

## **MODULE VI**

### **CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS** **SCHEDULE OF COMPLIANCE**

#### **VI.A. SOLID WASTE MANAGEMENT UNITS**

- VI.A.1. This permit supersedes the Stipulation and Consent Order issued by the Utah Solid and Hazardous Waste Committee to Chevron Products Company, also known as the Corrective Action Order (CAO). The effective date of the CAO is April 5, 1991. The CAO required a Corrective Action Process for production of six Closure Plans, a Resource Conservation and Recovery Act (RCRA) Facility Investigation (RFI), a Solid Waste Management Unit Assessment Plan, a Corrective Action Plan (CAP), Interim Corrective Measures and groundwater monitoring at the refinery. The status of the above CAO requirements is found in Attachment 2. The provisions of the CAO, including its duration, are hereby terminated on the date of issuance of this Post Closure Permit.
- VI.A.2. As part of the RFI, the Permittee prepared a Corrective Action Plan, which was submitted April 5, 1996 and approved by the Director on April 7, 1997.
- VI.A.3. The Director may append additional Solid Waste Management Units to those in Chevron's RFI at the request of the Permittee in accordance with R315-270-42 of the Utah Admin. Code or upon receipt of any other information in accordance with R315-270-41 of Utah Admin. Code.

#### **VI.B. STANDARD CONDITIONS**

- VI.B.1. Failure to submit the information required by Module VI or falsification of any submitted information, is grounds for termination of this permit in accordance with R315-270-43 of Utah Admin. Code.
- VI.B.2. The Permittee shall sign and certify all plans, reports, notifications, and other submissions to the Director in accordance with Condition I.G.
- VI.B.3. The Permittee shall submit copies of each plan, report, notification, or other submissions required by the Director.

- VI.B.4. Upon written approval from the Director, all plans and schedules required by the conditions in Module VI shall be incorporated into Module VI of this permit in accordance with Condition VI.I. Any noncompliance with such approved plans and schedules shall be deemed noncompliance with this permit.
- VI.B.5. Upon written approval from the Director in accordance with Condition VI.I, the Permittee shall receive extension(s) of the specified compliance schedule due date(s) for the submittal(s) required by Module VI.
- VI.B.6. If the Director determines that further action beyond that provided by Module VI, or changes to that, which are stated herein, are warranted, the Director shall modify Module VI in accordance with Condition VI.I.
- VI.B.7. All raw data, such as laboratory reports, drilling logs, bench-scale or pilot-scale data, and other supporting information gathered or generated during activities undertaken pursuant to conditions in Module VI shall be maintained at the Facility during the effective term of this permit.

**VI.C. RCRA FACILITY INVESTIGATION**

- VI.C.1. The Permittee conducted an RFI as required by Paragraphs 34-41 of the signed April 5, 1991 CAO. Tasks I, II, III, and IV of the RFI have been submitted, approved, and conducted in accordance with the CAO. The RFI is used to support the CAP.
- VI.C.2. The Permittee prepared and submitted a final RFI Report on February 2, 1995, which was later reviewed and approved by the Director on October 6, 1995. The Permittee performed the RFI as specified in Paragraph 34 of the approved April 5, 1991 CAO. The RFI was conducted pursuant to the RFI Work Plan prepared and submitted by the Permittee on October 2, 1991. The RFI Work Plan was approved by the Director on January 29, 1993 prior to initiating work for the RFI.
- VI.C.3. The Permittee conducted the RFI for the 27 Solid Waste Management Units identified in 1991 CAO plus "Groundwater," which was designated in the February 2, 1995 final RFI Report as the 28th SWMU.

**VI.D. INTERIM MEASURES AND CLEAN UP ACTIONS**

- VI.D.1. If, during the course of any activity initiated in compliance with the permit conditions of Module VI of this permit, the Director or the Permittee determines that a release or potential release of hazardous waste and/or hazardous waste constituents from a Solid Waste Management Unit poses a threat to human health and the environment, the Permittee may be required to perform specific interim measures.
- VI.D.2. The Director shall notify the Permittee in writing of the requirement to perform the interim measures in accordance with Condition VI.D.3.
- VI.D.3. Within thirty (30) calendar days of receiving the written notification requiring Interim Measures as specified in VI.D.2, the Permittee shall provide an Interim Measures Plan to the Director for review and approval.
- VI.D.4. The Permittee shall implement the Interim Measures Plan in accordance with Condition VI.D.3.
- VI.D.5. The Permittee may initiate voluntary interim measures in accordance with Conditions VI.D.6 and VI.D.7.
- VI.D.6. In determining whether an interim measure is required, the Director shall consider the following:
- VI.D.6.a. Time required developing and implementing a final remedy,
  - VI.D.6.b. Actual and potential exposure of human and environmental receptors,
  - VI.D.6.c. Actual and potential contamination to the environment,
  - VI.D.6.d. The potential for further degradation of the medium absent interim measures,
  - VI.D.6.e. Presence of hazardous waste in containers that may pose a threat of release,
  - VI.D.6.f. Presence and concentration of hazardous waste including hazardous waste constituents in soils which have the potential to migrate to groundwater or surface water,

- VI.D.6.g. Weather conditions that may affect the current levels of contamination,
- VI.D.6.h. Risks of fire, explosion, or accident, and
- VI.D.6.i. Other situations that may pose a threat to human health and the environment.
- VI.D.7. The Interim Measures Plan shall identify specific actions to be taken to implement the interim measures and a schedule for implementing the required measures. The Interim Measures Plan shall be incorporated into this permit and shall include, but not be limited to, the following:
- VI.D.7.a. Objectives of the interim measure which indicate how it will mitigate a potential threat to human health (health and safety requirements) and the environment and/or is consistent with and integrated into any long-term solution at the Facility;
- VI.D.7.b. Data collection quality assurance and data management information;
- VI.D.7.c. Design plans and specifications, construction requirements, operation and maintenance requirements, project schedules, and final design documents;
- VI.D.7.d. Construction quality assurance objectives, inspection activities, sampling requirements, and documentation; and
- VI.D.7.e. Schedule for submittal of the following reports: progress reports, interim measures workplan, final design documents, draft interim measures report, and final interim measures report.
- VI.E. REQUIREMENTS FOR A SPILL OF HAZARDOUS WASTE, MATERIAL AND/OR HAZARDOUS WASTE CONSTITUENTS AT FACILITY**
- VI.E.1. In the event of a spill of hazardous waste or material which, when spilled, become hazardous waste, the Permittee shall conduct immediate actions accordance with R315-263-30 of Utah Admin. Code, and a spill reporting in accordance with R315-263-33 of Utah Admin. Code and Condition VI.F.11.

- VI.E.2. The Permittee shall clean up all the spilled material and any residue or contaminated media, or take actions as may be required by the Director so that the spilled material, residue or contaminated media no longer presents a threat to human health and the environment in accordance with R315-101 and R315-263-31 of Utah Admin. Code.
- VI.E.3. If the spill cleanup and initial soil sampling results indicate that groundwater has been impacted by the spill, the Permittee shall conduct the groundwater monitoring and/or remediation for the area where a spill has impacted the shallow groundwater. The Permittee shall conduct the groundwater sampling and analysis in accordance with the QAPP.
- VI.E.4. The Permittee may add or remove groundwater monitoring wells for the spilled impacted area upon approval of the Director.
- VI.E.5. Based on assessment of the Spill Cleanup Report, groundwater impact, extent and location, a spilled area may be included as a newly identified Solid Waste and Management Unit in accordance with Condition VI.F.

**VI.F. NOTIFICATION REQUIREMENTS FOR AND ASSESSMENT OF NEWLY-IDENTIFIED SOLID WASTE MANAGEMENT UNITS**

- VI.F.1. The Permittee shall notify the Director in writing, of any newly identified Solid Waste Management Unit(s) not identified in Condition VI.A, within thirty (30) calendar days of discovering the Solid Waste Management Unit(s). The notification shall include the location of the new Solid Waste Management Unit(s) and information on the suspected or known wastes at the site(s).
- VI.F.2. Within one hundred fifty (150) calendar days following discovery of the Solid Waste Management Unit(s), the Permittee shall submit a Solid Waste Management Unit Assessment Plan to the Director.
- VI.F.3. The Solid Waste Management Unit Assessment Plan shall include:
- VI.F.3.a. A description of past and present operations at the unit(s); and
- VI.F.3.b. Any groundwater, surface water, soil (surface or subsurface strata), or air sampling and analysis data needed to determine whether a release of hazardous waste or hazardous waste constituents from such units is likely

to occur. The Solid Waste Management Assessment Plan shall demonstrate that the sampling and analysis plan, if applicable, is capable of yielding representative samples and must include parameters sufficient to identify migration of hazardous waste and/or hazardous waste constituents from the newly discovered Solid Waste Management Units to the environment.

- VI.F.4. The Solid Waste Management Unit Assessment Plan shall be evaluated by the Director and;
  - VI.F.4.a. The Permittee shall receive written approval from the Director for the Solid Waste Management Unit Assessment Plan; or
  - VI.F.4.b. The Permittee shall receive written notice from the Director of the Solid Waste Management Unit Assessment Plan's deficiencies and the written notice will specify a due date for submittal of a revised assessment plan; or
  - VI.F.4.c. The Permittee shall receive written notice from the Director of the revisions incorporated by the Director in the Solid Waste Management Unit Assessment Plan. The revised assessment plan shall become the approved Solid Waste Management Assessment Plan.
- VI.F.5. The Solid Waste Management Unit Assessment Plan (SWMU Assessment Plan), as approved by the Director, shall be incorporated within Module VI in accordance with Condition I.D.1. The Permittee shall be notified in writing of the approval of the permit modification.
- VI.F.6. The Permittee shall implement the approved SWMU Assessment Plan within thirty (30) calendar days of receiving written notice of the permit modification approval specified in Condition VI.F.5.
- VI.F.7. The SWMU Assessment Plan shall contain a schedule for a Solid Waste Management Unit Assessment Report (SWMU Assessment Report) including the date it will be submitted to the Director.
- VI.F.8. The SWMU Assessment Report shall describe all results obtained from the implementation of the approved SWMU Assessment Plan. For each newly listed Solid Waste Management Unit, the SWMU Assessment Report shall provide:

- VI.F.8.a. The Solid Waste Management Unit location identified on a map;
- VI.F.8.b. The type and function of the unit, including general dimensions and a structural description;
- VI.F.8.c. The period during which the unit was operated; and
- VI.F.8.d. A list of all wastes managed at the Solid Waste Management Unit and results of all sampling and analysis used to determine whether releases of hazardous wastes and/or hazardous waste constituents have occurred, are occurring, or are likely to occur from the unit.
- VI.F.9. Based on results of the SWMU Assessment Report, the Director shall determine the need for further assessments at specific units in the SWMU Assessment Plan. If the Director determines that such assessments are needed, the Director shall require the Permittee to prepare a plan for such assessments in accordance with VI.F.3.
- VI.F.10. Based on the results of the assessments required by Condition VI.F.9, the Director may require the Permittee to submit a remediation schedule and plan.
- VI.F.11. Within fifteen (15) days of discovery, the Permittee shall notify the Director in writing, of any release(s) of hazardous waste or hazardous waste constituent(s) discovered during the course of groundwater monitoring, field investigation, environmental auditing, or other activities undertaken. Such releases may be from already documented or newly identified units. The Director shall require further assessments of the new releases in accordance with Condition VI.F.3.

**VI.G DETERMINATION OF NO FURTHER ACTIONS**

- VI.G.1. The Permittee may petition the Director to terminate the schedule of compliance for Corrective Action of Solid Waste Management Units, in Module VI, not previously specified in the CAP, in accordance with R315-101-6(c) of Utah Admin. Code.
- VI.G.2. The CAP, submitted to the Director on April 5, 1996, contained information from the RFI demonstrating that there have been no releases

of hazardous waste or hazardous waste constituents that pose a threat to human health or the environment from SWMUs at the Facility.

- VI.G.3. A determination of no further action, in accordance with Condition VI.G.1, shall not preclude the Director from requiring further investigations, studies, or remediation at a later date if new information or subsequent analysis indicates a release or potential of a release from a Solid Waste Management Unit at the Facility. In such a case, the Director shall initiate either a modification to the Corrective Action Schedule of Compliance (Module VI) in accordance with Condition I.D.1.

**VI.H. CORRECTIVE ACTION PLAN**

- VI.H.1 Based on the results of the RCRA Facility Investigation, submitted February 2, 1995 to the Director, a CAP for all identified SWMUs in the RFI was submitted April 5, 1996 and approved by the Director on April 7, 1997. The “Groundwater” SWMU, in the RFI, is now recognized as the “Groundwater Management Area” (GWMA) SWMU. The purpose of the CAP was to develop and evaluate corrective action alternatives and to outline one or more alternate corrective measures, which will satisfy the target cleanup objectives. The CAP included:
- VI.H.1.a. Target cleanup objectives,
- VI.H.1.b. Corrective action(s) which shall satisfy target cleanup objectives,
- VI.H.1.c. Summary of all corrective measure alternatives examined for the CAP, and
- VI.H.1.d. Schedule for implementation of the corrective action(s) according the time frame and schedule of this Permit.
- VI.H.2. Since CAP approval on April 7, 1997, the Permittee has implemented corrective action(s) as outlined in the CAP schedule.
- VI.H.3. The Permittee shall furnish or retain all personnel, materials, and services necessary for the implementation of the CAP.

**VI.I. REPORTING REQUIREMENTS**

VI.I.1. Unless otherwise required by the Director, the Permittee shall submit to the Director written annual progress reports of all activities conducted pursuant to the Conditions of Module VI. The Permittee shall initially submit the annual progress reports no later than ninety (90) calendar days after the effective date of this permit. A corrective action activity report shall be included as an appendage of the Permittee's annual groundwater report to the Director.

VI.I.2. The annual progress reports shall contain:

VI.I.2.a. A description of the work completed;

VI.I.2.b. Summaries of all findings and all raw data;

VI.I.2.c. Summaries of all problems encountered during the reporting period and actions taken or to be taken to rectify problems; and

VI.I.2.d. Projected work for the next reporting period.

VI.I.3. The Permittee shall maintain copies of other reports, drilling logs, and data at the Facility during the effective period of this permit. The Permittee shall provide copies of the said reports, logs, and data to the Director upon request.

VI.I.4. As specified under condition VI.B.6, the Director may require the Permittee to conduct new or more extensive assessments, investigations, or studies, as needed, based on information provided in these progress reports or other supporting information.

**VI.J. MODIFICATION OF THE CORRECTIVE ACTION SCHEDULE OF COMPLIANCE**

VI.J.1. A request for modifications of the final compliance dates pursuant to the permit conditions in Module VI shall be submitted to the Director for approval, in accordance with Condition I.D.2.

- VI.J.2. Pursuant to Condition I.D.1, the compliance schedules shall be modified if the Director determines that good cause exists.
- VI.J.3. The Permittee shall submit a request for modifications of the interim compliance dates that do not affect the final compliance dates to the Director for approval. If the Director approves the interim compliance date modifications, the following table shall incorporate the modified compliance dates in accordance with Condition I.D.1.
- VI.J.4. The schedule of compliance for corrective action, interim measures and all other submittals stipulated in the 1997 Permit are summarized on Table VI-1.

**TABLE VI-1  
CORRECTIVE ACTION COMPLIANCE SCHEDULE**

| <b>FACILITY SUBMITTAL</b>  | <b>ACTION AND DATE</b>   |
|--|--|
| LWMA Final Construction Quality Assurance Plan   | Submitted June 29, 1995 approved by the Director October 30, 1995.   |
| LWMA Final Corrective Action Plan, with design and plans for construction                  | Accepted by the Director, September 1995   |
| Facility Corrective Action Plan  | Submitted to the Director on April 5, 1996.  |
| Facility Corrective Action Plan  | Approved by the Director April 7, 1997.  |
| Facility Corrective Action Plan - Construction and Implementation plans by designated unit | As specified in the CAP and as approved by the Director, April 7, 1997   |
| Post Closure Permit  | Issued by Director, September 2, 1997  |
| Survey of the RWMA for attachment to deed  | Official boundary survey prepared and submitted to Davis County Recorder's Office for deed attachment 1998                     |
| Fence and warning signs constructed around RWMA  | Construction completed in 1998   |
| Construction of corrective measures at regulated units                                     | As approved in final CAP. Dates vary.  |
| Corrective measures construction progress reports  | Submitted throughout construction in accordance with Post Closure Permit on each respective unit, i.e. LWMA, NTF GWI, Landfarm |
| Completion of the LWMA Remediation Project   | December 1998  |
| LWMA Final Remedy Corrective Action Report   | Submitted to Director November 1999  |
| Wastewater Treatment System - Ponds 2 and 3 Final Remedy Corrective Action Report          | Submitted to Director December 1999  |
| LWMA Final Remedy Corrective Action Report   | Accepted by Director, June 2000  |
| Wastewater Treatment System Ponds 2 and 3 Final Remedy Report                              | Director Final Remedy Corrective Action, 2001  |
| Landfarm – Landfarm Storage Area Closure Report  | Submitted to Director February 15, 2001  |
| Landfarm – Landfarm Storage Area Closure Report  | Director rejects Closure Report September 2001. Use of averages not allowed.   |
| Request for Class 1 Modification to Post Closure Permit                                    | Submitted to Director March 29, 2002   |
| Request for Class 2 Modification to Post Closure Permit                                    | Submitted to Director July 11, 2002  |

**TABLE VI-1 (Continued)  
CORRECTIVE ACTION COMPLIANCE SCHEDULE**

| <b>FACILITY SUBMITTAL</b>  | <b>ACTION AND DATE</b>   |
|--|--|
| Permission to proceed with Permit modifications  | Received from Director<br>July 12, 2002.   |
| Modified Post Closure Permit   | Submitted to Director<br>October 28, 2002.   |
| Landfarm – Landfarm Storage Area Closure Report  | Re-submittal to Director<br>March 25, 2003. Approved September 2003.                               |
| Northwest Tank Farm Groundwater Intercept System – Submitted Under Module VI.D Interim Measures and Voluntary Clean Up Actions             | Notification by Division under Module VI.D to operate and monitor – September 29, 2005             |
| Requested re-issue of the Permit in 2007 with no proposed changes or modifications   | Division issued new Permit on August 31, 2007 without comment or modification                      |
| Southwest Plume Groundwater Intercept System Submitted Under Module VI.D Interim Measures and Voluntary Clean Up Actions - October 8, 2010 | No Correspondence returned by Division on this notification  |
| Submitted Supplemental RFI for the Alky Site and Fire Training Area SWMU's - September 11, 2011  | Division acknowledged receipt. No action proposed as long as units are operational. – October 2011 |
| Submitted request for Class 1 and 2 Modification – October 2012  | Division converted request to a Class 3 Modification and modified the Permit in June 2014          |
| Identified the Northwest Tank Farm as a Solid Waste Management Unit  | Included in above referenced modified Permit - 2014  |
| Submitted request for Class 1 Modification – July 29, 2015   | Division modified the Permit in September 2015   |
| Requested re-issue of the Permit in 2017 with Class 2 modifications  | Division issued new Permit on ????, 2017   |