

MODULE II

GENERAL FACILITY CONDITIONS

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MODULE II - GENERAL FACILITY CONDITIONS

II.A. APPLICABILITY

The requirements of this permit module pertain to all regulated hazardous waste management units identified within this permit.

II.B. DESIGN AND OPERATION OF FACILITY

- II.B.1. The Permittee shall design, construct, maintain and operate the facility to minimize the possibility of a fire, explosion, or release of hazardous waste to the air, soil, groundwater or surface water which could threaten human health or the environment.
- II.B.2. Any construction changes associated with a permitted waste management unit at the facility shall be documented by as-built drawings, and if a Class 2 or Class 3 modification, professional engineering certifications as required by the Director. After review of the as-built drawings and field verification of the facility's regulated waste management 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.
- II.B.3. A facility plan view that is applicable to the execution of this permit is located in Attachment II-1.

II.C. REQUIRED NOTICE

- II.C.1. When the Permittee is to receive hazardous waste from an off-site source, the Permittee shall inform the generator in writing that it has the appropriate permits for, and will accept the waste that the generator is shipping. The Permittee shall keep an electronic or physical copy of this written notice as part of the Operating Record as required by Utah Admin. Code R315-264-73.

II. D. PERMITTED AND PROHIBITED WASTE

- II.D.1. The following wastes are acceptable for treatment, storage and/or disposal at the Grassy Mountain Facility, except where noted:
- a. Waste with the codes identified in Appendix 3 of the Waste Analysis Plan.
 - b. Solid waste including household hazardous waste and non-RCRA regulated wastes.
 - c. Hazardous waste regulated under the Resource Conservation and Recovery Act (RCRA).

- d. Hazardous waste regulated under the Hazardous and Solid Waste Amendment (HSWA).
- e. Waste generated from Superfund (CERCLA) cleanups.
- f. PCBs and other wastes as authorized by the Toxic Substances Control Act (TSCA).
- g. RCRA/TSCA combined wastes.
- h. Corrective Action Management Unit–eligible (CAMU-eligible) waste as provided for in 40CFR264.555. CAMU-eligible wastes may be accepted for treatment and/or disposal at the GMF, provided that the conditions of Utah Admin. Code R315-8-21 (40CFR264.555 by reference) have been met, (which includes approval by the Director).
- i. Waste bearing the waste code F999. Wastes bearing a P999 waste code shall only be accepted if they are treatment residues which also bear the F999 waste.
- j. Wastes are accepted in a variety of physical forms, including liquids, sludges and solids. These wastes may not arrive in a 100% homogenous form.
- k. GMF may also temporarily (ten days or less) hold wastes manifested to another facility similar to that allowed in Utah Admin. Code R315-263-12. The first of the ten days will be counted as the first calendar day after the waste has been received at the GMF and end at midnight on the tenth day. This will be referred to as transfer operations. There are no restrictions on waste codes for transfer operations.

II.D.2. Prohibited Waste.

Waste Prohibited from Management at the Grassy Mountain Facility include the following and those that exhibit the following characteristics:

- a. Explosive wastes or materials (defined as DOT Forbidden, DOT Division 1.1, 1.2, 1.3, 1.4, 1.5, and 1.6 explosives).
- b. DOT Division 4.1(2) Type A and Type B materials, and in Utah Admin. Code R315-261-23(a)(6) through R315-261-23(a)(8), except for wastes that do not meet the RCRA definition of ignitability (D001) and/or reactivity (D003).
- c. Spontaneously combustible (pyrophoric and self-heating) wastes and materials, DOT Division 4.2 (Except in Lab Pack Quantities for storage only).
- d. Water reactive materials, DOT Division 4.3, (Except in Lab Pack Quantities for storage only or for treatment with prior approval of the Director).

- e. Shock sensitive materials.
- f. Radioactive waste, unless authorized for acceptance by the NRC or Utah Division of Radiation Control, whichever has jurisdiction over the waste.
- g. Infectious waste, as defined in the Utah Code Annotated, Title 19, Section 6, Subsection 102 and Condition I.F.F (Definitions).

II.E. GENERAL WASTE ANALYSIS

II.E.1. The Permittee shall comply with the procedures of the Waste Analysis Plan, found in Attachment II RCRA-TSCA WAP (the WAP). In addition, the Permittee shall comply with any other conditions involving waste analysis in Modules II, III, IV, V, VI and VII.

II.E.2. Any laboratory the Permittee uses to perform analyses, which involve final waste disposal decisions, shall be performed by a suitable laboratory. A suitable laboratory is defined as a laboratory certified by the State of Utah, a laboratory that is NELAP approved, or a laboratory that is approved by the Director in writing to perform those analyses.

The Permittee shall inform all outside contract laboratories performing analyses for the Permittee that it shall analyze waste under the WAP conditions set forth in this permit. For laboratories that do not meet conditions of the Permittee's WAP, the Director may grant an approval to still use that lab at the request of the Permittee. 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 assess the quality of all data to assure that it meets or exceeds the requirements of the WAP.

II.E.3. A unique number shall tie all analysis or data sheets produced by the Permittee to the profile sheet and the uniform hazardous waste manifest upon which that shipment of waste arrived at the Permittee's facility. Fingerprint analysis of shipments shall be recorded in the Operating Record and compared to tolerance ranges prescribed in the WAP. Tolerance exceeding these ranges (load discrepancy) shall be explained in the Operating Record if the waste in question is accepted. All load discrepancies shall be managed in accordance with the Waste Analysis Plan.

II.E.4. The Director may reject any data if it is determined to be unreliable for any reason.

II.E.5. The Permittee shall only use test methods described in the WAP or those equivalent procedures that satisfy Condition I.M.4. Changes in test methods described in the WAP, as a result of an improvement or refinement by the EPA or the State of Utah may be implemented without modification of the permit.

- II.E.6. The Permittee may accept F020, F021, F022, F023, F026, F027, & F028 wastes for treatment and/or disposal only if the following conditions are met:
- II.E.6.a. The wastes (F020, F021, F022, F023, F026, F027, & F028) shall be compliant with R315-268-40, Land Disposal Restrictions (LDR), or rendered compliant with the LDR, other land disposal requirements, or both, using permitted treatment and management techniques available at the facility prior to disposal.
- II.E.6.b. The wastes (F020, F021, F022, F023, F026, F027, & F028) shall be managed in accordance with the latest approved version of the Supplemental Waste Management Plan, Attachment II-8.
- II.E.6.c. If treated at the facility, the tanks in which the treatment occurred are emptied in order to meet the definition of empty, prior to placing a different waste in the tank, as defined in Utah Admin. Code R315-261-7(b)(1).
- II.E.7. If the facility accepts and treats TSCA/RCRA waste, the tanks in which treatment occurred are emptied by meeting the definition of empty for RCRA purposes and by triple-rinsing with a suitable solvent for TSCA purposes. The third and final rinsate shall be tested and confirmed to be < 50 ppm to be considered clean for TSCA purposes. Alternatively, the surfaces may be wipe sampled and confirmed to be < 10 ug/100 cm² to be considered clean.

II.F. SECURITY

The Permittee shall comply with security conditions and procedures contained in Attachment II-2.

II.G. GENERAL INSPECTION REQUIREMENTS

The Permittee shall follow the inspection schedule found in Attachment II-3 and other modules in this permit.

- II.G.1 Any malfunction or deterioration discovered by an inspection shall be corrected within 72 hours. If the remedy requires more time, the Grassy Mountain Facility shall submit to the Director, before the expiration of the 72-hour period, a proposed time schedule for correcting the problem. All corrective actions shall be completed in a timely manner. If a malfunction or deterioration is documented with a piece of equipment or a tank, the equipment/tank will be declared out-of-service. This will be noted on the inspection logs.
- II.G.2. Records of inspections shall be kept as required by Utah Admin. Code R315-264-15(d).

- II.G.3. All tests for tanks, landfill or impoundment leakage, corrosion or foundation integrity shall be certified by an independent, Utah registered, professional engineer qualified by experience and education in the appropriate engineering field.
- II.G.4. The Permittee shall continuously monitor wind speed and direction and daily precipitation. This information shall be kept as part of the Operating Record.
- II.G.5. Problems found during periodic inspections conducted under this module shall be corrected within the time frame stipulated in Condition II.G.1. If, upon determination by the Director or the Permittee, continued operation of the waste management unit involved in the inspection could endanger human health or the environment, the Permittee shall cease operation of the unit until the problem has been corrected. The Permittee shall be allowed to undertake those operations, which are part of corrective activities.
- II.G.6. The Permittee may make the following revisions to the Inspection Procedures (included as Attachment II-3 of this permit); in accordance with the procedures for Class 1 permit modifications, which require pre-approval from the Director, in accordance with Utah Admin. Code R315-270-42:
- II.G.6.a. Upon certification of closure of an individual hazardous waste management unit, any portion of the Inspection Plan specific to that unit, and not subject to post-closure activities, may be deleted from the inspection procedure.
- II.G.6.b. The Permittee may modify inspection requirements in an existing inspection form, table, figure or record in cases where such modifications will result in more comprehensive or detailed inspection procedures.
- II.G.6.c. If necessary, the Permittee shall create additional inspection forms, tables, figures or records to address inspection requirements for equivalent replacement equipment that will be routinely inspected.

II.H. PERSONNEL TRAINING

The Permittee shall conduct personnel training as required by Utah Admin. Code R315-264-16. This training program shall follow the outline found in Attachment II-4. New personnel working with or around hazardous waste shall complete the required personnel training within six months after their hire date or assignment to the facility. Personnel assigned to a different job function shall receive training in their new job function(s) within 30 days of re-assignment. In addition, the Permittee shall comply with the following conditions:

- II.H.1. Facility personnel shall take part in an annual review of their initial training for contingency, radiation control (if applicable) and hazardous waste management procedures relevant to the positions in which they are employed.

II.H.2. 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), in accordance with the Training Plan in Attachment II-4. These records shall clearly indicate the person being trained, the employee's position, job description, and the type and amount of training received.

II.H.3. The Permittee shall maintain a copy of the Training Plan at the facility until the facility is fully closed and closure is certified.

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

II.I.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) codes.

II.I.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 wastes.

II.J. LOCATION STANDARDS

It has been determined that this facility has met the location standards specified by Utah Admin. Code R315-264-18.

II.K. PREPAREDNESS AND PREVENTION

II.K.1. Required Equipment. At a minimum, the Permittee shall equip and maintain at the facility, the emergency equipment set forth in Attachment II-5 as required by Utah Admin. Code R315-264-32.

II.K.2. Testing and Maintenance of Equipment. The Permittee shall test and maintain the equipment specified in Condition II.K.1. as required by Utah Admin. Code R315-264-33.

II.K.3. The Permittee shall maintain records of these preventative maintenance and repair activities specified in Condition II.K.2. and shall keep schedules, reflecting minimum and planned frequency for the performance of preventative maintenance activities in the Operating Record at the facility in accordance with Condition I.M.

II.K.4. Inspection of Safety and Emergency Equipment. The Permittee shall inspect the safety and emergency equipment as required by Utah Admin. Code R315-264-15(b) and at the frequencies defined in Attachment II-3.

- II.K.5. Access to Communications or Alarm System. The Permittee shall maintain access to the communications or alarm systems as required by Utah Admin. Code R315-264-34.
- II.K.6. Required Aisle Space. At a minimum, the Permittee shall maintain aisle space as specified in Condition III.F.2 as required by Utah Admin. Code R315-264-35.
- II.K.7. Arrangements with Local Authorities. The Permittee shall attempt to make emergency plan arrangements with state and local authorities as required by Utah Admin. Code R315-264-37. If state or local officials refuse to enter into preparedness and prevention arrangements with the Permittee or the arrangements change, the Permittee shall document this refusal or change in the Operating Record. The Director shall be notified in writing within 30 days of any change to local emergency agreements.

II.L. CONTINGENCY PLAN

- II.L.1. Implementation of Plan. The Permittee shall immediately carry out the provisions of the Contingency Plan, Attachment II-6, and follow the emergency procedures described by Utah Admin. Code R315-264-56 whenever there is a fire, explosion or release of a reportable quantity of hazardous waste. The Permittee shall comply with Condition I.R. in reporting releases to the Director.
- II.L.2. Copies of Plan. The Permittee shall comply with the requirements of Utah Admin. Code R315-264-53, by providing copies of the Contingency Plan to emergency agencies who may be called in an emergency, maintaining a copy of the Plan at the facility, and by providing a copy upon request.
- II.L.3. Amendments to Plan. The Permittee shall review the Contingency Plan in accordance with Utah Admin. Code R315-264-54. The Permittee shall modify, if necessary, the Contingency Plan, as specified by Utah Admin. Code R315-270-41 and Utah Admin. Code R315-270-42.
- II.L.4. Emergency Coordinator. 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 and shall be kept up-to-date.

II.M. MANIFEST SYSTEM

- II.M.1. The Permittee shall comply with the manifest requirements of Utah Admin. Code R315-262-50 and Utah Admin. Code R315-264-70. The manifest number shall be recorded in the Operating Record with each load that arrives at the Permittee's facility.

- II.M.2. Wastes shall not be received that have not completed the pre-acceptance notification outlined in Condition II.C.1.
- II.M.3. Hazardous waste shipments that are received without a hazardous waste manifest shall either be rejected from the site and the refusal documented in the Operating Record, or accepted, and within 15 working days after receipt of the waste, the facility shall file an Unmanifested Waste Report with the Director as required by Condition I.V. and Utah Admin. Code R315-264-76.
- II.M.4. The Director may request copies of manifests or manifest summaries. The request will be submitted by letter and shall stipulate the format and the time frame for the facility's response to this request. The Permittee shall maintain the manifests for a five-year period.

II.N. RECORDKEEPING AND REPORTING

- II.N.1. The Permittee shall maintain an accurate written Operating Record at the facility in accordance with Utah Admin. Code R315-264.73.
- II.N.2. The Permittee shall, by March 1 of each year, submit to the Director a certification pursuant to Utah Admin. Code R315-264-73(b)(9) incorporated by reference, signed by the owner or operator of the facility or his 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.
- II.N.3. The Permittee shall comply with the biennial report requirements of Condition I.W., 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.N.4. The Permittee shall submit additional reports to the Director in accordance with Utah Admin. Code R315-264-77.
- II.N.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.BB.
- II.N.6. All reporting and activity days are calendar days unless noted otherwise.

II.O. CLOSURE/POST-CLOSURE

- II.O.1. Performance Standard. The Permittee shall close the facility as required by Utah Admin. Code R315-264-110 through R315-264-120 and Attachment II-7. For future management units not included in the Closure and Post Closure Plan in Attachment

II-7, a new Closure Plan shall be submitted as part of the permit modification. Any requests for new hazardous waste management units, expansions or modifications to the operating plan shall be submitted with a revised Closure and Post Closure Plan.

- II.O.2. Amendment to Closure/Post-Closure Plan. The Permittee shall amend the Closure/post-Closure Plan in accordance with Utah Admin. Code R315-264-112 whenever necessary or when required to do so by the Director. The Permittee shall submit the modified plan to the Director within 60 days of the Director's request or within 30 days if the change in facility conditions occurs during partial or final closure.
- II.O.3. Minor Changes. For all hazardous waste management units, minor deviations from the permitted Closure Plan procedures 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. The Permittee shall submit the certification statements and narrative report to the Director within 60 days after completion of closure of each hazardous waste management unit.
- II.O.4. Notification of Closure. The Permittee shall notify the Director in writing at least 90 days prior to the commencement of the final closure of any land disposal, treatment or storage unit or of final closure of the facility in accordance with Utah Admin. Code R315-264-112. The EPA Assistant Regional Administrator for Region 8 shall also be notified when any of the units identified in Attachment II-7 are to be closed.
- II.O.5. Time Allowed for Closure. Within 180 days after receiving the final volume of hazardous waste from an off-site source, the Permittee shall complete partial or final closure of a waste management unit(s) or the facility, unless an alternative schedule has been approved by the Director, in accordance with the conditions and closure techniques specified in Attachment II-7 and Utah Admin. Code R315-264-113. The Director may approve an extension to the closure period if the permit modification complies with the provisions listed in Utah Admin. Code R315-264-113(b).
- II.O.6. Disposal of Contaminated Equipment, Structures and Soil. The Permittee shall decontaminate all facility equipment, structures and soil as outlined in Attachment II-7. Any facility equipment, structure, soil and rinsate which has not been decontaminated and has not been land filled on site, shall be taken to a permitted hazardous waste treatment, storage or disposal facility.
- II.O.7. Certification of Closure. Within 60 days of completion of closure of a waste management unit or the facility the Permittee shall submit, by registered mail or other proof of delivery, certification that the facility has been closed in accordance with the specifications in the approved Closure Plan, Attachment II-7 and Utah Admin. Code R315-264-115. An independent, registered professional engineer qualified by experience and education in the appropriate engineering field shall sign the certification.

II.O.8. Post-Closure. The post-closure period shall commence upon certification of closure as identified in Condition II.O.7 and shall continue for a minimum period of 30 years. Post-closure activities shall follow the requirements of Utah Admin. Code R315-264-117, Module IX and Attachment II-7.

II.O.9. Survey Plat. Along with the certification of closure for either a disposal unit or the entire facility, a survey plat shall be provided to the Director in accordance with Utah Admin. Code R315-264-116. This plat shall be submitted within the same time frame as the certification of closure defined in Condition II.O.7.

II.P. COST ESTIMATES FOR THE FACILITY CLOSURE/POST CLOSURE

II.P.1. The Permittee's closure/post closure cost estimate shall be prepared and maintained in accordance with Utah Admin. Code R315-264-142 and R315-264-144.

II.P.2. The Permittee shall adjust the closure/post-closure cost estimate for inflation as specified by Utah Admin. Code R315-264-142(b) and R315-264-144(b) each year and submit a copy of that adjusted cost estimate to the Division of Solid and Hazardous Waste by May 15th of each year. The latest adjusted closure/post-closure cost estimate shall be documented in the Operating Record. Before each new hazardous waste management unit is placed in operation, an updated closure/post-closure cost estimate including the new unit shall be prepared. This revised cost shall be submitted at least 60 days prior to placing the unit in operation. A revised closure/post-closure cost estimate shall be submitted to the Director 60 days after an unexpected event that affects the Closure Plan,

II.P.3. The Permittee shall revise the closure or post-closure cost estimate within 30 days after the Director has approved the request to modify the facility Closure Plan.

II.P.4. The Permittee shall keep the latest, approved closure cost estimate at the facility.

II.Q. FINANCIAL ASSURANCE FOR FACILITY CLOSURE

II.Q.1. The Permittee shall demonstrate continuous financial assurance compliance by providing a third party financial assurance certification of at least the amount of the closure/post-closure cost estimates established in Condition II.P. The Permittee may substitute other instruments of financial assurance provided the method, funding and wording requirements of Utah Admin. Code R315-264-140 through 151 are followed and approved by the Director.

II.Q.2. The financial assurance document shall be updated within 60 days of the annual adjustment for inflation or within 60 days of the approval of a revised closure/post-closure cost estimate in accordance with Utah Admin. Code R315-264-142(b).

II.R. LIABILITY REQUIREMENTS

- II.R.1. The Permittee shall demonstrate continuous compliance with the liability requirements of Utah Admin. Code R315-264.147. The Permittee shall have and maintain hazardous waste liability coverage for sudden and accidental occurrences in the amount of at least \$1 million U.S. dollars per occurrence with an annual aggregate of at least \$2 million U.S. dollars, exclusive of legal defense costs, and maintain hazardous waste liability coverage for non-sudden and accidental occurrences in the amount of at least \$3 million U.S. dollars per occurrence with an annual aggregate of \$6 million U.S. dollars, exclusive of legal defense costs. A total coverage of \$4 million U.S. dollars with an annual aggregate of \$8 million U.S. dollars shall be maintained for compliance. The Permittee shall submit an approved certificate of hazardous waste liability insurance worded as required by Utah Admin. Code R315-264-151 within 30 days of the receipt of the updated certificate of insurance.
- II.R.2. Changes in liability coverage mechanisms shall be approved by the Director 60 days prior to such a change.

II.S. INCAPACITY OF OWNER OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS

The Permittee shall comply with the notification and financial requirements of Utah Admin. Code R315-264-148.

II.T. PCB MANAGEMENT

The Permittee shall comply with the polychlorinated biphenyl (PCB) management procedures found in Module X, Attachment II RCRA-TSCA WAP and the Attachments X-1 through X-6.