

MODULE II - GENERAL FACILITY CONDITIONS

II.A. APPLICABILITY

- II.A.1. The requirements of this Permit module pertain to all Hazardous Waste Management Units (HWMUs) identified within this Permit.

II.B. DESIGN AND OPERATION OF FACILITY

- II.B.1. The Permittee shall design, construct, maintain and operate the HWMUs and surrounding areas to minimize the possibility of a fire, explosion, or any sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, groundwater or surface water which could threaten human health or the environment. Should one of these incidents occur, the Permittee shall investigate and determine the cause of the incident and implement corrective measures to prevent future occurrences. The Director may consider appropriate enforcement action, to include the cessation of waste management activities, until adequate resolution of the problem occurs.
- II.B.2. Any request for changes to the existing HWMUs shall be in accordance with Utah Admin. Code R315-270-42. Changes to the design and operation of a HWMU shall satisfy the requirements specified in this Permit and in the Utah Solid and Hazardous Waste Rules. Any changes to a HWMU must be documented on as-built drawings and with professional engineering certifications as required by Utah Admin. Code R315-270-30(l).
- II.B.3. After review of the as-built drawings and field verification of the units, the Director will notify the Permittee in writing of any change which he concludes does not satisfy the operating requirements specified in this Permit. If it is established that such changes are permit violations, the Director may require the Permittee to remove, replace or modify any construction inconsistent with this permit.

II.C. REQUIRED NOTICE

- II.C.1. As required by Utah Admin. Code R315-264-12(a)(1), the Permittee shall notify the Director in writing at least four weeks in advance of the date the Permittee expects to receive hazardous waste from a foreign source. Notice of subsequent shipments of the same waste from the same foreign source in the same calendar year is not required.
- II.C.2. When the Permittee arranges to receive hazardous waste from an off-site source, the generator must be informed in writing by the Permittee that he has the appropriate permit for and will accept the waste the generator is shipping. As required by Utah Admin. Code R315-264-12 (b), the Permittee shall keep a copy of the written notice as part of the operating record.

II.D. WASTE ANALYSIS PLAN

- II.D.1. The Permittee shall comply with the waste analysis procedures found in Attachment 2 (Waste Analysis Plan). In addition, the Permittee shall comply with any other conditions of this permit involving waste analysis.
- II.D.2. The Permittee shall use the test methods described in Attachment 2 (Waste Analysis Plan) or an equivalent procedure that satisfies Condition I.O.3. Changes in a test method described in Attachment 2 (Waste Analysis Plan) as a result of an improvement or refinement of that method, may be adopted by the Permittee in accordance with Utah Admin. Code R315-124-5.
- II.D.3. The Permittee shall verify the analysis of each waste stream when new or modified wastes are known or suspected to have been generated and at least once every three years thereafter. The Permittee shall conduct an evaluation of each new waste stream generated on site and shall submit to the Director a report of the analysis in compliance with Utah Admin. Code R315-264-13. The Permittee shall conduct a yearly evaluation of each waste stream and shall submit to the Director a letter report certifying that the known waste streams have not changed. The Waste Stream Evaluation Form, as shown in Attachment 2 (Waste Analysis Plan), shall be used for these reports. Data from the analysis of waste streams shall be kept in the operating record.
- II.D.4. Sampling of any component of a waste munition to be stored, treated or both at TEAD, including the energetic material of a munition, is not required to meet the waste analysis requirements of Utah Admin. Code R315-264-13 or of 40 CFR 265.13 which is incorporated by reference into Utah Admin. Code R315-265. Generator knowledge will suffice. Generator knowledge to determine the detailed physical and chemical analysis of waste munitions shall include use of information in the MIDAS database as well as drawings and manufacturers information. All waste characterization information shall be kept in the operating record. Residues from the treatment of PEP wastes are subject to Condition II.D.3.
- II.D.5. At a minimum, the Permittee shall:
- II.D.5.a. Maintain proper functional instruments;
- II.D.5.b. Use approved sampling and analytical methods;
- II.D.6. If the Permittee uses a contract laboratory to perform analyses, the laboratory shall be certified by the State of Utah to perform the contracted analyses. Provisional certification is not acceptable as certification under this condition. For parameters for which certification is unavailable, the laboratory shall provide quality control/quality assurance data sufficient to assess the validity of the data.

The Permittee shall inform the laboratory in writing that it is required to follow the Waste Analysis Plan conditions set forth in Attachment 2 (Waste Analysis Plan).

II.E. SECURITY

II.E.1. The Permittee shall comply with security conditions and procedures contained in Attachment 3 (Security Procedures).

II.F. GENERAL INSPECTION REQUIREMENTS

II.F.1. The Permittee shall conduct inspections in accordance with Utah Admin. Code R315-264-15, and the procedures and schedule in Attachment 4 (Inspection Plan). In addition, the Permittee shall comply with the conditions pertaining to inspections in Modules III, IV, V, VI, and VII and the following conditions:

II.F.1.a. The Permittee shall remedy any deterioration or malfunction of equipment or structures as required by Utah Admin. Code R315-264-15(c). If the remedy requires more than 72 hours to implement, from the time that the problem is detected, the Permittee shall submit to the Director, before the expiration of the 72 hour period, a proposed time schedule for correcting the problem.

II.F.1.b. Records of inspections shall be kept as required by Utah Admin. Code R315-264-15(d).

II.G. PERSONNEL TRAINING

II.G.1. The Permittee shall conduct personnel training as required by Utah Admin. Code R315-264-16. The Permittee shall comply with the training procedures found in Attachment 5 (Training Plan). New personnel working with or around hazardous waste shall complete the required personnel training within six (6) months after their hire date, assignment to the Facility or assignment to a new position at the Facility. In addition, the Permittee shall comply with the following conditions:

II.G.1.a. Facility personnel shall annually review their initial training in both contingency procedures and the hazardous waste management procedures relevant to the positions in which they are employed.

II.G.1.b. The Permittee shall maintain training documents and records as required by Utah Admin. Code R315-264-16(d) and Utah Admin. Code R315-264-16(e) and in accordance with Attachment 5 (Training Plan). These records shall indicate the type and amount of training received.

II.G.1.c. The Permittee shall maintain a copy of Attachment 5 (Training Plan) at the Facility until the Facility is fully closed and closure is certified in accordance with

Utah Admin. Code R315-264-115.

II.H. GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE

- II.H.1. The Permittee shall comply with the requirements of Utah Admin. Code R315-264-17 and the requirements of all applicable National Fire Protection Association (NFPA) and Department of Defense Explosives Safety Board (DDESB) codes and standards.
- II.H.2. In addition to the requirements of Utah Admin. Code R315-264-17, the Permittee shall comply with the conditions of Modules III, IV, V, VI, and VII pertaining to ignitable, reactive, or incompatible waste.
- II.H.3. The Permittee shall separate and protect ignitable and reactive waste from sources of ignition or reaction including but not limited to: open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, or mechanical), spontaneous ignition (e.g., from heat-producing chemical reactions), water and radiant heat.
- II.H.4. The Permittee shall take precautions to prevent reactions which:
- II.H.4.a. Generate extreme heat or pressure, fire or explosions, or violent reactions;
- II.H.4.b. Produce uncontrolled toxic mists, fumes, dusts or gases in sufficient quantities to threaten human health or the environment;
- II.H.4.c. Produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions;
- II.H.4.d. Damage the structural integrity of the device or facility;
- II.H.4.e. Through other or like means, threaten human health or the environment.

II.I. RESERVED

II.J. PREPAREDNESS AND PREVENTION

- II.J.1. The Permittee shall follow the preparedness and prevention procedures found in Attachment 6 (Preparedness and Prevention Plan).
- II.J.2. At a minimum, the Permittee shall equip and maintain at the Facility and keep in good operating condition the equipment set forth in Attachment 6 (Preparedness and Prevention Plan), as required by Utah Admin. Code R315-264-32.
- II.J.3. The Permittee shall test and maintain the equipment specified in Condition II.J.2.

as necessary to assure its proper operation in time of emergency.

- II.J.4. The Permittee shall maintain records of those preventative maintenance and repair activities specified in Condition II.J.3. and shall keep schedules reflecting minimum and planned frequency for the performance of preventative maintenance activities in the Operating Record at the Facility.
- II.J.5. The Permittee shall maintain access to the communications or alarm system as required by Utah Admin. Code R315-264-34.
- II.J.6. The Permittee shall maintain aisle space as required by Utah Admin. Code R315-264-35. A minimum of 2.5 feet of aisle space is required in the container and munitions storage areas.
- II.J.7. The Permittee shall attempt to make arrangements with state and local authorities as required by Utah Admin. Code R315-264-37. Any refusals to enter into an agreement shall be documented in the Operating Record.

II.K. CONTINGENCY PLAN

- II.K.1. The Permittee shall comply with Attachment 7 (Contingency Plan), and follow the emergency procedures described by Utah Admin. Code R315-264-56 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. The Permittee shall comply with Utah Admin. Code R315-263-30 and Condition I.T. in reporting releases to the Director.
- II.K.2. The Permittee shall maintain copies of the plan in accordance with the requirements of Utah Admin. Code R315-264-53.
- II.K.3. The Permittee shall review Attachment 7 (Contingency Plan) in accordance with Utah Admin. Code R315-264-54. The Permittee shall immediately amend, if necessary, Attachment 7 (Contingency Plan) in accordance with Utah Admin. Code R315-124- 5.
- II.K.4. A trained emergency coordinator shall be available at all times in case of an emergency as required by Utah Admin. Code R315-264-55. The names, addresses and telephone numbers of all persons qualified to act as emergency coordinators shall be supplied to the Director as required by Utah Admin. Code R315-264-52(d).

II.L. MANIFEST SYSTEM

- II.L.1. The manifest number shall be recorded in the Operating Record with each waste load that leaves the Permittee's facility. The Permittee shall comply with Utah Admin. Code R315-262 Appendix and Utah Admin. Code R315-264-70 for the

movement of each waste load off site.

- II.L.2. The manifest number shall be recorded in the Operating Record with each waste load that arrives at the Permittee's facility. The Permittee shall comply with the manifest requirements of Utah Admin. Code R315-264-71, Utah Admin. Code R315-264-72 and Utah Admin. Code R315-264-76.
- II.L.3. If the waste load is refused and returned to the generator, such actions shall be documented in the Operating Record.

II.M. RECORDKEEPING AND REPORTING

- II.M.1. The permittee shall maintain an accurate written Operating Record at the facility in accordance with Utah Admin. Code R315-264-73 and Utah Admin. Code R315-264 Appendix I.
- II.M.2. The Permittee shall, by March 1 of each year, submit to the Director:
 - II.M.2.a. A certification pursuant to Utah Admin. Code R315-264-73, signed by the owner or operator of the facility or an authorized representative, that the Permittee has a waste minimization program in place to reduce the volume and toxicity of hazardous waste that he generates to the degree determined by the Permittee to be economically practicable; and that the proposed method of treatment, storage, or disposal is the most practicable method currently available to the Permittee which minimizes the present and future threat to human health or the environment; and
 - II.M.2.b. A certification that OB and OD treatment is the only practicable method or combination of methods currently available to minimize the present and future threat to human health or the environment and that the Permittee has a program in place to investigate available technologies, other than the OB and OD of energetic wastes, to reduce the volume and toxicity of released treatment residues and discharges. A report with an evaluation of alternatives shall be included with the certification. The report shall present a list and analysis of viable alternatives according to technical feasibility, economic feasibility, impact to employee health and safety and whether the alternatives will reduce releases and discharges to the environment. Alternatives that are not viable shall be identified with the rationale for the rejection.
- II.M.3. The Permittee shall comply with the biennial report requirements of Utah Admin. Code R315-264-75, by March 1 of each even-numbered reporting year. The report shall include wastes generated, treated and stored at the Permittee's facility during the previous odd-numbered year.
- II.M.4. The Permittee shall submit additional reports to the Director in accordance with Utah Admin. Code R315-264-77.

II.M.5. All reports, notifications, applications, or other materials required to be submitted to the Director shall be submitted at the address shown in Condition I.DD.

II.M.6. The Permittee shall maintain a copy of the certifications required in Condition II.M. in the operating record and sign each certification in accordance with Utah Admin. Code R315-262-41(a)(8) and Utah Admin. Code R315-270-11(d)(1).

II.N. CLOSURE/POST-CLOSURE

II.N.1. The Permittee shall comply with Utah Admin. Code R315-264-110 and close the Facility in accordance with Attachment 8 (Closure Plan).

II.N.2. For all HWMUs, minor deviations from the procedures found in Attachment 8 (Closure Plan) that are necessary to accommodate proper closure shall be described in narrative form with the closure certification statements. The Permittee shall describe the rationale for implementing minor changes as part of this narrative report. Within sixty (60) days after completion of closure of each hazardous waste management unit, the Permittee shall submit the certification statements and narrative report to the Director.

II.N.3. The Permittee shall amend Attachment 8 (Closure Plan) and any post-closure plans in accordance with Utah Admin. Code R315- 124-5 whenever necessary, or when required to do so by the Director.

II.N.4. The Permittee shall notify the Director in writing of the partial closure of any portion of the Facility in accordance with Utah Admin. Code R315-264-110. The Permittee shall notify the Director at least 180 days prior to the commencement of final facility closure. Attachment 8 (Closure Plan) will be reviewed by the Permittee, and modified if necessary, before commencing partial or final facility closure. If Attachment 8 (Closure Plan) requires modification, the plan shall be modified and submitted to the Director for approval in accordance Utah Admin. Code R315-270-42.

II.N.5. After treating the final volume of hazardous waste, the Permittee shall remove from the site all hazardous waste and complete closure activities in accordance with the time frames specified in Attachment 8 (Closure Plan).

II.N.6. The Permittee shall decontaminate or dispose of all facility equipment, structures, soil and rinsate as required by Utah Admin. Code R315-264-114 and Attachment 8 (Closure Plan). Facility equipment, structures and soil which have not been decontaminated shall be disposed of at a permitted Treatment, Storage and Disposal Facility (TSDF).

II.N.7. The Permittee shall certify that the facility has been closed in accordance with the specifications in Attachment 8 (Closure Plan) and as required by Utah Admin. Code R315-264-115, and shall provide a certification by an independent,

registered professional engineer qualified by experience and education in the appropriate engineering field.

II.N.8. In the event that any hazardous waste management unit cannot be clean closed by removing hazardous constituents, contaminated soil and subsoil, and any contaminated groundwater as specified in Attachment 8 (Closure Plan), the Permittee shall modify Attachment 8 (Closure Plan) and any post-closure plan for that HWMU in accordance with Utah Admin. Code R315-124-5. Within 30 days of the date that the Director approves the modification request, the unit shall be closed as a landfill, in accordance with Utah Admin. Code R315-264-110.

II.N.9. The Permittee shall submit a survey plat no later than the submission of certification of closure of each hazardous waste storage and treatment unit, in accordance with Utah Admin. Code R315-264-116.

II.O. FINANCIAL ASSURANCE FOR FACILITY CLOSURE

II.O.1. The Permittee is exempt from the requirements for closure cost estimates in accordance with Utah Admin. Code R315-264-140.

II.P. RECEIPT OF OFF-SITE WASTE PROHIBITED

II.P.1. The Permittee shall not receive hazardous wastes that are generated at other facilities except for:

II.P.1.a. Wastes generated by TEAD during investigation or remediation of sites adjacent to TEAD that were contaminated from past TEAD operations;

II.P.1.b. Department of Defense (DoD)-owned waste conventional military munitions that will be treated in the incinerator operated in accordance with Module IV of this Permit;

II.P.1.c. DoD-owned waste conventional military munitions that will be recycled and treated in the small caliber disassembly line operated in accordance with Module V of this Permit;

II.P.1.d. DoD-owned waste conventional military explosives that will be treated at the hydrolysis facility operated in accordance with Module V of this Permit;

II.P.1.e. Waste conventional munitions generated at the Tooele Army Depot South Area (TEAD-S);

II.P.1.f. Conventional military or commercial explosive items identified as hazardous waste and collected during emergency response situations and transported by U.S. Army Explosive Ordnance Disposal (EOD) Personnel. The collection of these wastes is limited to the area of Utah, Wyoming and Idaho and three counties in

Nevada, namely, Elko, Eureka and White Pine. The maximum amount of explosive wastes that can be received and stored from one EOD emergency response shall be no more than 100 kg (220 pounds);

- II.P.1.g. DoD-owned waste conventional munitions that will be treated at the OB/OD area in accordance with Module VI of this Permit; and
- II.P.1.h. DoD-owned waste conventional military munitions that will be treated in the low temperature thermal treatment system operated in accordance with Module VII of this Permit.
- II.P.2. F999 and P999 wastes associated with lethal chemical agents shall not be stored or treated at TEAD.

II.Q TREATMENT OF MUNITIONS CONTAINING DEPLETED URANIUM

- II.Q.1. Munitions containing depleted uranium in any form shall not be treated at the Facility without the express approval of the Director.

II.R. RISK THRESHOLDS

- II.R.1. Open Burn (OB) and Open Detonation (OD) operations shall be conducted in a manner that minimizes the risk to human health and the environment. The risk thresholds in Module VI for operations at the OB/OD area are based on risk assessments.
- II.R.2. At the request of the Director or the Permittee, the completeness and accuracy of the risk assessments shall be evaluated. At a minimum, the evaluation shall include the following information:
 - II.R.2.a. A review of the list of chemicals/munitions constituents to add additional chemicals and emission factors as a result of updates in the waste characterization databases such as the MIDAS database;
 - II.R.2.b. A review of the toxicity information (reference doses, cancer slope factors), to include any new toxicity data.