



Division Waste Management and Radiation Control



USED OIL PROCESSOR PERMIT

Permittee Name: Tri-State Oil Reclaimers Inc.

Permittee Mailing Address: 1770 Otto Road
Cheyenne, Wyoming 82001

Permittee Phone Number: Office: (307) 635-5332

Permittee Administrative Contact: Charles R. Welty, Owner
Cell: (307) 631-2672
(307) 635-5332
Email: tristateoilreclaimers@gmail.com

Facility Address: 12370 West Mountain Road
Genola, Utah 84621

Facility Contact (Utah): Gary Cox, Facility Manager
Cell: (801) 599-5837
Email: tri.state.used.oil@gmail.com

Type of Permit: Used Oil Processor Permit

Permit #: UOP-0172

EPA ID #: UTR000013953

Signature: _____ Date Issued: _____

Scott T. Anderson, Director
Division of Waste Management and Radiation Control

I.A. Effect of Permit

- I.A.1. Tri-State Oil Reclaimers Inc. (hereafter referred to as “Permittee”) is hereby authorized to operate as a Used Oil Processor located at 12370 West Mountain Road Genola, Utah, 84621 (Attachment 1 – Facility Site Plan Map) in accordance with all applicable requirements of R315-15 of the Utah Administrative Code and of the Used Oil Management Act (the Act) 19-6-701 et. seq., Utah Code Annotated and this Permit.
- I.A.2. This permit shall be effective for a term not to exceed ten years in accordance with the requirements of R315-15-15 of the Utah Administrative Code.
- I.A.3. Attachments incorporated by reference are enforceable conditions of this Permit, as are documents incorporated by reference into the attachments. Language in Conditions I and II supersedes any conflicting language in the attachments or documents incorporated into the attachments.
- I.A.4. It shall not constitute a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the Permittee’s business activity in order to maintain compliance with the conditions of this Permit and its attachments.

I.B. Permit Revocation

- I.B.1. Violation of any permit condition or failure to comply with any applicable provision of the applicable statutes and rules shall be grounds for enforcement actions, including revocation of this Permit. The Director shall notify the Permittee in writing of his intent to revoke this Permit.

I.C. Permit Modification

- I.C.1. The Permittee may request modifications to any item or operational activity covered by this Permit by submitting a written permit modification request to the Director. If the Director determines the modification request is substantive, a public hearing, a 15-day public comment period or both may be required before a decision by the Director on the modification request. Implementing a modification prior to the Director’s written approval constitutes a violation of this Permit and may be grounds for enforcement action or permit revocation.
- I.C.2. Changes in operational activities include any expansion of the facility beyond the areas designated, alteration of processing operational parameters, changes in the type or number of storage tanks, piping, other equipment and changes to the contingency plan.
- I.C.3. The Director may require the Permittee to submit additional information when reviewing permit modification requests to ensure the safe handling of used oil at the processing facility in accordance with Section 19-6-710(3)(b)(xii) Utah Code Annotated.

- I.C.4. The Director may modify this Permit as necessary to protect human health and the environment, because of statutory or regulatory changes.
- I.C.5. The Permittee shall notify the Director in writing of any non-substantive changes, such as changes to the contact person, within 20 days of the change.
- I.D. Emergency Controls Systems and Facility Maintenance**
- I.D.1. The Permittee shall maintain and operate the Processor facility to minimize the possibility of fire, explosion or sudden or non-sudden release of used oil to air, ground, soil, surface and groundwater and sewer systems that could threaten human health and the environment.
- I.D.2. The Permittee shall have communication systems, fire alarms and fire suppression equipment in place and operational at the facility, as well as arrangements with local emergency response teams (i.e. fire, police and hospital) in accordance with R315-15-5.3 of the Utah Administrative Code.
- I.D.3. The Permittee shall have written documentation of inspections, conducted weekly, of used oil equipment, secondary containment, containers, tanks, fire suppression systems (portable and fixed), and testing of emergency alarms for fire and emergency communication systems in accordance with Attachment 2 (Safety, Security and Inspection Forms).
- I.D.4. Inspection documents shall include inspector's name, date, areas inspected, any problems identified, and the subsequent actions taken by the facility to maintain system integrity.
- I.D.5. The Permittee shall secure the facility by locking the entrance security gate and maintaining adequate perimeter fencing to prevent access by unauthorized persons or vehicles during hours when the facility is closed and the Permittees authorized personnel are not present.
- I.D.6. The Permittee shall maintain spill kits and fire extinguishers as specified in Attachment 3 (Emergency Controls and Contingency Plan). Locations of the spill kits and fire extinguishers are shown in Attachment 1 (Facility Site Plan Map).
- I.D.7. A secondary containment system for used oil containers, process and storage tanks, and piping and ancillary equipment shall be maintained for the facility in accordance with R315-15-5.5(c) of the Utah Administrative Code. The liner shall be maintained to prevent migration of oil to the soil and groundwater.
- I.D.8. Used oil, water or other liquids that may accumulate in the secondary containment system or any ancillary facility sumps shall be removed within 24 hours of discovery to prevent the possible migration to soil, ground or surface waters.

I.E. Emergency Controls and Contingency Plan

- I.E.1. The Permittee shall take all reasonable steps to minimize releases to the environment and shall carry out such measures as are necessary to protect human health and the environment. In the event of a release of used oil, the Permittee shall immediately take appropriate actions in accordance with the Permittee's Emergency Controls and Contingency Plan (Attachment 3), and R315-15-9 of the Utah Administrative Code.
- I.E.2. The Permittee shall keep a current copy and all previous versions of the Emergency Controls and Contingency Plan (Attachment 3) on site until facility closure.
- I.E.3. The Permittee shall provide a current copy to local police, fire departments, hospitals and State local emergency response teams that may be called upon during an emergency in accordance with R315-15-5.3(b)(3).
- I.E.4. The Permittee shall implement the Contingency Plan (Attachment 3) whenever there is an imminent or actual emergency situation.
- I.E.5. The Permittee shall notify the Utah Department of Environmental Quality 24-hour Answering Service, (801) 536-4123, for used oil releases exceeding 25 gallons or for smaller releases that pose a potential threat to human health or the environment in accordance with R315-15-9.1 of the Utah Administrative Code. The Permittee shall provide the information required by R315-15-9.1(c) of the Utah Administrative Code.
- I.E.6. In accordance with R315-15-9.4 of the Utah Administrative Code, the Permittee shall submit to the Director a written report within 15 days of any reportable release of used oil. The report shall also include a description of actions taken by the Permittee to prevent future spills.

I.F. Record Keeping Requirements and Retention

- I.F.1. The Permittee shall maintain all used oil records required by R315-15 of the Utah Administrative Code and this Permit at the Permittee's corporate office located at located at 1770 Otto Road, Cheyenne, Wyoming.
- I.F.2. Records may be in hard copy or in an electronic format and shall be readily accessible for inspection by authorized representatives of the Director. The Permittee shall maintain, for a minimum of three years, all applicable used oil processor tracking records required by R315-15 of the Utah Administrative Code and this Permit, with the exception of the operating record, which shall be kept until facility closure.
- I.F.3. The Permittee shall maintain other records (e.g. training and financial assurance) required by R315-15 of the Utah Administration Code and this Permit.

I.G. Operating Record

- I.G.1 The Permittee shall keep and maintain a written operating record (paper or electronic) until final closure of the facility that contains the following information:

- I.G.1.a. All used oil analytical records (sampling and results of used oil analyses) required by R315-15-5.6 of the Utah Administrative Code and this Permit.
- I.G.1.b. All summary reports and details of all incidents that require implementation of the Emergency Control and Contingency Plan (Attachment 3).
- I.G.1.c. The Permittee shall maintain records detailing the mass balance of oily wastewater received at the facility or generated at the facility via gravity separation and records documenting oily wastewater disposal.
- I.G.1.d. The Permittee shall retain records detailing the mass balance of wastewater entering and leaving the facility. This includes wastewater discharge records. This does not include water used in non-contact cooling processes.

I.H. Tracking Records

- I.H.1. The Permittee shall maintain the following written (or electronic) tracking records that document used oil operations conducted at this processing facility.
 - I.H.1.a. The Permittee shall maintain records of used oil accepted at the facility or shipped from the facility in accordance with the requirements of R315-15-5.7(a) and R315-15-5.7(b), respectively, of the Utah Administrative Code.
 - I.H.1.b. The Permittee shall maintain used oil storage tank records (bulk storage) that document the date, time, operator (initials), volume of the used oil deposited into each tank and the date, time, operator (initials), and destination of the used oil removed from each tank (including inter-tank transfers).

I.I. Sampling and Analysis Plan

- I.I.1. The Permittee shall follow all sampling and analytical procedures in this Permit when conducting used oil sampling and analytical testing to meet the requirements of R315-15-5.6 of the Utah Administrative Code and this Permit.

I.J. Prohibitions

- I.J.1. The Permittee shall not manage used oil in surface impoundments or waste piles.
- I.J.2. The Permittee shall not place, manage, discard or otherwise dispose of used oil in any manner specified in R315-15-1.3 of the Utah Administrative Code.
- I.J.3. Used oil that has been mixed with hazardous waste as defined by R315-261 of the Utah Administrative Code or PCBs as defined by R315-301-2(53) of the Utah Administrative Code shall no longer be managed as used oil and shall be subject to the rules applicable to hazardous waste and PCB-contaminated waste.
- I.J.4. Used oil shall not be stored in containers; tanks or piping that have previously stored hazardous waste, unless the tanks, containers and piping are cleaned in accordance with R315-261-7 of the Utah Administrative Code.

- I.J.5. The Permittee shall not accept used oil for storage with a PCB concentration greater than or equal to 50 mg/kg (ppm).
- I.J.6. The Permittee shall manage used oil with PCB concentrations of greater than or equal to 2 mg/kg but less than 50 mg/kg in accordance with R315-15-18 of the Utah Administrative Code. Used oil shall not be diluted to avoid any provision of any Federal or State environmental regulation.
- I.J.7. Used oil shall not be stored in tanks, containers or associated piping that have previously stored PCB contaminated materials at or above 50 mg/kg (ppm), unless the tanks, containers and piping or storage units are decontaminated as described in 40 CFR 761 Subpart S.
- I.J.8. Any used oil that was mixed with the PCB-contaminated material shall be managed in accordance with R315-15-18 of the Utah Administrative Code and 40 CFR 761 Subpart S.

I.K. Waste Characterization and Disposal

- I.K.1. The Permittee shall document and maintain records showing proper characterization, handling and disposal for used oil related wastes, including oily wastewater for a minimum of three years.
- I.K.2. The Permittee shall properly characterize used oil related wastes to determine if the wastes are hazardous or non-hazardous in accordance with R315-261 and R315-15-8 of the Utah Administrative Code. All wastes generated during used oil operations shall be handled in accordance with this Permit and R315-15 of the Utah Administrative Code. The wastes shall be taken to an appropriate facility permitted to handle the type of waste generated.
- I.K.3. The Permittee shall notify the Director within 24 hours of any used oil found at the facility with PCB concentrations greater than or equal to 50 mg/kg (ppm).

I.L. Liability and Financial Assurance Requirements

- I.L.1. The Permittee shall be financially responsible for cleanup and closure costs, general liabilities and environmental pollution legal liability for bodily or property damage to third parties resulting from sudden release of use oil in accordance with R315-15-10 through 12 of the Utah Administrative Code and this Permit.
- I.L.2. The Permittee shall provide documentation of financial responsibility, for cleanup and closure, environmental pollution legal liability, and general liability coverage annually to the Director for review and approval by March 1 of each reporting year or upon request by the Director.
- I.L.3. The Permittee shall receive written approval from the Director for any changes in the extent, type (e.g., mechanism, insurance carrier or financial institution), or amount of the environmental pollution legal liability or financial assurance mechanism for coverage of physical or operational conditions at the facility that

change the nature and extent of cleanup and closure costs prior to implementation of these changes.

I.M. Cleanup and Closure Plan

- I.M.1. The Permittee shall update its closure plan cost estimates and provide the updated estimate to the Director, in writing, within 60 days following a facility modification that causes an increase in the financial responsibility required under R315-15-10 of the Utah Administrative Code. Within 30 days of the Director's written approval, the owner or operator shall provide to the Director the information specified in R315-15-11.2(b)(2) of the Utah Administrative Code and Condition II.G of this Permit.
- I.M.2. The Permittee shall initiate closure of the facility within 90 days after the Permittee receives the final volume of used oil or after the Director revokes the Permittee's Processor Permit in accordance with the requirements of R315-15-11.3 of the Utah Administrative Code and this Permit.
- I.M.3. The Permittee shall remove or decontaminate used oil residues in tanks, containment system, and the environment in accordance R315-15-5.5(f) of the Utah Administrative Code and this Permit's Closure Plan, Attachment 8.
- I.M.4. Within 60 days of completion of cleanup and closure, the Permittee shall submit to the Director, by registered mail, a certification that the facility has been closed in accordance with R315-15-11.4 of the Utah Administrative Code and the specifications of the approved cleanup and closure plan. An independent, Utah-registered professional engineer and the Permittee shall sign the closure certification.
- I.M.5. Additional sampling and remediation may be required by the Director to verify that cleanup and closure has been completed according to R315-15 of the Utah Administrative Code.

I.N. Used Oil Handler Certificate

- I.N.1 In accordance with R315-15-5.9 of the Utah Administrative Code, the Permittee shall not operate as a used oil processor without obtaining annually a Used Oil Handler Certificate from the Director. The Permittee shall pay a used oil handler fee, pursuant to Utah Administrative Code Annotated Section 63J-1-504, by December 31 of each calendar year to receive certification for the upcoming calendar year.

I.O. Inspection and Inspection Access

- I.O.1. Any duly authorized employee of the Director may, at any reasonable time and upon presentation of credentials, have access to and the right to copy any records relating to used oil and to inspect, audit or sample. The employee may also make record of the inspection by photographic, electronic, audio, video or any other reasonable means to determine compliance.
- I.O.2. The authorized employees may collect soil, groundwater or surface water samples to evaluate the Permittee's compliance.

I.O.3. Failure to allow reasonable access to the property by authorized employees is a “denial of access” and may be grounds for enforcement action or permit revocation.

I.P. Annual Report

I.P.1 As required by R315-15-13.5 of the Utah Administrative Code, the Permittee shall prepare and submit an Annual Report to the Director by March 1 of the following year. The Annual Report shall describe the Permittee’s used oil activities in Utah and document financial assurance using the Division’s Processor Annual Report form.

I.Q. Other Laws

I.Q.1. Nothing in this permit shall be construed to relieve the Permittee of his obligation to comply with any Federal, State or local law.

I.R. Enforceability

I.R.1. Violations documented through the enforcement process pursuant to Utah Code Annotated 19-6-112 may result in penalties assessed in accordance with R315-102 of the Utah Administrative Code.

I.S. Effective Date

I.S.1. The permit is effective on the date of signature by the Director.

Draft Permit for Public Comment

II.A. General Operations

- II.A.1. The Permittee is authorized to store and process used oil (via gravity separation only) in accordance with R315-15-5 of the Utah Administrative Code at 12370 West Mountain Road, Genola, Utah.
- II.A.2. The Permittee is authorized to store a maximum of 252,000 gallons of used oil in tanks, and containers.
- II.A.3. The Permittee shall maintain a current process and instrument diagram (PID), certified by a Utah professional engineer (Attachment 4 – PID Diagram,).
- II.A.4. The Permittee shall only store used oil in tanks, containers or units subject to regulations under R315-265 or R315-264 of the Utah Administrative Code and maintain tanks, containers, associated piping, pumps and valves in good operational condition.
- II.A.5. The Permittee may only accept used oil from a Utah-permitted used oil transporter or deliveries of exempted oily wastewater from waste haulers that maintain all required permits or registrations with the State, counties or municipalities.
- II.A.6. The Permittee shall verify, at the time of acceptance, that the transporter delivering the used oil has recorded the halogen content of the used oil on the shipping documents.
- II.A.7. The Permittee is not required to further test used oil from a Utah-registered used oil marketer if the marketer provides, at the time of acceptance, analytical data results documenting that the used oil has been tested for the parameters in R315-15-1.2 of the Utah Administrative Code.
- II.A.8. If the transporter has not documented the halogen content on the shipping records, then the Permittee shall determine the halogen content of the shipment of used oil received at the facility, prior to acceptance.
- II.A.8.a. The Permittee shall determine the halogen content by collecting a representative sample, when applicable, in accordance with Condition II.E and Attachment 5 (Used Oil Sample Collection Procedures), by screening the used oil sample for halogens, or by submitting the sample to a Utah-certified laboratory for analysis in accordance with the analytical requirements of Attachment 6 (Analysis Plan).
- II.A.8.b. The Permittee shall then record the results of the halogen testing of any untested used oil received at the facility in the facility operating record.
- II.A.9. The Permittee shall only deliver shipments of used oil to transporters with a valid Used Oil Transporter Permit issued by the Director.
- II.A.10. Used oil recovered from oily water shall be managed as used oil in accordance with R315-15 of the Utah Administrative Code and this Permit.

II.A.11. The Permittee shall not accept or store used oil with PCB concentrations greater than or equal to 50 mg/kg (ppm) unless the Permittee complies with TSCA regulations 40 CFR 761. Used oils containing PCB concentrations greater than or equal to 2 mg/kg but less than 50 mg/kg are subject to both R315-15 of the Utah Administrative Code and 40 CFR 761.

II.C. Used Oil Storage

II.C.1. The Permittee shall only store used oil in the tanks specified in Table II.C.

Table II.C: Description of Used Oil and Oily Water Storage Tanks

Tank No.	Capacity* (gal)	Type	Type Storage and Location
1	21,000	Steel	Used Oil Storage Secondary Containment Area
2	21,000	Steel	Used Oil Storage Secondary Containment Area
3	21,000	Steel	Used Oil Storage Secondary Containment Area
4	21,000	Steel	Used Oil Storage Secondary Containment Area
5	21,000	Steel	Used Oil Storage Secondary Containment Area
6	21,000	Steel	Used Oil Storage Secondary Containment Area
7	21,000	Steel	Used Oil Storage Secondary Containment Area
8	21,000	Steel	Used Oil Storage Secondary Containment Area
9	21,000	Steel	Used Oil Storage Secondary Containment Area
10	21,000	Steel	Used Oil Storage Secondary Containment Area
11	21,000	Steel	Used Oil Storage Secondary Containment Area
12	21,000	Steel	Used Oil Storage Secondary Containment Area
*Maximum facility used oil storage capacity = 252,000 Gallons			

II.C.2. The Permittee shall conduct inspections of used oil storage containers, tanks and secondary containment systems in accordance with Attachment 2 (Safety, Security and Inspection Forms) of this Permit. The Permittee shall record the inspector's name, the time and date of the inspection and the condition of the tanks and secondary containment systems. The Permittee shall document in the inspection log any issues discovered during the inspections (e.g. leaking tanks or water accumulation) and any actions taken by the Permittee to resolve these issues.

II.C.3. The Permittee shall label used oil storage tanks, drums and containers with the words "Used Oil."

II.C.4. The Permittee shall keep tanks, drums and containers of used oil closed except while removing or adding used oil.

II.C.5 The Permittee may not store used oil in units other than tanks, containers, or units subject to regulations under R315-264 or R315-265.

II.D. Used Oil Loading and Unloading Requirements

II.D.1. The Permittee shall ensure that operations involving the loading or unloading of used are conducted in accordance with Attachment 7 (Used oil Loading and Unloading Procedures).

II.E. Used Oil Sampling and Analysis

II.E.1. The Permittee shall ensure a representative sample is collected from tanks, totes, drums or other containers from which used oil is collected in accordance with Attachment 5 (Sample Collection Procedures). Sampling personnel shall be trained on appropriate sampling methods for each type of container and matrix.

II.E.2. Samples collected from bulk oil containers greater than 55 gallons shall be individual samples, not composite samples.

II.E.3. A representative composite sample may be collected from individual drums or containers containing used oil from the same source. A representative composite sample may consist of not more than four drums (≤ 55 gallon each) per composite sample. The individual samples shall be taken and consolidated into one representative composite sample and tested.

II.E.4. Drums or containers of used oil from different sources or processes shall be sampled individually.

II.E.5. A COLIWASA shall be used to collect samples from drums or containers less than or equal to 55 gallons. The entire COLIWASA contents shall be place in one sample container.

II.E.6. The Permittee shall analyses used oil and other related materials in accordance with the requirements of Attachment 6 (Analysis Plan).

II.G. Used Oil Training

II.E.1. The Permittee shall train handlers of used oil in accordance with R315-15-4 of the Utah Administrative Code and the requirements of this Permit. New employees may not manage or process used oil without a trained employee present until used oil training is completed.

II.E.2. The Permittee shall document that employees are trained in the identification of used oil, recordkeeping requirements and facility used oil procedures. Training will address:

II.E.2.a. proper loading and unloading procedures,

II.E.2.b. sample collection and analytical procedures,

- II.E.2.c. rebuttable presumption testing,
- II.E.2.d. appropriate use of generator knowledge, and
- II.E.2.e. the emergency spills plan.
- II.E.3. Employees collecting and performing field halogen testing shall be trained and demonstrate competence in collecting a representative used oil sample and testing for halogens using a CLOR-D-TECT[®] kit prior to fieldwork.
- II.E.4. The Permittee shall provide, at a minimum, an annual used oil training refresher course for employees handling used oil. Additional training is required if the Permittee changes used oil handling procedures or this Permit is modified.
- II.E.5. The Permittee shall keep training records for each employee for a minimum of three years. Employees and supervisors shall sign and date training attendance sheets to document class attendance.

II.G. Facility Closure

- II.G.1. The Permittee shall implement the closure plan in Attachment 8 (Facility Closure Plan) which evaluates the potential impacts of used oil operations on the surrounding soil, groundwater and surface water in accordance with R315-15-11 of the Utah Administrative Code. The Permittee shall be responsible for any cleanup of any used oil contamination that has migrated beyond the facility property boundaries in accordance with R315-15-11(d) of the Utah Administrative Code.

II.H. Emergency Spill Response and Remediation

- II.H.1. In accordance with R315-15-9.1 of the Utah Administrative Code, the person responsible for the spill shall immediately take appropriate action to minimize the threat to human health and the environment and notify the DEQ Hotline at (801) 536-4123 if the spill is greater than 25 gallons or smaller spills if it poses a threat to human health or the environment (Attachment 3 – Emergency Controls and Contingency Plan).
- II.H.2. Responders shall take action to prevent spill from spreading by utilizing absorbent, dirt, booms, pads, rags, etc.
- II.H.3. The Permittee is responsible for the material release and shall recover oil and remediate any residue from the impacted soils, water, or other property, or take any other actions as required by the Director until there is no longer a hazard to human health or the environment.
- II.H.4. Once the material is containerized, a waste determination shall be made to determine the material's disposition.
- II.H.5. The Director may require additional cleanup action to protect human health or the environment.

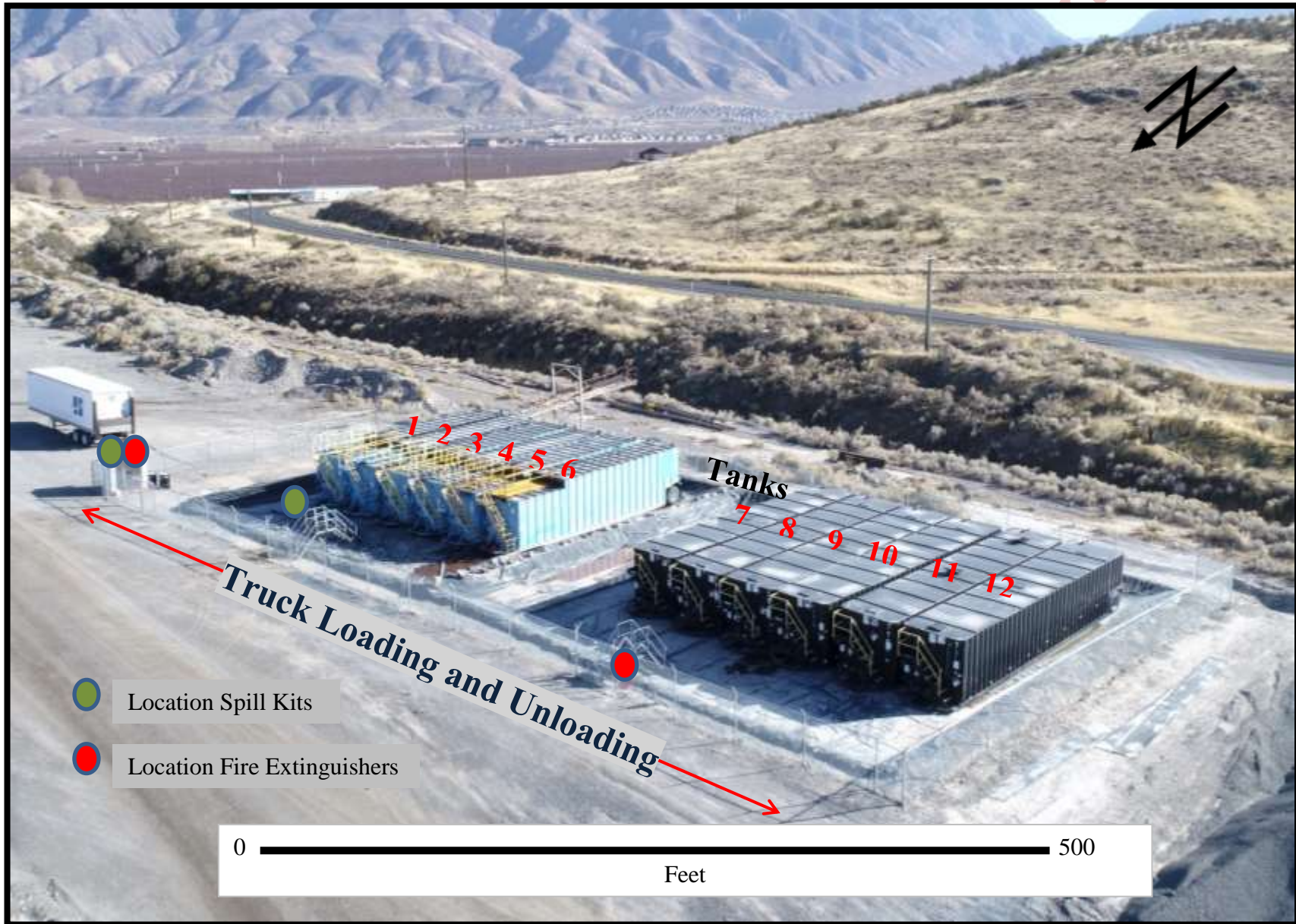
- II.H.6. All costs associated with the cleanup shall be at the expense of the Permittee.
- II.H.7. Spill kits shall contain, at a minimum, the equipment listed in Table II.H.7 of this Permit.

Table II.H.7: Spill Kit Equipment Requirements

Equipment Description	Quantity
Shovel	1
Buckets	1
Spill Pad	10
Granulated Absorbent	2 ft ³
Boom/Oil Socks	1
Spill Plan with Emergency Contact Numbers	1
Blank Spill Report Sheets	2

- II.H.8. The Permittee shall report all relevant information, including the amount of waste generated from cleanup efforts, the characterization of the waste (i.e. hazardous or non-hazardous), final waste determination, and disposal records. The report shall also include actions taken by the Permittee to prevent future spills.
- II.H.9. In accordance with R315-15-9.4 of the Utah Administrative Code, the Permittee shall submit to the Director a written report within 15 days of any reportable release of used oil.

Attachment 1
Facility Site Plan Map



Attachment 2

Safety, Security and Inspection Forms

A. Purpose

A.1. This procedure is designed to meet the used oil regulatory requirements for the maintenance and inspection of R315-15 of the Utah Administrative Code and Tri-State Oil Reclaimers (Tri-State) Used Oil Processor Permit to assure the protection of human health and the environment. The location of the used oil storage areas and emergency equipment are shown in Attachment 1 (Facility Site Plan Map). Tri-State shall document the inspection and maintenance of used oil tanks, fire suppression systems (portable), and facility emergency equipment. Tri-State’s facility manager is responsible for the implementation of the inspection program. Inspection forms shall be used for inspection and Safety/Emergency Equipment (Appendix 1 Inspection Form for Storage and Handling Areas and Appendix 2 - Safety/Emergency Equipment Inspection Form). Inspection forms consist of either a written hardcopy or equivalent electronic format. Inspection forms and any associated documents (i.e. actions taken due to deficiencies) shall be incorporated into the facility's Operating Record.

B. Inspections

B.1. Used oil storage areas shall be inspected, at a minimum, according to the frequency specified in Table 1. Inspectors are required to document the date and time of inspection, name of the inspector, the status of each inspected item, the reason for each “not ok” status checked and the date corrective action was taken, along with the initials of the person making the determination. If the inspector documents any problems during the inspection he will report the deficient condition to Tri-State’s facility manager. Tri-State Oil’s management will verify (written documentation) that any deficiencies identified during the inspection are corrected in a timely manner and used oil spills are immediately cleaned-up.

Table 1: Frequency of Used Oil Inspections

Inspection Type	Items Inspected	Frequency
Use Oil Storage Areas	Tanks/Auxiliary piping/Valves Secondary Containment Areas	Weekly
Emergency Equipment	Spill Kits Fire extinguishers Communication System (Employees have working cell phones) Personal Safety Equipment First Aid Kits	Weekly

B.2. Inspectors shall receive training to enable them to identify any problems associated with the used oil storage areas or emergency equipment. These records shall be maintained at the corporate headquarters in a readily available location and maintained for a minimum of three (3) years from the applicable record's inspection date.

Attachment 2 - Appendix 1

Inspection Form for Storage and Handling Areas

Tri-State Oil Reclaimers Facility Used Oil Storage and Handling Areas Weekly Inspection Form					
Equipment	Inspection Elements	Status		If "Not OK" State Reason	Date Corrected (Initials)
		OK	Not OK		
Tanks	Check tanks for signs of deterioration				
	Check any tank valves, any piping				
	Check that tanks are properly labeled				
	Check that tank valves are secure and locked down				
	Check that access hatches are closed				
Secondary Containment Areas	Check liner for deterioration or holes or leaks				
	Check for oil in secondary containment areas				
	Check for water in secondary containment areas				
Loading and Unloading Areas	Check Soil for staining or used oil spills.				
Used Oil Hose Storage	Check used oil hoses for deterioration				
	Check that hoses are properly stored in proper containment				
	Check for oil or water in the containment use for hose storage				
Comments:					
Inspection Date: _____		Inspector's Signature: _____			

Attachment 2 – Appendix 2

Inspection Form for Safety/Emergency Equipment

Tri-State Oil Reclaimers Facility Safety/Emergency Equipment Weekly Inspection Form					
Equipment	Inspection Elements	Status		If “Not OK” State Reason	Date Corrected (Initials)
		OK	Not OK		
Spill Kits	Inventory sheet with spill kit/First Aid Kit				
	Verified all listed supplies are included				
First Aid Kits	Inventory sheet with First Aid Kit				
	Check for presence of First Aid Kit				
	Check First Aid Kit inventory and stock any items removed from kit (check against inventory sheet)				
Fire Extinguishers	Check fire extinguisher tags for expiration dates. Have fire extinguishers inspected if expired.				
	Check pressure gauges for adequate pressure				
Communication/ECCP	Check cell phones are working				
	Check that a copy of the Emergency Controls and Contingency Plan (ECCP) is onsite and accessible to employees				
Fencing	Check perimeter fencing for deterioration				
	Check gate locking mechanism is in working order				
Comments:					
Inspection Date: _____		Inspector’s Signature: _____			

Attachment 3

Emergency Controls and Contingency Plan

A. Introduction

A.1. This Emergency Control and Contingency Plan is designed in accordance with the requirements of the Utah Administrative Code R315-15-5.3 to implement a contingency plan and emergency procedures including the appropriate equipment required to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water. This plan also establishes activities required of Tri-State Reclaimers’s personnel to carry out to mitigate such discharges (i.e., countermeasures) should they occur.

B. Facility Description and Operations

B.1. The facility stores used oil on-site for periods exceeding 35 days. There is no active processing of used oil that occurs at the site. The used oil is stored in “frac” tanks. Sufficient secondary containment is provided in all storage areas per requirements of R315-15-5 of the Utah Administrative Code and the Spill Prevention Control and Countermeasures regulations.

C. Site Security

C.1. The facility operates during normal business hours. A chain-link fence surrounds the tank farm and the vehicle loading and unloading area. Access to the facility is restricted to employees and authorized visitors.

D. Commitment of Manpower and Resources

D.1. The facility shall have an emergency coordinator at the facility or on call that is available to respond to a facility emergency immediately. The primary and secondary emergency coordinators are listed in Table D.1 below. The emergency coordinators shall be thoroughly familiar with all aspects of the facility’s emergency control and contingency plan, facility operations, and have the authority to commit the resources needed to carry out the contingency plan. In their absence, all facility personnel will evacuate, and the most senior employee will contact the emergency coordinators.

Table D.1: Facility Emergency Coordinators and Contact Information

Emergency Coordinators	Title	Contact Information
Gary Cox	Facility Manager (Utah)	Cell: 801 599-5837 Email tri.state.used.oil@gmail.com
Thorpe Cox	Truck Driver	Cell: 801-837-2938
Charles Welty	Regional Operations & Facility Manager	Cell Phone: 307-635-5332 Email: tristateoilreclaimers@gmail.com

E. Facility Emergency Equipment

E.1. The facility is equipped with the emergency equipment listed in Table E.1. All emergency equipment is inspected and maintained as necessary to assure its proper operation in time of emergency.

Table E.1: List of Facility Emergency Equipment

Physical Description	Location	Capabilities/Use
Spill Kit	Storage Shed NE Corner Property	Spill containment
Fire extinguishers (2)	Storage Shed NE Corner Property (10 lb. extinguisher) Mounted on North Side of Tank # 6 (10 lb. extinguisher)	Extinguish fires, dry chemical type
First aid kit (1)	Storage Shed NE Corner Property	Treat minor injuries
Tools	Storage Shed NE Corner Property	Various repairs
Recovery drums (3)	Storage Shed NE Corner Property	Spill Clean Up
Hard hats, safety glasses, goggles, and face shields	Storage Shed NE Corner Property	Personal Protection
Chemically resistant gloves and boots	Storage Shed NE Corner Property	Personal Protection
Communications system	Each employee issued a company phone	Emergency Calls

F. Communication

F.1. In the event of an emergency or used oil spill, employees will use cell phones and in-person verbal communication to notify employees of the emergency and any need to evacuate and also to contact the supervisors and emergency coordinators and provide details regarding the emergency or spill event.

G. Facility Emergency Evacuation Plan

G.1. In the event of a serious spill, fire, or explosion which presents possible hazards to human health and to the environment, all personnel will immediately evacuate the premises in accordance with the following procedures.

G.2. Cell phones will be used to alert employees of the emergency and an employee shall evacuate.

G.3. Employees shall muster approximately 600 feet to the east of the facility entry gate (Figure G.3- Emergency Evacuation Route Diagram).

H. Coordination Agreements

H.1. A copy of the Emergency Control and Contingency Plan and all revisions will be sent to the government agencies and prime emergency responders. A copy of the plan will be maintained onsite.

H.2. The fire department is familiar with the facility layout, products transferred, stored, and handled, and hazardous waste stored.

Figure G.3: Emergency Evacuation Route Diagram



I. Spill Control, Emergency Response and Reporting Requirements

- I.1. Tri-State Oil Reclaimers shall immediately cleanup any spill which occurs during the loading or unloading of used oil at the facility.
- I.2. The operator shall call 911 when warranted to summon emergency personnel to the scene.
- I.3. The operator shall take action to prevent the spilled material from spreading by utilizing absorbent, dirt, booms, pads, rags, etc. The operator should prevent used oil from entering any adjacent storm water drain, sewer drain system or leaving the facility boundary.
- I.4. In the event that more resources are required, the operator will contact a supervisor to dispatch a spill response team to help facilitate the mitigation and/or remediation of the spill.
- I.5. Used oil spills exceeding 25 gallons, or smaller quantities that pose a risk to human health and the environment, shall be reported to Tri-State Oil Reclaimers's management and to the Utah Department of Environmental Quality immediately after containment of the spill (Table I.5). The report must follow the reporting requirements of R315-15 and Tri-State Oil Reclaimers's Processor Permit. Within 15 days after any release of used oil that is reported under R315-15-9 of the Utah Administrative Code, the person responsible for the material at the time of the release shall submit to the Director a written report in accordance with the reporting requirements of R315-15-9 of the Utah Administrative Code.

Table: I.5: List of Agencies to Notify in Case of a Spill

Agencies Notification	Contact Phone Number
National Response Center (if applicable)	(800) 424-8802
Utah Department of Environmental Quality (within 24 hrs.)	(801) 536-4123

- I.6. Tri-State Oil Reclaimers’s operators shall submit a completed spill report to a supervisor at or before the end of the operators shift.
- I.7. Tri-State Oil Reclaimers’s employees shall report any spills to facility management, regardless of the volume. Employees are exempted from reporting de minimis drips to management that are immediately cleaned up by the responsible employee (Table I.7):

Table: I.7: Emergency Contacts List (Company Personnel)

Contact Person	Title	Contact Information
Gary Cox	Facility Manager (Utah)	Gary Cox Cell: 801-599-5837 Email tri.state.used.oil@gmail.com

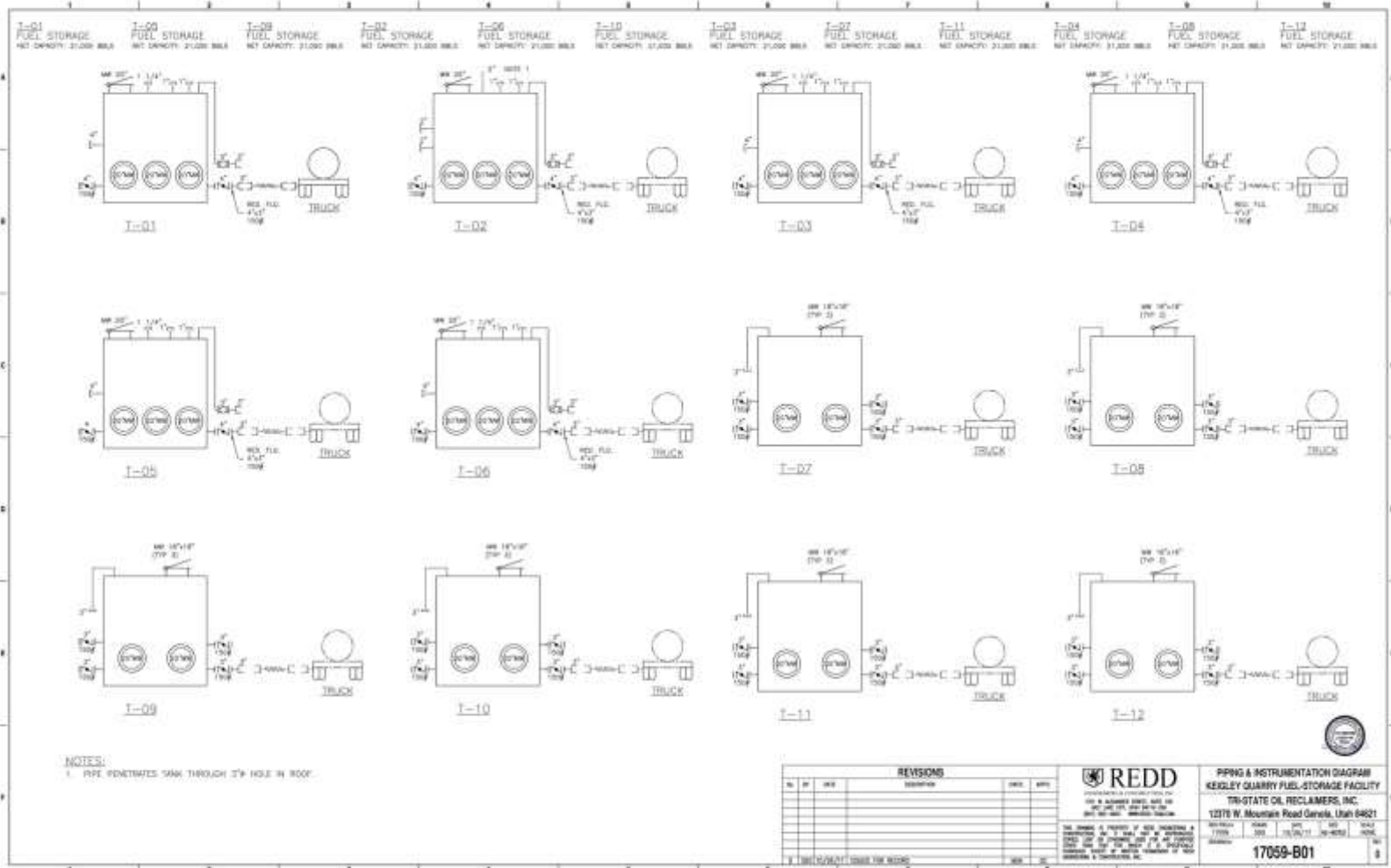
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Attachment 3 - Appendix 1: Tri-State Oil Reclaimers Inc. Spill Report Form

Part A: Discharge Information	Name of Employee Reporting Spill:	
General information when reporting spill to outside agencies Name: Tri-State Oil Reclaimers Inc. Address: 12370 West Mountain Road Genola, Utah 84621 Telephone: 801-599-5837 Owner/Operator: Tri-State Oil Reclaimers Inc. 1770 Otto Road Cheyenne, Wyoming 82001 Primary Contact: Gary Cox, Facility Manager Cell (24 hrs.): 801-599-5837	Type of oil:	Discovery date and time:
	Total quantity released:	Discharge date and time:
	Location/Source:	Affected media: <input type="checkbox"/> Soil <input type="checkbox"/> Surface Waters <input type="checkbox"/> Storm Drain <input type="checkbox"/> Sewer/POTW <input type="checkbox"/> Other
Nature of discharges, environmental/health effects, and damages:		
Actions taken to stop, remove, and mitigate impacts of the discharge:		
Part B: Notification Log		
Discharges of any Amount	Date and Time	Name of Person Receiving the Call
Discharges Exceeding 25 gallons	Date and Time	Name of Person Receiving the Call
Genola Fire Department/Other 911		
Utah Department of Environmental Quality (801) 536-4123		
Other Notification Information:		

Attachment 4
Piping and Instrument Diagram

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Attachment 5

Sample Collection Procedures

A. General

- A.1. Tri-State Oil Reclaimers's employees shall use the sampling procedures below to collect representative sample from tanks and containers when screening used oil for halogen content when required by this Permit.
- A.2. A representative sample will be collected from the tank/container as outlined below and sent to a Utah certified laboratory for analysis or screened for halogens as applicable.

B. Tank Lock Down Procedure

- B.1. The operator shall "lock down" the tank valve so that used oil cannot be added or removed from the tank. The operator shall record the date and time the tank was locked down and current volume of used oil in the facility's operating record
- B.2. Once analytical results are received, the operator may remove the lock on the tank and pump the oil from the tank into a used oil transportation vehicle for delivery to the customer or used oil processing facility as applicable. The operator shall record the time the lock was removed and the volume of oil removed from the tank in the operating record.

C. Tank Sampling Procedure

C.1. Sampling Method ASTM- ASTM-D7831 – COLIWASA Sampling Device

COLIWASA Sampling Device: Glass or Polypropylene/ plastic type tube or "tank" sampler with a stopper at one end attached by a rod running the length of the tube to a locking mechanism at the other end.

C.2. Step 1

Open the COLIWASA by placing the stopper mechanism or inter tube in the open position.

C.3. Step 2

Lower the tapered end of the outer sampling tube in the liquid at a rate that allows the liquid level inside and outside to the tube to equalize. If the level of the liquid in the sample tube is lower than that outside the sampler, the sampling rate is too fast and a non-representative will result.

C.4. Step 3

Use the stopper or tube mechanism to close the COLIWASA when it has reached the desired depth.

C.5. Step 4

Slowly withdraw the sample from the liquid, keeping the seal closed and holding the tube in a vertical position. Wipe the exterior of the sampler tube with a rag or allow the excess liquid to drain back into the container.

C.6. Step 5

Open sample jar and dispense the entire contents from COLIWASA into sample jar.

C.7. Step 6

Label sample jar and fill out chain of custody for laboratory or screen sample the sample with a CLOR-D-TECT[®] halogen test kit (EPA Method 9077) and document the results. Follow any required laboratory procedures for proper packing and shipping.

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Attachment 6

Analysis Plan

A. Halogen Field Screening Methods

A.1. The Permittee shall screen, when applicable, used oil or oily water subject to R315-15 of the Utah Administrative Code in accordance with the following requirements:

A.1.a. CLOR-D-TECT[®] halogen test kit (EPA Method 9077) for oil containing less than 20% water; or

A.1.b. HYDROCLOR-Q[®] test kit if the oil contains between 20% and 70% water using the following conversion formula:

$$\text{True Halogen Concentration} = \text{Reading Syringe} + [(10 + \text{ml oil in sample})/10]$$

Example: sample contains 6 ml water and 4 ml oil (60% water) and the syringe reading is 2,000 ppm, then the true concentration is:

$$2,000 \text{ ppm} [(10 \text{ ml} + 4 \text{ ml})/10] = 2,800 \text{ ppm}$$

A.1.c. HYDROCLOR-Q test kit without correction for oil containing greater than 70% water.

B. Quality Control Sample

B.1. A The CLOR-D-TECT[®] kit (Method 9077 of SW846) requires that a quality control sample (duplicate) be analyzed for each sampling event.

C. Halogen Laboratory Analytical Methods

C.1. When relying on laboratory testing, the Permittee shall submit a representative used oil sample to a Utah-certified laboratory to analyze for total halogen concentrations using Method 9076.

D. Rebuttable Presumption

D.1. The Permittee may rebut the hazardous waste presumption in accordance with R315-15-4.5 of the Utah Administrative Code if the Permittee can demonstrate that the used oil does not contain significant concentrations of any of the halogenated hazardous constituents listed in Appendix VIII of EPA CFR 40, Part 261 which includes volatiles, semi-volatiles, PCBs, pesticides, herbicides and dioxin/furans. Generator knowledge may be used to exclude testing for pesticides, herbicides and dioxins/furans unless coming from a process where this is expected.

E. PCB Contaminated Used Oil

E.1. Laboratory testing for PCBs shall be conducted in accordance with R315-15-18(d) of the Utah Administrative Code when used to satisfy any requirements of R315-15 of the Utah Administrative Code and this Permit.

E.2. The required PCB sample preparation and analytical methods are listed in Table E.1.

Table E.1: PCB Sample Preparation and Analytical Methods

Sample Preparation Methods	Analytical Method	Analytes *	
		PCB CAS RN	PCB Aroclor®
3500C (General) 3580A (Preparation) 3665A (Cleanup)	8082A	12674-11-2	1016*
		147601-87-4	1210
		151820-27-8	1216
		11104-28-2	1221*
		37234-40-5	1231
		11141-16-5	1232*
		71328-89-7	1240
		53469-21-9	1242*
		12672-29-6	1248*
		165245-51-2	1250
		89577-78-6	1252
		11097-69-1	1254*
		11096-82-5	1260*
		37324-23-5	1262
11100-14-4	1268		
* Note: Analyses of the Aroclors® bolded/* in the last column are mandatory to analyze. A total of seven Aroclors® are required.			

Attachment 7

Used Oil Loading and Unloading Procedures

A. Personal Protective Equipment

- A.1. All operators must wear protective gear when unloading or loading a truck, including safety glasses and protective gloves.

B. Recordkeeping

- B.1. Profiles, Bill of Lading, and any other paperwork should be reviewed to ensure the acceptability of the material prior to transfer.

C. Tanker Truck Loading and Unloading Procedures

- C.1. Determine that the truck's brakes are set. Block the wheels of the truck with chocks.
- C.2. Determine the volume of the truck.
- C.3. Hook up the hose to the truck's transfer valves.
- C.4. Secure cam-lock ears with lock pins to prevent accidental hose disconnection.
- C.5. Check the storage tank's volume measurement to see if there is sufficient space available in the tank to accommodate the total volume of oil in the truck's tank into the storage tank.
- C.6. Open the valves to the selected storage tank and turn on the truck pump.
- C.7. After transfer is complete then turn off the pump and close the valves on truck and tank.
- C.8. Disconnect the fill hose from the truck and tank and hang hose back on hose rack.
- C.9. Clean up any material spilled before leaving tank farm.

Attachment 8
Facility Closure Plan

A. General

- A.1. Tri-State Oil Reclaimers shall at time of closure comply with all of the clean-up and closure requirements of R315-15-5 and this Closure Plan (Attachment 8 - Appendix 1-Itemized Task Closure Cost for Financial Assurance).

B. Soil and Groundwater Testing (Task 1)

- B.1. At time of the closure of the facility, the Permittee shall sample the soil and groundwater (RCRA 8 metals, Volatiles, Semi-Volatiles, PCBs) to determine potential contamination from operational activities. The Permittee shall submit a Level IV data validation analytical package from a Utah- certified laboratory, within 30 days of receipt, to the Director for review and approval.

C. Plant Decommission Certification (Task 2)

- C.1. Plant decommission, at time of closure, requires removal of all used oil and contaminated soils.
- C.2. Secondary containment liner shall be removed and disposed of at an appropriate disposal facility.
- C.3. All fencing and other ancillary equipment shall be removed and disposed at an appropriated facility.
- C.4. Hazardous waste, non-hazardous waste, rinsate water, and scrap metal generated shall be transported to a recycling facility or a waste disposal facility as applicable.

D. Closure Certification Costs (Task 3)

- D.1. Closure of the facility in accordance with requirements of this Permit shall be verified by a Utah certified independent Professional Engineer (P.E.), and submitted to the Director for final approval.

Attachment 8 – Appendix 1

Itemized Task Closure Costs for Financial Assurance

Task #	Itemized Task Closure Cost Description				
1	Soil and Groundwater Testing	Quantity	Units	Rate	Current Cost
	Sampling (labor)	5	Hours	\$75.00	\$375.00
	Soil (10)/Groundwater (2) Samples & Analytical Testing	12	Each	\$550.00	\$6,600.00
	Drilling for soil sample collection	6	Hours	\$175.00	\$1,050.00
	Equipment Rental	2	Days	\$600.00	\$1,200.00
	Site Sampling and Analytical Cost Sub-Total				
2	Facility Decommission and Certification	Quantity	Units	Rate	Current Cost
	Removal, Transportation and Recycling of Used Oil	252,000	Gallons	\$0.08	\$20,160.00
	Tank Decontamination and the disposal of generated rinsate water.	12	Each	\$4,000	\$48,000.00
	Tank transportation and disposal at metal scrap yard	12	Each	\$500.00	\$6,000.00
	Fence removal from ground	5	Hour	\$75.00	\$375.00
	Transportation of fence to scrap metal facility for disposal	1	Truck	\$500.00	\$500.00
	Secondary Containment Liner removal and transportation to landfill	1	Truck	\$1,000.00	\$1,000.00
	Disposal Cost of Secondary Containment Liner at landfill	21	Ton	\$25.00	\$525.00
	Plant Decommission Cost Sub-Total				
3	Closure Certification	Quantity	Units	Rate	Current Cost
	Independent P.E. Verification	1	Each	\$2,500.00	\$2,500.00
	Division Review	6	Hours	\$90.00	\$900.00
	Final Closure Verification Cost Sub-Total				
Total Estimated Closure Costs					\$89,185.00