filter and filter press and be capable of treating 190 gallons per minute of scrubber effluent. Tanks W-6 and W-7 have been installed and are used to store water from the scrubber, which typically has a low pH. Tanks W-6 and W-7, each with a capacity of 30,000 gallons, are constructed of fiberglass reinforced plastic. These tanks are provided with secondary containment. Scrubber liquor is generally treated by neutralization and evaporated in the Spray Dryer.

(B) Inorganic Waste Treatment Operations

The permittee is authorized to construct and operate an Inorganic Waste Treatment Operation. This operation is not currently installed, but permitted for future installation. The Inorganic Waste Tank Farm will consist of holding tanks, reaction vessels (reception basins), flow equalization and overflow tanks. Treatment will consist of chemical reactions for metal precipitation, neutralization, oxidation, cyanide destruction, and chrome reduction. The Inorganic Waste Treatment Tank Farm will have a total volume capacity of 613,200 gallons. When constructed, secondary containment will be of the same specifications as currently existing at the facility. Section D of the permit application describes the controls, alarms, temperature and pressure indicators and safety equipment associated with each tank as well as the materials of construction and the tank specifications.

Wastewater from the Inorganic Waste Treatment Operation will be treated on site as described in Section D of the approved permit application. The permitted maximum flow rate of treated wastewater from the wastewater treatment system designed for treating wastewater from the Inorganic Waste Treatment Operation is one hundred ninety thousand gallons per day.

(C) General Wastewater Treatment System

The permittee is authorized to construct and operate a large scale General Wastewater Treatment System at the facility. Several components of this system are partially installed. The system includes process water holding tanks, flow equalization tanks, overflow tank, mixer flocculator, clarifier, contact chamber, in-line mixer, rapid sand filter, filter press, and carbon filter. It will be sized to treat up to 9,000 gallons per hour. Two process water holding tanks, W-4 and W5, with a total capacity of 500,000 gallons are installed and in use. The process water holding tanks are constructed of carbon steel and are used to collect and store liquids from clean-up activities and/or spills, or storm water collected from active process areas (C-water sumps). The water in Tank W-4 is used as process water at the facility and may be used as make-up water in the four-stage wet scrubber or in the DeNOx system. Treated wastewater can be recycled in the facility, incinerated, or discharged to the East Liverpool Sanitary Sewer or the Ohio River after it has been tested and judged suitable for discharge and is in compliance with appropriate permits from the City, State, and Federal Agencies. These tanks are open to the atmosphere. Tanks are equipped with high level alarms and safety cutoffs. Each of the tanks are provided with secondary containment. Three other tanks from the General Wastewater Treatment System also have been installed and are currently in use. They are the back wash settling tank (W-8) with a capacity of 6,000 gallons, the rapid sand filter (W-9) with a capacity of 150 gallons per minute and the carbon filter (W-10) with a capacity of 150 gallons per minute. These tanks are currently used in the treatment of liquids collected in W-5 prior to transfer to W-4, if treatment is deemed necessary. In the future, they will be used in the General Wastewater Treatment System.

(D) Internal and External Truck Wash Systems

The permittee is authorized to construct and operate Internal and External Truck Wash systems. Truck wash equipment is not currently installed. The Internal Truck Wash system will be used to clean the interior compartments of waste-hauling vehicles. It is intended to be installed in the vicinity of the Organic Tanker Unload Stations and utilize the secondary containment in the unloading area. The Internal

Truck Wash will use solvent, water or a solvent water mixture to accomplish cleaning activities. The Internal Truck Wash system is planned to consist of eight aboveground tanks which include three accumulation tanks, three reuseable solvent tanks, one recirculation tank, and one overflow tank with a total capacity of 16,900 gallons.

The External Truck Wash system will be used to clean the exterior of vehicles and to decontaminate various pieces of facility equipment and will be located in Building B as described in Section D of the permit application. Water, steam, and/or detergents, as well as solvents, may be used in the cleaning activities. The floor of the building is constructed of reinforced concrete treated to resist chemical attack. The surface inside the building is sloped toward a concrete sump. The contoured surface and sump is designed to contain up to ten thousand gallons. The future system will include two aboveground steel tanks, a holding tank with a capacity of 15,000 gallons, and an overflow tank with a capacity of 300 gallons.

(E) Laboratory Tanks

Laboratory personnel perform various analyses on incoming waste, waste residues, and waste generated on site. Wastewater generated in the laboratory, primarily from the cleaning of glassware, is collected in a 1,000 gallon storage tank. The laboratory tank is an aboveground, fiberglass-reinforced plastic tank, located in a concrete vault directly south of the lab. To prevent overflowing, a high level alarm is installed on the tank. Also, a level gauge is located on the top of the tank. A second laboratory tank is permitted, but not yet installed. The second tank will be a 4,000 gallon aboveground tank operated in essentially the same manner as the current tank.

Section D of the approved Part B permit application includes Tables D.1, D.2, D.3, and D.4, which provide a list of the existing permitted tanks, tank volumes, secondary containment capacities, tank location, material of construction, and dimensions. Section D also describes in detail the general design criteria, safety devices and systems, alarm systems and overfill protection, the inert gas blanketing and tank venting precautions, and the tank charging operations. Specific details regarding each tank, including piping and instrumentation diagrams (P&IDs), are provided in attachments to Section D in the Part B permit application. In the management of incompatible wastes, the Permittee shall adhere to all applicable hazardous waste rules, terms and conditions of this permit such as Permit Condition B.7, and the approved Part B permit application. In general, wastes that are incompatible will not be combined in the same tank. Standard Operating Procedures (SOPs) have been developed and are utilized to identify, segregate, and handle pumpable

waste that is ignitable, reactive, or incompatible with other waste. If waste is to be placed in a tank that already contains waste, these procedures will be followed to verify the compatibility of the wastes before they are combined.

D.1. Process Capacity/Annual Limitation/Waste Identification
ORC Section 3734.02(F) and OAC Rule 3745-50-43

- (a) The Permittee is permitted for no more than 134 aboveground tanks with a design capacity of 2,926,100 gallons for pumpable liquid waste, four in-ground tanks with a design capacity of 600 cubic yards each (2,400 cubic yards total) of non-reactive, loose solid waste, and five aboveground tanks with a design capacity of 180 cubic yards for solid treatment residue.

Currently, there are eighteen existing tanks located in the Organic Waste Tank Farm for receiving, blending and storing 288,000 gallons of hazardous waste. There are five existing Pump-out Tanks located in the PT Tank Farm adjacent to the Container Processing Building for blending and storing 14,800 gallons of hazardous waste. There is one Pump-out Tank associated with the facility's Extruder for blending and storing 500 gallons of hazardous waste. A rapid sand filter and carbon filter (both of which are in tanks) may be used to treat contaminated storm water and liquids collected in the facility's C-Areas, described in Section B of the permit application. Liquids from clean-up activities and/or spills, or storm water collected from active process area "C" water sumps are transferred to the Facility's ~~wastewater storage tank~~ PROCESS WATER HOLDING TANK (W-5). If analytical of this water indicates the water is in need of treatment, the water may be incinerated, sent off-site for treatment, or transferred through the carbon and sand filters to Tank W-4. Water in this storage tank is considered "recycled" water and may be used as make-up water for, but not limited to, the Four-Stage Wet Scrubber or in the DeNOx System mixed with ammonia and injected into the Secondary Combustion Chamber. Process water from the incinerator train is stored in two existing ~~tanks~~ PROCESS WATER HOLDING TANKS (TANKS ~~TANKS~~ W-6 AND W-7) with a total capacity of 60,000 gallons (each tank holds 30,000 gallons). There are two existing in-ground tanks located in the Incinerator Feed Building for storing 600 cubic yards of bulk, loose, non-reactive, solid waste (1,200 cubic yards total). These tanks are subject to the terms of this Permit and the approved Part B permit application, and as follows:

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Tank No.	Capacity (Gallons)	Dimensions of Tank	Secondary Containment Required	Description of Hazardous Waste
T-1 (1220):	20,000	12' diam x 22'5"	Yes - in place	fuel oil
T-2 (1302):	10,000	12' diam x 10'7"	Yes - in place	organic waste
T-3 (1385):	2,000	6' diam x 8'10"	Yes - in place	organic waste
T-4 (1303):	20,000	12' diam x 22'5"	Yes - in place	high-BTU organic waste
T-5 (1301):	20,000	12' diam x 22'5"	Yes - in place	high-BTU organic waste
T-6 (1202):	20,000	12' diam x 22'5"	Yes - in place	sludges
T-7 (1201):	20,000	12' diam x 22'5"	Yes - in place	sludges
T-8 (1105):	7,000	8' diam x 16'6"	Yes - in place	organic wastes
T-9 (1101):	7,000	8' diam x 16'6"	Yes - in place	organic wastes
T-10 (1212):	20,000	12' diam x 20'3"	Yes - in place	organic liquids and sludges
T-11 (1211):	20,000	12' diam x 20'3"	Yes - in place	organic liquids and sludges
T-12 (1216):	20,000	12' diam x 20'3"	Yes - in place	organic liquids
T-13 (1215):	20,000	12' diam x 20'3"	Yes - in place	organic liquids
T-14 (1210):	20,000	12' diam x 20'3"	Yes - in place	organic liquids and sludges
T-15 (1207):	20,000	12' diam x 20'3"	Yes - in place	organic liquids and sludges
T-16 (1206):	20,000	12' diam x 20'3"	Yes - in place	organic liquids and sludges
T-17 (1205):	20,000	12' diam x 20'3"	Yes - in place	organic liquids and sludges
T-18 (1380):	2,000	6' diam x 8'10"	Yes - in place	organic wastes
PT-1 (1231):	2,500	7' diam x 8'	Yes - in place	organic and inorganic hazardous wastes
PT-2 (1232):	2,500	7' diam x 8'	Yes - in place	organic and inorganic hazardous wastes
PT-3 (1233):	2,500	7' diam x 8'	Yes - in place	organic and inorganic hazardous wastes

PT-4 (1102):	7,000	9' diam x 13'9"	Yes - in place	organic and inorganic hazardous wastes
PT-5 (0660):	300	3' diam x 5'4"	Yes - in place	organic and inorganic hazardous wastes
PT-6 (1304):	500	5' diam x 5'1"	Yes - in place	organic and inorganic hazardous wastes
L-1 (1050):	1,000	4' diam x 10'6"	Yes - in place	lab waste
S-1 (1501):	600 cubic yards	18' x 33'	no	bulk, loose, non-reactive hazardous solid wastes
S-2 (1502):	600 cubic yards	18' x 33'	no	bulk, loose, non-reactive hazardous solid wastes
W-4 (1400):	250,000	33' diam x 40'	Yes - in place	spill, clean-up, potentially contaminated storm water
W-5 (1500):	250,000	33' diam x 40'	Yes - in place	spill, clean-up, potentially contaminated storm water
W-8 (3100):	6,000	10' diam x 10'	Yes - in place	process water
W-9 (3000):	1,700	7' diam x 6'	Yes - in place	process water
W-10 (3300):	7,000	10' diam x 12'	Yes - in place	process water
W-6 (2000):	30,000	12' diam x 36'	Yes - in place	process water
W-7 (2100):	30,000	12' diam x 36'	Yes - in place	process water

- (b) During any calendar year, the Permittee shall not manage, through tank storage, hazardous waste in excess of the maximum annual quantity set forth in Condition B.1(b) of this permit. AN EXCEPTION TO THIS LIMIT IS WASTE RECEIVED, TREATED, AND STORED FOR THE PURPOSE OF FUEL BLENDING OPERATIONS.
- (c) The Permittee may conduct blending (treatment) in tanks at the organic tank farm or in the container pumpout tanks to facilitate treatment of the waste by incineration and for the purpose of off-site transfer or fuels blending.
- (d) The Permittee is prohibited from storing or treating hazardous waste that is not identified in the facility's Part A permit application. Section C of the approved Part B permit application, the Waste Characteristics and Waste Analysis Plan (WAP), describes wastes which are prohibited from being accepted by the facility and those which are restricted once accepted due to

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handling, processing, or treatment considerations.

- (e) Untreated mixed infectious and hazardous waste (MIHW) must not be placed into any tank system. However, treatment residual (slag) from the incineration of MIHW that contains waste not combusted to ash or slag, except for metallic, glass, and ceramic items, may be placed in the Bulk Solid Waste Tanks for reprocessing. See Sections C and D of the Part B permit application and Module I(B) of this permit for more information.

D.2. Design and Installation of New Tank Systems or Components
OAC Rule 3745-55-92

- (a) The Permittee shall construct any future new tank system(s) in accordance with Section D-9 of the approved Part B permit application.
- (b) Prior to operation of the newly constructed tank system, the Permittee shall submit the certification of installation of the tank system in accordance with OAC Rule 3745-55-92(B) to ensure that proper handling procedures were adhered to in order to prevent damage to the system during installation.

D.3. Containment and Detection of Releases
OAC Rule 3745-55-93

The Permittee shall construct and operate the secondary containment system in accordance with requirements of OAC Rules 3745-55-93(B) through (F), and Section D and F of the approved Part B permit application.

D.4. Operating Requirements
OAC Rule 3745-55-94

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

- (c) The Permittee shall operate and manage tanks in accordance with Permit Condition D.1, B.7, and Section D of the Part B permit application. This shall include, for example, temperature and pressure sensors in the tanks, nitrogen blanketing, and rupture disks which release to the facility's vapor recovery system.

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D.5. Inspection Schedules and Procedures

OAC Rule 3745-55-95

- (a) The Permittee shall inspect the tank systems, in accordance with the inspection schedule in Section F of the approved Part B permit application and shall complete the items in Permit Conditions D.5(b) and D.5(c) as part of those inspections.
- (b) The Permittee shall inspect the overfill controls, in accordance with the procedure and schedule in Section F of the approved Part B permit application.
- (c) The Permittee shall 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 shall immediately remove from service any permitted tank with a remaining wall thickness that is less than the design minimum wall thickness. The design minimum wall thickness is the total design wall thickness minus the design corrosion allowance. The wall thickness of each active tank shall be inspected and measured on an annual basis and compared to the design wall thickness found in Section D of the approved Part B permit application. Section D also includes the design corrosion allowance for each tank in the relevant attachment to Section D. This procedure will be conducted in order to evaluate the integrity of the tanks.

- (f) The Permittee shall document compliance with Permit Condition D.5 in the operating record of the facility.

D.6. Response to Leaks or Spills
OAC Rule 3745-55-96

- (a) In the event of a leak or a spill from the tank system, from a secondary containment system, or if a system becomes unfit for continued use, the Permittee shall remove the system from service immediately and complete the following actions:
 - (i) Stop the flow of hazardous waste into the tank system or secondary containment system and inspect the system to determine the cause of the release.
 - (ii) Remove waste and accumulated precipitation from the system within 24 hours of the detection of the leak or at an earlier practicable time to prevent further release and harm to human health and the environment and to allow inspection and repair of the tank/containment system to be performed.
 - (iii) Contain visible releases to the environment. The Permittee shall 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.
 - (iv) The Permittee shall report releases in accordance with Permit Conditions A.20 and D.7 and Section G of the approved Part B permit application.
- (b) Unless the requirements of Permit Conditions D.6.(b)(i) through D.6.(b)(vi) are satisfied, the Permittee shall close its tank system in accordance with OAC Rule 3745-55-97 and its approved 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 shall 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 shall repair the primary system prior to returning it to service.
 - (iii) For a release to the environment caused by a leak from a component of the tank system that is below ground and does not have secondary containment, the Permittee must provide this component with secondary containment that meets the requirements of OAC Rule 3745-55-93 before the component can be returned to service.
 - (iv) Reserved.
 - (v) For a release to the environment caused by a leak from the portion of the tank system component that is not readily available for visual inspection, the Permittee shall provide secondary containment that meets the requirements of OAC Rule 3745-55-93 before the component can be returned to service.
 - (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 to eliminate leaks or restore the integrity of the tank system, the Permittee must obtain a certification by an independent, qualified, registered professional engineer in accordance with OAC Rule 3745-50-42(D) 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. Examples of major repairs are:

installation of an internal liner, repair of a ruptured tank, or repair or replacement of a secondary containment vault.

D.7. Record keeping and Reporting

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

- (a) The Permittee shall report to the Director, within twenty four (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 thirty days of detecting a release to the environment from the tank system or secondary containment system, the Permittee shall 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 thirty day submittal period expires;
 - (iv) proximity of down gradient drinking water, surface water, and populated areas; and
 - (v) description of response actions taken or planned.
- (c) The Permittee shall submit to the Director all certifications of major repairs to correct leaks within seven days from returning the tank system to use.
- (d) The Permittee shall 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.
- (e) The Permittee shall keep on file at the facility the written assessment of the tank system's integrity.

- (f) The Permittee shall maintain at the facility a record of the results of leak tests and integrity tests conducted.

D.8. Closure and Post-Closure Care
OAC Rule 3745-55-97

- (a) At closure of the tank system(s), the Permittee shall follow the procedures in the Closure Plan in Section I of the approved Part B 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 shall close the tank system(s) and perform post-closure care following the contingent procedures in the Closure Plan and in the Post-Closure Plan.

D.9. Special Tank Provisions for Ignitable or Reactive Wastes
OAC Rule 3745-55-98

- (a) The Permittee shall not place ignitable or reactive waste in the tank system or in the secondary containment system, unless the procedures specified in the approved Part B permit application and Permit Condition B.7 are followed. The Permittee shall document compliance with this condition and place it in the operating record.
- (b) The Permittee shall not place ignitable or reactive waste in the tank system, unless the waste is treated, rendered, or mixed before or immediately after placement in the tank system, so that: (a) the resulting waste, mixture, or dissolved material no longer meets the definition of ignitable or reactive waste in OAC Rules 3745-54-21 or 3745-54-23 and the precautions in OAC Rule 3745-54-17(B) are complied with; (b) the waste is managed in such a way that it is protected from any material or conditions which may cause it to ignite or react; or (c) the tank system is used solely for emergencies.
- (c) The Permittee shall place ignitable or reactive waste only in tanks that:
 - (i) Maintain a nitrogen blanket over volatile organic waste sufficient to prevent air intrusion and maintain internal tank atmosphere under the lower explosive limit;
 - (ii) Are equipped with a vent emission control system which collects

vapors and conveys them to be thermally destroyed by incineration or to be treated by the Regenerable Activated Carbon Adsorption Cleaning System; and

- (iii) Are equipped with flame arresters or equivalent devices as described in Section D of the approved Part B permit application.
- (d) The Permittee shall 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 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code" (1991 or most recent edition) incorporated by reference in OAC Rule 3745-50-11.

D.10. Special Tank Provisions for Incompatible Wastes
OAC Rule 3745-55-99

- (a) The Permittee shall 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 Sections C and D of the approved Part B permit application and Permit Condition B.7 are followed. The Permittee shall document compliance with this condition and place that documentation into the operating record.
- (b) The Permittee shall 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.10(a) are met.

D.11. Reserved.

D.12. On-Site Decontamination Procedures

The Permittee shall employ procedures, as described in facility SOPs, in instances where routine and/or non-routine activities or projects result in the potential for transfer of hazardous waste out of a contained area. The Permittee will control the transfer of hazardous waste out of contained areas during decontamination procedures.

The Permittee shall also manage contaminated personal protective equipment, debris, and rinseate generated during decontamination procedures or routine maintenance activities according to standard operating procedures in place at the facility.

E. CORRECTIVE ACTION REQUIREMENTS

Corrective Action Summary

The River Services Company owned and operated a bulk storage terminal for distributing petroleum products from 1955 to 1981 at the site of the current facility. Between 1980 and 1981 the Charter International Oil Company (Charter Oil) leased the petrochemical terminal from the River Services Company. During operations, the Charter Oil facility received solvents including acetone, toluene, xylene, and "mineral spirits" which were transferred from river transport ships to storage tanks and then to tanker trucks for distribution. The petrochemical terminal consisted of ten (10) above ground storage tanks surrounded by an earthen dike. A known spill history at the Charter Oil facility included:

- (1) a release of approximately 19,000 gallons of xylene in 1983;
- (2) release of approximately 33,000 gallons of mineral spirits in 1984;
- (3) an alleged release of approximately 200,000 gallons of an unidentified substance investigated by Ohio EPA in 1984.

On September 2, 1981, the Port Authority for Columbiana County (CCPA), Ohio acquired the Charter Oil facility through eminent domain. Charter Oil continued to lease the property from the Columbiana County Port Authority until May 31, 1984.

Analytical results collected at the facility in March of 1990 indicated the presence of toluene, ethylbenzene, xylene in the ground water and soil and also found benzene, acetone, and trimethylbenzenes in the ground water.

The CCPA negotiated an Administrative Consent Agreement with Ohio EPA to address ground water contamination at the facility. The work required by this consent agreement was designed to contain, abate and mitigate contamination through an interim measure. This consent agreement was journalized on November 22, 1991.

The Permittee purchased the facility property from the CCPA in December of 1992. With the purchase of the property from the CCPA, the Permittee assumed responsibility for the cleanup of the Charter Oil Facility Release Area.

PRC Environmental Management, Inc., under contract by U.S. EPA, performed a preliminary assessment and visual site inspection (PAVSI) to identify and assess the existence and likelihood of releases from solid waste management units (SWMU) and

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other areas of concern (AOC) at the facility in East Liverpool, Columbiana County, Ohio. The PA was completed on August 8, 1993, and the VSI was conducted on August 25 and 26, 1993. The PAVSI identified eighteen SWMUs and one AOC at the facility. Since the PAVSI activities conducted in 1993, five additional waste management units have been identified at the facility. One SWMU, the Decontamination Building, has not yet been constructed. Descriptions of the SWMU and AOC given in the PAVSI and updated by Ohio EPA are provided in Attachment 4 to this permit. The AOC is the Former Charter Oil Facility Release Area which is under an Administrative Consent Agreement with Ohio EPA. Except for the AOC, no other releases were documented in the PAVSI. No further action is needed at the other WMUs at this time.

Transition of corrective action authority from U.S. EPA to Ohio EPA occurred on March 23, 2005, the date of the state permit renewal issuance. Subsequent to the transition of corrective action authority, the Permittee performed a focused RCRA Facility Investigation (RFI) in 2007 and 2008 to investigate the releases from the AOC, also known as the Charter Oil Facility Release Area (COFRA). During the RFI, the Permittee sampled and analyzed soil and ground water samples at the facility. The results of the investigation were documented through the submittal of a RFI Report, which was approved by Ohio EPA on April 20, 2009. Based on the findings in the RFI Report, it was determined that Corrective Measures would be necessary at the facility in order to protect human health and the environment.

Ohio EPA required the Permittee to submit either a Corrective Measures Study to evaluate potential remedies or submit a Presumptive Remedy proposing a specific remedy for the facility. Since the Permittee had already been conducting an Interim measure to recover contamination from the subsurface in the COFRA area, the Permittee submitted a Final Remedy Workplan on July 17, 2009. The Final Remedy Workplan included a Presumptive Remedy, which built upon the proposed continuation of their current interim measure. Ohio EPA evaluated the proposed remedy and believes that continuation of the interim measure, along with additional conditions and restrictions would be protective of human health and the environment.

In brief, Ohio EPA proposes the following measures:

- The Permittee and Ohio EPA enter into an Environmental Covenant for the facility restricting future use of the facility and also restricting the use of ground water.

- The Permittee will operate, monitor and maintain the skimmer Light Non-Aqueous Phase Liquid (LNAPL) remediation system. The Permittee will develop and implement an Operations and Maintenance Plan for the operation, maintenance, monitoring and removal of the remaining free product floating on the water table (i.e., LNAPL) in the Charter Oil Facility Release Area (COFRA), until no more than a sheen is present or until LNAPL is no longer detectable using an interface probe.
- Development and implementation of a facility-wide Integrated Ground Water Monitoring Program.
- Development and implementation of a Soil Management Plan to assure worker health and safety protection and proper soil management for onsite soil excavation activities.
- Development and implementation of an Operations and Maintenance Plan for the maintenance of the current surface cover in the restricted area.
- Development and implementation of an Alternate Remedy Plan should the skimmer LNAPL remediation system fail to achieve the remedial goals within an acceptable timeframe.
- Development and implementation of an Indoor Air Monitoring Program for newly enclosed structures located within the restricted area to ensure continued worker health and safety.

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 wastes have been placed at any time, irrespective of whether the unit was intended for the management of waste or hazardous waste. Such units include any area at a facility where wastes have been routinely and systematically released. As used in this permit, the term "waste management unit" shall be consistent with, and equivalent to, the term "solid waste management unit" as defined in Section 3004(u) of RCRA. 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 Attachment 5, U.S. EPA's Corrective Action Plan (CAP) and are used herein.

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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.

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E.3 Identification Of Waste Management Units (WMUs)
OAC Rules 3745-50-44(D) and 3745-54-101

The 1993 PAVSI documented releases to soil and groundwater at one area of concern (AOC), the former Charter Oil Facility Release Area (COFRA). A previous Interim Measures related to contamination at the former COFRA was ongoing pursuant to a consent agreement with Ohio EPA. This AOC will now be addressed through the Corrective Action process. The previous Interim Measure related to contamination at the former COFRA will be replaced by full implementation of a Final Remedy. No corrective action is being required at the other WMUs at this time.

The following WMUs and AOC have been identified at this facility:

1. WMU 1: Incinerator System
2. WMU 2: Organic Waste Tank Farm
3. WMU 3: Organic Tanker Unload Station
4. WMU 4: Truck Holding and Sampling Area
5. WMU 5: Building B (External Truck Wash)
6. WMU 6: Wastewater Treatment
7. WMU 7: Storm Water Storage Tank Farm
8. WMU 8: Process Water Tanks
9. WMU 9: Laboratory Waste Storage Tank
10. WMU 10: Container Processing Building
11. WMU 11: Building A Storage Area (Drum Warehouse of the Container Processing Area)
12. WMU 12: Pump Out Tank (PT) Farm
13. WMU 13: Extruder
14. WMU 14: Container Receiving Area (unloading docks)
15. WMU 15: Container Holding Building (Slag Canopy)
16. WMU 16: North Storage Area
17. WMU 17: Bulk Solid Waste Storage Tanks
18. WMU 18: Building C (Lab Pack Building)
19. WMU 19: Satellite Accumulation Areas
20. WMU 20: Incinerator Feed Building (Direct Organic Tanker South)
21. WMU 21: Incinerator Feed Building (Direct Drum Pump Out)
22. WMU 22: Decontamination Building
23. WMU 23: East Storage Area
24. AOC: Former Charter Oil Facility Release Area

See Attachment 4 of this permit for a list and description of all WMUs and AOCs.

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E.4 Reserved

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

In the event of a newly discovered unit, the Permittee must conduct an RFI to thoroughly evaluate the nature and extent of the release of hazardous waste(s) and hazardous constituent(s) from any newly identified units per Permit Condition E.10. The major tasks and required submittal dates are shown below. The scope of work for each of the tasks is found in Attachment 5 (U.S. EPA's CAP).

(a) RFI Workplan

The Permittee must submit a written RFI Workplan to Ohio EPA in case of a newly discovered waste management unit, on a time frame established by Ohio EPA.

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

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

(b) RFI Implementation

The Permittee must implement the RFI Workplan according to the terms and schedule in the approved RFI Workplan.

(c) RFI Final Report

Within sixty days after the completion of the RFI, the Permittee must submit an RFI Final Report to Ohio EPA. The RFI Final Report must describe the procedures, methods, and results of the RFI. The Final Report must contain adequate information to support further decisions concerning Corrective Action at the facility.

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

E.6 Interim Measure (IM)

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

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threat to human health or the environment. The Permittee must implement the IM upon a time frame established by Ohio EPA.

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. 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 from WMUs at the facility 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, Ohio EPA determines that releases or suspected releases which were investigated either are nonexistent or do not pose an unacceptable risk to human health and the environment, Ohio EPA will approve the requested modification. Decisions regarding the completion of RCRA Corrective Action and no further action may be made for the entire Facility, for a portion of the Facility, or for a specific unit or release.

(b) Periodic Monitoring

A determination of no further action will 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 a potential or an actual release of hazardous waste or constituents exists.

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(c) Further Investigations

A determination of no further action will 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 potential release from a WMU at the facility may pose an unacceptable risk to human health or the environment. In such a case, Ohio EPA will 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 develop a Work Plan and upon Ohio EPA approval of that Work Plan, 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 must 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 in Permit Condition E.9.

(a) CMS Workplan

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

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

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Subsequent changes to the approved CMS Workplan must be authorized by Ohio EPA.

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(b) CMS Workplan Implementation

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

(c) CMS Final Report

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

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

E.9 Corrective Measure Implementation (CMI)

The Corrective Measures 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.

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If two or more of the corrective measures studied meet the threshold criteria set out above, Ohio EPA will authorize the CMI 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.

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

The Permittee must implement corrective measures as described below.

(a) Environmental Covenant

- (i) The Permittee must initiate entering into an Environmental Covenant (Ohio Revised Code 5301.80 through 5301.92) within sixty (60) days of issuance of this Permit Modification. The Environmental Covenant will restrict portions of the property, including the Charter Oil Facility Release Area (COFRA), to industrial use. The Environmental Covenant will also prohibit the extraction of ground water for the entire facility for any purpose other than sampling, monitoring or remediation pursuant to a ground water remedial action. If an acceptable onsite ground water use demonstration, conducted in accordance with Permit Condition E.9(a)(iii), is submitted by the Permittee and approved by Ohio EPA, then this use will be reflected when developing the Environmental Covenant. The Environmental Covenant will include a legal description of the subject Facility, identifying the contaminated areas and describing acceptable and unacceptable land uses. The Permittee must submit a survey plat and legal description with the Environmental Covenant, specifying the areas of the facility to be restricted, and indicating the anticipated future use for each parcel. These restrictions will run with the land and will be binding upon all future Facility owners should the Facility be transferred. Ohio EPA will monitor the Facility owner's adherence to the Environmental Covenant to ensure continued protection of human health and the environment. The types of limitations for this Facility may include:

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- (ii) Industrial land use limitations. Designated portions of the Facility must not be used for residential, commercial (other than those associated with and incidental to industrial operations) or agricultural activities, but may be used for certain industrial activities. The term "residential activities" must include, but not be limited to, the following:
- (A) Single and multi-family dwelling and rental units;
 - (B) Day care centers and preschools;
 - (C) Hotels and motels;
 - (D) Educational (except as a part of industrial activities within the Facility) and religious facilities;
 - (E) Restaurants and other food and beverage services (except as a part of industrial activities within the Facility);
 - (F) Entertainment and recreational facilities (except as a part of industrial activities within the Facility);
 - (G) Hospitals and other extended care medical facilities (except as a part of industrial activities within the Facility); and
 - (H) Transient or other residential facilities.
- (iii) Use of onsite ground water. If the Permittee intends to use onsite ground water for uses other than sampling, monitoring, or remediation pursuant to a ground water remedial action, then the Permittee must notify Ohio EPA and demonstrate that the alternative use does not pose an unacceptable risk to human health or the environment. This demonstration must include, at a minimum, where the extraction well will be located, how the ground water would be extracted, how the extracted ground water will be used onsite, any necessary sampling and analytical results of the ground water being extracted, the results of a pump test for the well that would be used to extract ground water and a demonstration that the ground water plume is not expanding and that there are no unacceptable risks to human health or the environment. This demonstration must be reviewed and the intended use must receive prior approval by Ohio EPA. All uses must adhere to restrictions and requirements in the Environmental Covenant.

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(b) Operations and Maintenance Plan for remediation system

- (i) The Permittee must operate, maintain and monitor the skimmer LNAPL remediation system. The Permittee must also prepare and submit an Operation and Maintenance Plan (OMP) for the LNAPL remediation system within 90 days of the date of this permit modification. The OMP should document how to operate, maintain, and monitor the LNAPL remediation system to achieve optimal performance. The OMP should include the following elements:
- (A) A description of the LNAPL remediation system and how it operates,
 - (B) A description of how to maintain the LNAPL remediation system to ensure it is operating for optimal performance,
 - (C) A description of how the LNAPL remediation system is monitored and the frequency of the monitoring,
 - (D) A description of the monthly progress reports that will be submitted to the Agency documenting the operation, maintenance, and monitoring of the LNAPL remediation system.
 - (E) A description of the report that will be submitted to Ohio EPA every five years to document the effectiveness of the current LNAPL remediation system.
- (ii) Within 45 days of receipt of any Ohio EPA comments on the OMP, the Permittee must submit either an amended or new plan that addresses Ohio EPA's comments.
- (iii) Ohio EPA will approve or modify and approve, in writing, the amended OMP or new OMP. The OMP, as approved or as modified and approved, must be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved OMP must be authorized by Ohio EPA.

(c) Integrated Ground Water Monitoring Plan

- (i) The Permittee must submit an Integrated Ground Water Monitoring Plan (IGWMP) as described in the permit conditions found in Module Z of this permit. The IGWMP must be submitted within 90 days of the date of this permit modification.

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- (ii) Within 45 days of any Ohio EPA comments on the IGWMP, the Permittee must submit either an amended or new plan that addresses Ohio EPA's comments.
 - (iii) Ohio EPA will approve or modify and approve, in writing, the amended or new IGWMP. The IGWMP, as approved or as modified and approved, must be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved GWMP must be authorized by Ohio EPA.
- (d) Soil Management Plan
- (i) The Permittee must prepare and submit a Soil Management Plan (SMP) within 90 days of the date of this permit modification. The SMP will provide procedures that ensure worker health and safety protection and proper soil management for onsite activities that involve soil excavation within the restricted portion of the facility. The SMP will address intrusive activities and identify procedures to ensure worker protection and the proper management of potentially impacted material that may be encountered.
 - (ii) Within 45 days of receipt of any Ohio EPA comments on the SMP, the Permittee must submit either an amended or new plan that addresses Ohio EPA's comments.
 - (iii) Ohio EPA will approve or modify and approve, in writing, the amended SMP or new SMP. The SMP, as approved or as modified and approved, must be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved SMP must be authorized by Ohio EPA.
- (e) Operation and Maintenance Plan for surface cover
- (i) The Permittee must prepare and submit an OMP for the maintenance of the current surface cover (e.g., backfill, concrete cap, asphalt pavement, vegetation, and structures) for the use restricted area within 90 days of the date of this permit modification.
 - (ii) Within 45 days of receipt of any Ohio EPA comments on the OMP, the Permittee must submit either an amended or new plan that

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addresses Ohio EPA's comments.

- (iii) Ohio EPA will approve or modify and approve, in writing, the amended OMP or new OMP. The OMP, as approved or as modified and approved, must be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved OMP must be authorized by Ohio EPA.

(f) Alternate Remedy Plan

- (i) The Permittee must prepare and submit an Alternate Remedy Plan should the skimmer LNAPL remediation system fail to prevent the contaminated ground water plume from expanding or fail to effectively remove the LNAPL until no more than a sheen is present or until LNAPL is no longer detectable using an interface probe. If it is determined that the existing LNAPL remediation skimmer system is not performing adequately (i.e., the skimmers are no longer successfully removing the LNAPL present at the facility until no more than a sheen is present or until LNAPL is no longer detectable using an interface probe), then Ohio EPA may request the Permittee to submit an Alternate Remedy Plan which evaluates and proposes an alternate LNAPL collection method and remediation system.

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- (ii) Within 45 days of receipt of any Ohio EPA comments on the Alternate Remedy Plan the Permittee must submit either an amended or new plan that addresses Ohio EPA's comments.
 - (iii) Ohio EPA will approve or modify and approve, in writing, the amended Alternate Remedy Plan or new Alternate Remedy Plan. The Alternate Remedy Plan, as approved or as modified and approved, must be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved Alternate Remedy Plan must be authorized by Ohio EPA.
- (g) Indoor Air Monitoring Plan
- (i) The Permittee must prepare and submit an indoor air monitoring plan to sample the indoor air if structures located within the use restricted portion of the facility are modified (e.g., newly enclosed). The indoor air monitoring plan should also include levels to which the sampling results will be compared to and any steps necessary to prevent unacceptable exposures from the vapor intrusion pathway if the sampling data indicates results above the levels identified.
 - (ii) Within 45 days of receipt of any Ohio EPA comments on the indoor air monitoring plan, the Permittee must submit either an amended or new plan that addresses Ohio EPA's comments.
 - (iii) Ohio EPA will approve or modify and approve, in writing, the amended indoor air monitoring plan or new indoor air monitoring plan. The indoor air monitoring plan, as approved or as modified and approved, must be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved indoor air monitoring plan must be authorized by Ohio EPA.
- (h) Permit Modification
OAC Rule 3745-50-51
- Ohio EPA will initiate a permit modification, as provided by OAC Rule 3745-50-51 to require implementation of the corrective measure(s) authorized.

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The Permittee must not implement the corrective measure until the permit is modified pursuant to OAC Rule 3745-50-51.

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

Within two hundred and forty (240) days of the modification of this permit to incorporate the CMI, the Permittee must provide to Ohio EPA financial assurance documentation in the amount necessary to implement the corrective measure(s) as required by OAC Rules 3745-54-101 (b) and (c).

E.(10) Newly Identified Waste Management Units or Releases
OAC Rule 3745-54-101

(a) General Information

The Permittee must submit to Ohio EPA, within thirty 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 (supply 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 must submit to Ohio EPA, within thirty 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 must 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. Permittee must make such submittal in accordance with time frames established by Ohio EPA.

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E.12 Completion of Corrective Action
OAC Rule 3745-54-101

After completing Corrective Action as necessary to protect human health and the environment for all releases of hazardous wastes or hazardous constituents from any WMUs at the Facility, the Permittee must submit a Corrective Measures Completion of Work (CMCW) Report. The CMCW Report must document that Corrective Action construction is complete, cleanup objectives and standards have been met, and any releases of hazardous waste or constituents no longer pose an unacceptable risk to human health and the environment. The CMCW Report may be submitted for any part of the Facility for which corrective measures are complete, or for the entire Facility. The CMCW Report must be submitted as a request for permit modification pursuant to OAC Rule 3745-50-51.

E.13 Documents Requiring Professional Engineer Stamp
ORC Section 4733.01

Preparation of the following Corrective Action documents constitutes the "practice of engineering" as defined by ORC Section 4733.01:

- Final Interim Measures Report
- Corrective Measures Final Design
- Corrective Measures Construction Completion Report
- Corrective Measures Attainment of Ground Water Performance Standards Report
- Corrective Measures Completion of Work Report

As such, the Permittee must ensure that these documents, as submitted to Ohio EPA, are stamped by a Professional Engineer licensed to practice in the State of Ohio.

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F. TREATMENT IN MISCELLANEOUS UNITS

The Permittee is permitted for nine miscellaneous units, two filter presses, one associated with the Flue Gas Scrubber Effluent Treatment System and one associated with the General Wastewater Treatment System, four shredders, two extruders, and a pusher. The shredders are associated with the Incineration System. Of the nine units, only one of the extruders is currently installed and operating.

The permitted capacity for the filter presses is 600 gallons per hour per unit. Both units will be constructed in areas with secondary containment. A description of the proposed operation of the two filter presses follows. A more thorough description of the Flue Gas Scrubber Effluent Treatment System and the General Wastewater Treatment System is included in Section D-10 of the approved permit application.

Wastewater from the Inorganic Waste Treatment Operation (not yet constructed) will be conveyed to flow equalization tanks in the General Wastewater Treatment System. Wastewater approved for treatment will be conveyed from the flow equalization tanks to the clarifiers for removal of suspended solids. Sludges from the bottom of the clarifier, along with sludge from the bottom of the inorganic waste treatment reaction vessels, will be dewatered in the filter press utilizing up to two hundred pounds per square inch of pressure. The filter cake will be accumulated in a container and transported by an independent licensed hauler to a permitted disposal facility. The filtrate from the filter press will be returned to the inlet of the clarifier.

The Flue Gas Scrubber Effluent Treatment System (not yet constructed) will include tanks for accumulating excess scrubber liquor. Scrubber effluent from the Four Stage Wet Scrubber will be accumulated in tanks where a solution of calcium hydroxide will be added to elevate the pH of the mixture to the level required for precipitation of dissolved metals. The mixture will be agitated to facilitate the precipitation of the metals. Once analysis of the mixture verifies that the desired level of metal precipitation has been achieved, the mixture will be conveyed to the clarifier-thickener. The sludge drained from the bottom of the clarifier-thickener will be transferred to a filter press for separation of suspended solids. The filter press will be selected to dewater the sludge to eighty percent solids using up to two hundred pounds per square inch of dewatering pressure. The filter cake will be accumulated in a container and eventually transported by a licensed hauler to an independent, permitted facility for disposal. The filtrate will be recirculated to the clarifier-thickener.

The Permittee may install shredders, or a device that is an engineering equal, in close proximity to each of the existing Bulk Solid Waste Storage Tanks which are described in Section D of the approved permit application. The shredders are anticipated to operate in batch mode, shredding large pieces of waste as a pretreatment process. There are no pumps, piping, bypass systems or pressure relief devices associated with the shredders. Construction of the second Incineration System will include two additional Bulk Solid Waste Storage Tanks, each may include shredders.

The existing extruder is located on the second level of the Container Processing Building and is described in detail in Section D of the approved permit application. The extruder removes liquid and semi-solid material from containers at a maximum rate of 18,000 pounds per hour. The unit has secondary containment, automated fire detection and suppression, safety cutoffs, bypass systems, and pressure controls. A continuous nitrogen blanket maintains an inert atmosphere within the unit. The second extruder will be identical to the existing unit and will include secondary containment, automated fire detection and suppression, safety cutoffs, bypass systems, and pressure controls.

The unit referred to as the Pusher will be utilized for extruding (or pushing) bulk solid waste from 55-gallon drums at a maximum rate of 18,000 pounds per hour. Final construction of the unit will include secondary containment, automated fire detection and suppression, and all applicable safety cutoffs, bypass systems, and pressure controls.

F.1. Modification of Application
OAC Rule 3745-50-51

Prior to construction of the miscellaneous treatment units, the Permittee will submit plans to the Ohio EPA for review to determine consistency with the permit and the approved permit application.

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 treatment capacity of 600 gallons per hour for each filter press. Each shredder is permitted to process 40,000 pounds of waste per hour. The pusher and each extruder (existing and future) are permitted to process a maximum of 18,000 pounds per hour.

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

The Permittee shall treat, in the permitted miscellaneous units, only the hazardous waste codes specified in Part A of the approved permit application for which incineration and wastewater treatment is permissible. Waste restrictions that apply to any of the miscellaneous units are described in Section C of the permit application.

Mixed infectious and hazardous waste (MIHW) must not be placed into any miscellaneous unit. Treatment of MIHW shall be in accordance with the Part B permit application and Module I(B) of this permit.

F.4. Assessment/Certification of Miscellaneous Unit
OAC Rule 3745-57-91, 3745-50-42(D)

The Permittee shall obtain and keep on file at the facility, a written statement by a qualified, registered professional engineer that attests that the miscellaneous units were properly designed and installed. The written statement must also include the certification as required by OAC Rule 3745-50-42(D).

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

The filter presses will be an integral part of the Flue Gas Scrubber Effluent Treatment and the General Wastewater Treatment Systems described in Section D of the approved permit application. Consequently, secondary containment for these miscellaneous treatment units will be part of the containment constructed for the systems. The existing extruder was constructed with secondary containment as detailed in the permit application. The shredders, which are associated with the Incineration System, the future extruder, and the pusher, may require secondary containment depending upon where they are installed. If secondary containment is required, it will be constructed to meet the specifications of existing secondary containment at the facility and in accordance to 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

(a) Filter Press System

- (1) Hazardous waste or treatment reagents shall not be placed in the filter press system if they could cause the filter press, its ancillary equipment, or the secondary containment system to rupture, leak, corrode, or otherwise fail, as required by OAC Rule 3745-55-94.
- (2) The Permittee must use appropriate controls and practices to prevent spills or overflows from the filter press or containment system.
- (3) The filter press must be maintained and operated in accordance with the procedures and practices in Section D of the approved permit

application, manufacturer's instructions, and accepted industry practice.

- (4) The Permittee must comply with the requirements of OAC Rule 3745-55-96 if a leak or spill occurs in the filter press system.

(b) Shredders

- (1) Hazardous waste or treatment reagents shall not be placed in the shredders if they could cause the shredders or the secondary containment system to rupture, leak, corrode, or otherwise fail, as required by OAC Rule 3745-55-94.
- (2) The shredders must be maintained and operated in accordance with the procedures and practices in Section D of the approved permit application, manufacturer's instructions, and accepted industry practice.
- (3) The waste to be shredded will be inspected to verify that it is suitable for placement in the Bulk Solid Waste Storage Tanks and assess the availability of adequate space in the tanks prior to the operation of the shredders.

(c) Pusher

Prior to installation of the pusher, the Permittee must submit a Class 2 permit modification in accordance with OAC Rule 3745-50-51 that details the specific design and operation of the unit to conform with OAC Chapter 3745-57. Prior to operation of the pusher, the Permittee must comply with the requirements of Permit Condition A.23.

(d) Extruders

The general operating requirements for the extruders are described in Section D of the permit application.

F.7. Inspections

OAC Rule 3745-55-95

- (a) The Permittee shall inspect the miscellaneous units daily in accordance with OAC Rule 3745-55-95 and Section F of the approved permit application.
- (b) The Permittee shall document compliance with Condition F.7 (a) 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

The hazardous waste miscellaneous units, or secondary containment system from which there has been a leak or spill, or which is unfit for use, 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 miscellaneous units 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 a 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 obtain a certification by an independent, qualified professional engineer 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. Special Requirements
OAC Rules 3745-55-98 and 3745-55-99

(a) Ignitable or Reactive Waste

The Permittee shall not place ignitable or reactive waste in the filter press. The Permittee shall not process reactive waste through the shredders, pusher, or extruders. However, waste carrying the hazardous waste code for ignitability (D001) may be processed through the shredders, pusher, or extruders. The shredders, pusher, or extruder will be designed, installed, and operated in such a manner that the waste will not ignite while being processed.

(b) Incompatible Waste

(i) The Permittee must not place incompatible waste in the same miscellaneous unit or place hazardous waste in a miscellaneous unit that previously held an incompatible waste or material unless it is done in accordance with OAC Rule 3745-55-99.

(ii) The Permittee shall document compliance with Condition F.9 (b)(i) of this permit, as required by OAC Rule 3745-55-99, and place this documentation in the operating record.

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

At closure of the miscellaneous units, 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.