

**MODULE III - USE OF PROPERTY AND POST-CLOSURE CARE FOR THE LTTAs
AND PHOTOGRAPHIC WASTE DISCHARGE SITES**

III.A. USE OF PROPERTY

- III.A.1. The Permittee has closed and capped the M-136 LTTAs with waste in place. The M-508 and M-636 Photographic Waste Discharge Sites have both been closed with residual contamination remaining that exceeds standards for residential use.
- III.A.2. The Permittee and the Director entered into Environmental Covenants for the M-136 LTTAs and the M-508 and M-636 Photographic Waste Discharge sites. The Environmental Covenants establish the sites' locations, specify the land use restrictions, and identify the contaminants that remain at each site.
- III.A.3. The Environmental Covenants run with the land and a Notice upon Conveyance is required that informs any new owner of the land use restrictions that apply to the sites. The Environmental Covenants were recorded with the Box Elder County Recorder and are included in Attachment 1.

III.B. POST-CLOSURE CARE

- III.B.1. The Permittee shall conduct all post-closure care activities in accordance with this permit, and in compliance with R315-264-110 and R315-264-117 for the duration of the post-closure period.
- III.B.2. The Permittee shall maintain and monitor the LTTAs and Photographic Waste Discharge Sites M-508 and M-636, after completion of closure and corrective action activities, in compliance with R315-264-228, R315-264-117 and this permit. The Permittee shall:
 - III.B.2.a. Maintain the integrity and effectiveness of the final LTTA covers in compliance with R315-264-228(b)(1) and Attachments 1 and 2 of the permit, including making repairs to the caps as necessary to correct the effects of settling, subsidence, erosion or other events;
 - III.B.2.b. Maintain the signs and other security equipment at the Photographic Waste Discharge Sites M-508 and M-636.
 - III.B.2.c. Maintain and monitor the groundwater monitoring system and the groundwater treatment and containment system in compliance with R315-264-228(b)(3), R315-264-90 and Modules V and VI of this permit;
 - III.B.2.d. Prevent run-on and run-off from eroding or otherwise damaging the final LTTA covers in compliance with R315-264-228(b)(4);

III.B.2.e. Prohibit post-closure use of the property at M-136, which will disturb the integrity of the final cover, containment systems, or monitoring system; and,

III.B.2.f. Protect and maintain surveyed benchmarks.

III.C. INSPECTIONS

III.C.1. Inspections of the LTTAs shall be conducted during the post-closure care period in compliance with the procedures specified in Condition II.D and Attachment 2. All records of inspections and remedial actions shall be retained in the Operating Record, as required by condition I.G.16., throughout the post-closure care period. Any deterioration or malfunction discovered by an inspection shall be remedied in accordance with Condition II.D.2.

III.D. COST ESTIMATES FOR POST-CLOSURE CARE

III.D.1. The Permittee's post-closure cost estimate shall be prepared in accordance with R315-264-144.

III.D.2. The Permittee shall adjust the post-closure cost estimate for inflation as specified by R315-264-144(b) each year and submit a copy of the adjusted cost estimate to the Director for written approval.

III.D.3. Before each new hazardous waste management unit is placed in operation, an updated closure/post-closure cost estimate including the new unit shall be prepared. This revised cost shall be submitted at least sixty (60) days prior to placing the unit in operation.

III.D.4. A revised closure/post-closure cost estimate shall be submitted to the Director for written approval within sixty (60) days after an unexpected event that affects the cost estimate.

III.D.5. The Permittee shall revise the post-closure cost estimate within thirty (30) days after the Director has approved a request to modify this permit and has determined the permit modification impacts the cost estimate.

III.D.6. The Permittee shall keep at the facility the latest closure cost estimate as required by R315-264-144(d) as part of the facility Operating Record.

III.E. FINANCIAL ASSURANCE FOR POST-CLOSURE CARE

III.E.1. The Permittee shall maintain financial assurance for post-closure care as required by Conditions II.G.1. and II.G.2.

III.F. LIABILITY REQUIREMENTS

III.F.1. The Permittee shall comply with the liability requirements as specified in Conditions II.H.1. and II.H.2.