

**Clean Harbors Aragonite**  
**Draft Class 3 Modification Approval – Class 1.3G Explosive Wastes**  
**Fact Sheet**  
**UTD981552177**

On August 28, 2019, Clean Harbors Aragonite submitted a Class 3 permit modification request seeking approval to accept and manage Class 1.3G explosives at the Clean Harbors hazardous waste incineration facility located at Aragonite in Tooele County, Utah.

Currently, Class 1.3 explosives are prohibited from being accepted and managed at the Aragonite facility. Class 1.3, compatibility group G explosives include display fireworks, smoke grenades, and flares. In the modification request, Aragonite proposes to treat incoming shipments of Class 1.3G explosives as live offloads meaning shipments will be scheduled in order to offload, evaluate for acceptance, accept, break pallets down if accepted, and stage for incineration, with incineration commencing within 48 hours of shipment receipt. Clean Harbors indicated in the modification request that placement of incoming shipments of Class 1.3G wastes into permitted storage would not normally occur unless the initial processing of the incoming shipment is interrupted and delayed for more than 24 hours. In the event an incoming shipment of Class 1.3G wastes requires storage, the modification request includes the addition of three, Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) compliant storage magazines, each with a capacity of 30,000 pounds that will be used to store the wastes until processing and incineration can be rescheduled. The proposal to add Class 1.3G explosives to the list of acceptable wastes managed under the permit at the Clean Harbors Aragonite facility will not increase the facility's incineration feed rate limits.

The Clean Harbors Aragonite facility is a commercial hazardous waste incinerator that has a state of Utah hazardous waste permit to manage a wide variety of wastes including hazardous wastes, PCBs, industrial wastes, and infectious wastes. The facility is designed to handle high and low BTU liquid wastes, sludges, bulk solids, compressed gas cylinders and containerized wastes. Supporting permitted waste storage at the facility includes bulk liquids, bulk solids, and containers. The facility is located 2.5 miles south of I-80 at the Aragonite exit (Exit #56).

The Division of Waste Management and Radiation Control has reviewed the request to add acceptance and management of Class 1.3G explosives at the Clean Harbors Aragonite facility and has determined the request to be complete and containing sufficient information to issue a draft approval. A draft approval outlining the changes to the Clean Harbors Aragonite hazardous waste permit authorizing the acceptance and management of Class 1.3G explosives at the facility has been issued and is available for review during the public comment period.

A 45-day public comment period to receive comments on the draft decision to authorize acceptance and management of Class 1.3G explosive wastes at the Aragonite facility will commence on July 21, 2021, and end at 5:00 p.m. on September 3, 2021. A public hearing has been scheduled at 7:00 p.m. on Wednesday, August 25, 2021, in Room 1015 of the Multi-Agency State Office Building, 195 North 1950 West, Salt Lake City, Utah. This public hearing

can also be accessed virtually via Google Meet. Google Meet joining info: Video call link: <https://meet.google.com/whq-afdt-izi> Or dial: (US) +1 252-689-8607 PIN: 420 706 295# More phone numbers: <https://tel.meet/whq-afdt-izi?pin=2716197943563>.

Documents related to this permit modification request and draft approval can be reviewed at the Division of Waste Management and Radiation Control Public Notices web site at <https://deq.utah.gov/waste-management-and-radiation-control/waste-management-radiation-control-public-notice>. If further information or assistance in obtaining a copy of documents is required, contact Boyd Swenson at (801) 536-0232.

Written comments will be accepted if received by 5:00 p.m. on September 3, 2021. Written comments must be directed to the following address:

Douglas J. Hansen, Director  
Division of Waste Management and Radiation Control  
Department of Environmental Quality  
P.O. Box 144880  
Salt Lake City, Utah 84114-4880

Comments can also be submitted electronically by email to: [dwmrcpublic@utah.gov](mailto:dwmrcpublic@utah.gov). Comments submitted by email must be identified using the following in the subject line: "Public comment on Aragonite 1.3G Wastes". All documents included in comments must be submitted in pdf format or as ASCII (text) files.

Following the public comment period on the draft Clean Harbors Class 3 modification approval, all public comments will be evaluated and where appropriate will be included in the final decision on whether to issue an approval. A final determination will then be reached on the modification request and the modification will either be approved or denied. If the modification is approved, authorization to accept and manage Class 1.3G explosive wastes will be granted in accordance with the final changes made to the permit.

Under Utah Code Section 19-1-301.5 a person who wishes to challenge a Permit Order may only raise an issue or argument during an adjudicatory proceeding that was raised during the public comment period and was supported with sufficient information or documentation to enable the director to fully consider the substance and significance of the issue.

For further information, contact Boyd Swenson of the Division of Waste Management and Radiation Control at (801) 536-0232. In compliance with the Americans with Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Larene Wyss, Office of Human Resources at (801) 536-4284, Telecommunications Relay Service 711, or by email at [lwyss@utah.gov](mailto:lwyss@utah.gov).

It is assumed that Clean Harbors Aragonite will comply with permitting/licensing requirements under the ATF rules for storage and handling of 1.3G explosives. The draft changes to the permit add language to this effect.

The draft changes to the Clean Harbors Aragonite permit, authorizing acceptance and management of Class 1.3G explosive wastes and supporting additional container storage capacity, are based upon requirements found in the Utah Administrative Code, R315-264 and 270, and are summarized below:

**Module 2, General Facility Conditions:** The draft approval modifies the waste acceptance prohibitions in Module 2 to reflect Class 1.3G explosives as an acceptable waste for management at the facility. Other Class 1.3 explosive compatibility groups are explicitly listed as prohibited. Clarifying DOT regulatory references added to certain previously prohibited wastes and other clarifying language added to accommodate the change to make Class 1.3G explosives an acceptable waste for management.

**Module 3, Storage and Treatment in Containers:** The draft approval modifies Module 3 to reflect the addition of three ATF magazines to be used if needed for storage of Class 1.3G explosive wastes. Each storage magazine has a listed capacity of 30,000 pounds.

A reference to the draft changes in Module 3 reflect a new drawing being added to the permit showing container placement within the storage magazines and a container stacking height limitation being added prohibiting containers of 1.3G explosives stacked from being stacked any closer than eight inches from the ceiling in a storage magazine.

Draft changes to Module 3 clarify that only Class 1.3G wastes may be stored in the ATF magazines but the magazines may also be used to store unaccepted explosive materials as the facility works to resolve a manifest discrepancy or is in the process of rejecting the waste back to the generator or an alternate facility.

Draft changes to Module 3 require that incoming shipments of Class 1.3G wastes be placed onto a burn plan as soon as practical and be fed directly to the incinerator without being placed into permitted storage. The facility will offload, evaluate for acceptance, accept, break pallets down if accepted, and stage for incineration, with incineration commencing within 48 hours of shipment receipt. If this process is interrupted and delayed for more than 24 hours, the wastes will be placed into storage in the ATF magazines and waste feed to the incinerator rescheduled.

**Attachment 1, Waste Analysis Plan:** The draft approval modifies Attachment 1 to reflect the addition of a new waste category, Explosives, for facilitating the profiling, receiving and management of Class 1.3G explosive wastes. Class 1.4 explosives, which are currently permitted to be managed at the facility and have been managed at the facility in the past, are also included in this new waste category designation.

The draft changes include new sections in Attachment 1 for profiling, receiving, accepting, handling discrepancies, and determining incineration parameters for the new category of explosive wastes, including Class 1.3G explosives. A photograph or diagram of the waste is required as part of the profile information for 1.3G explosives and this photograph or diagram is used during receiving to confirm the waste matches the profile.

**Attachment 3, Inspections:** The draft approval modifies Attachment 3 to incorporate inspections of the ATF storage magazines when in use.

**Attachment 4, Personnel Training:** The draft approval incorporates a new training course, Explosives Compliance and Safety training that must be completed by facility personnel before handling 1.3G explosives.

The draft approval also notes that facility personnel who handle 1.3G explosives must receive clearance from the ATF before being allowed to handle the material and individuals that have received clearance are documented on the facility ATF License Notice of Clearance which will be kept on-site and available for review.

**Attachment 7, Closure Plan:** The draft approval modifies Attachment 7 by updating the closure cost estimate, in 2012 dollars, from \$12,969,024 to \$13,692,607.

**Attachment 7 Appendix 1, Closure Cost Estimate:** The draft approval modifies Attachment 7, Appendix 1 by incorporating the cost estimate calculations to close the three ATF storage magazines and ship the assumed maximum capacity volume of 1.3G explosives off-site for treatment and disposal. Current shipping and disposal costs are assumed in the calculations.

**Attachment 8, Waste Storage, Processing, and Tracking:** The draft approval modifies Attachment 8 to clarify that rejected waste explosives may not be temporarily placed in Buildings E-1 and E-5.

The draft approval modifies Attachment 8 to include references to modified and additional drawings showing the location of the ATF storage magazines and the layout of pallets with the magazines.

The draft approval modifies Attachment 8 to reflect that only 1.3G wastes may be stored in the three ATF magazines, but that the magazines may also be used to temporarily hold unaccepted explosive waste as the facility works to resolve a discrepancy or is in the process of rejecting waste back to the customer or an alternate facility.

The draft approval modifies Attachment 8 to confirm that storage of 1.3G explosive wastes in the magazines is conducted in accordance with ATF regulations.

The draft approval modifies Attachment 8 to require incoming 1.3G explosive wastes be processed and direct feed to the incinerator be initiated within 48 hour of arrival at the facility.

And if this processing is interrupted and delayed by more than 24 hours, the wastes will be moved to one or more of the three ATF explosive storage magazines at the facility and feeding the affected load(s) of explosive waste to the incinerator rescheduled. If the rescheduled processing and feeding of 1.3G explosive wastes stored in the magazines is interrupted and delayed by more than 24 hours, the affected wastes will be moved back to the storage magazines and feeding the affected wastes again rescheduled.

**Attachment 10, Design Drawings:** The draft approval modifies multiple existing drawings and adds a new drawing to the permit to reflect the changes associated with the 1.3G explosive wastes storage magazines. The modified existing drawings and new drawing are identified in the list of drawings in Attachment 10 and are included for review during the public comment period.