

STATE OF UTAH PLAN APPROVAL

Permittee: Clean Harbors Aragonite, LLC.
Tooele County, Utah
Utah/EPA Identification Number: UTD 981 552 177

Pursuant to the Utah Solid and Hazardous Waste Act, (the Act), Section 19-6-101, *et seq.*, Utah Code Annotated 1953, as amended, and the regulations promulgated thereunder by the Utah Solid and Hazardous Waste Control Board, codified in the Utah Administrative Code (UAC) R315, and pursuant to the Solid Waste Disposal Act, 42 U.S.C. 6901 *et seq.*, as amended by the Resource Conservation and Recovery Act of 1976 (RCRA), 42 U.S.C 6901 *et seq.*, and the Hazardous and Solid Waste Amendments of 1984 (HSWA), the Director of the Division of Waste Management and Radiation Control (Director) hereby grants approval for a reissuance of the plan approval (hereinafter referenced as the Permit) to Clean Harbors Aragonite, LLC. (hereinafter called the Owner, Operator, or Permittee) to operate a hazardous waste treatment and storage facility located approximately 2.5 miles south of Interstate 80 at the Aragonite exit, Exit #56, Tooele County, Utah, latitude 40° 44' 004" North and longitude 112° 58' 005" West. The Director reissued the Permit on **DATE OF REISSUANCE**.

The Permittee shall comply with all terms and conditions of this Permit. The Permit consists of Modules 1 through 5 and Attachments 1 through 17. The Permittee shall also comply with all applicable State rules, including R315-101, 102, 124, 260 through 264, 266, 268, 270 and R305-7, that were in effect on the most recent date that each Permit Condition or provision in an attachment to the Permit were issued, reissued, or modified.

The Permit is effective upon the signature of the Director, as evidenced below. This Permit shall remain in effect unless revoked, terminated, or it expires in accordance with applicable provisions of this Permit and UAC R315.

This Permit may be modified in accordance with this Permit and any applicable rules. Each modification to this Permit will be documented informally in a matrix attached to this signature page.

Furthermore, the Permittee shall comply with any self-implementing statutory provisions and related regulations which in accordance with HSWA are automatically applicable to the Permittee's hazardous waste management activities notwithstanding the conditions of this Permit.

This Permit, is based on the premise that the information submitted by the Permittee is accurate. The Permittee's failure in the application or its other submissions to disclose fully accurate or all relevant facts, or the Permittee's misrepresentation of any relevant facts at any time, shall be grounds for the termination or modification of this Permit, the initiation of enforcement action, including criminal proceedings, or any combination of these remedies. The Permittee shall inform the Director of any deviation from Permit conditions or changes in the information submitted by the Permittee on which this Permit was based that would affect the Permittee's ability to comply with the terms and conditions of this Permit or actual compliance with applicable rules.

The Director shall enforce all terms and conditions of this Permit. Any challenges to any condition of this Permit shall be appealed in accordance with the applicable provisions of the Utah Code and administrative rules.

The U.S. Environmental Protection Agency (EPA) has authorized the State of Utah to issue, reissue, or modify a permit under Section 3006 (b) of RCRA. Nevertheless, the EPA may issue a separate permit based on federal regulations promulgated under HSWA that have not been adopted by the State of Utah and have not been included in the State's authorized program. Furthermore, the EPA shall maintain an oversight role of the State authorized program and in such capacity may enforce any Permit condition based on State requirements if, in the EPA's judgment, the Director failed to enforce a Permit condition, except that in no case shall the EPA enforce any Permit condition designated as a State only requirement and a Permit condition that the EPA has determined to be broader in scope than the federal RCRA regulations or that there is no federal counterpart to a State only rule. Any challenges to the EPA enforced conditions shall be appealed to the EPA in accordance with Part 40 of the Code of Federal Regulations, Section 124.19.

Unless otherwise revoked or terminated for cause, the hazardous waste storage and treatment provisions in this Permit shall expire on **DATE OF REISSUANCE PLUS TEN YEARS**.

For purposes of Permit renewal, on or before 365 days prior to **DATE OF REISSUANCE PLUS TEN YEARS**, the Permittee shall apply for Permit renewal if it desires to continue its hazardous waste storage or treatment operations.

UTAH DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL

Douglas J. Hansen, Director

Date