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**Utah Division of Waste Management And Radiation Control**

**UTAH USED OIL TRANSFER FACILITY PERMIT**

|  |  |
| --- | --- |
| **Permittee Name:** | **Cummins Inc. DBA Sales and Service** |
| **Permittee Mailing Address:** | **2167 South 5370 West**  **West Valley City, UT 84120** |
| **Permittee Phone Number (IN):** | (248) 303-7008 |
| **Permittee Environmental Contact:** | **Kirk Flamm, CSSNA Environmental Compliance Manager**  Cell: (623) 236-6413  Email: [kirk.flamm@cummins.com](mailto:kirk.flamm@cummins.com) |
| **Permittee Utah Facility Address:** | **2167 South 5370 West**  **West Valley City, UT 84120** |
| **Facility Contact Information Utah:** | **Randy Nielson, PG Service Manager**  2167 South 5370 West  West Valley City, UT 84120  Office: (801) 524-1373  Cell: (801) 946-1288  Email: randy.nielson@cummins.com |
| **Type of Permit:** | **Used Oil Transfer Facility Permit** |
| **Permit #:** | **UOP-0217** |
| **EPA ID Number:** | UTR000012328 |
| **Issuance Date:** | **Date, 2023** |

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Douglas J. Hansen, Director

Division of Waste Management and Radiation Control

**I.A. Effect of Permit**

I.A.1. Cummins Inc. DBA Sales and Service (hereafter referred to as “the Permittee”) is hereby authorized to operate a Used Oil Transfer Facility located at 2167 South 5370 West in West Valley City, Utah 84120, in accordance with all applicable requirements of R315-15 of the Utah Administrative Code (UAC) and the Used Oil Management Act (the Act) 19-6-701 et. seq., Utah Code 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. This Permit shall be reviewed by the Director five years after the Permit’s effective date of issuance or when the Director determines that the Permit requires review.

I.A.3. Attachments incorporated by reference are enforceable conditions of this Permit, as are documents incorporated by reference into the attachments. Language in this Permit supersedes any conflicting language in the attachments or documents incorporated into the attachments.

**I.B. Permit Revocation**

I.B.1. Violation of any permit condition or failure to comply with any 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 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 substantive modification prior to the Director’s written approval constitutes a violation of the Permit and may be grounds for enforcement action or permit revocation.

I.C.2. The Director may modify this Permit as necessary to protect human health and the environment, because of statutory or regulatory changes or because of operational changes affecting this Permit.

I.C.3. The Permittee shall notify the Director, in writing, of any non-substantive changes, such as changes in the contact person, within 20 days of the change.

**I.D. Spill Prevention, Emergency Controls, and Maintenance**

I.D.1. The Permittee shall maintain and operate the transfer facility, including all used oil transportation vehicles, storage units, containers, tanks, and associated equipment 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.

I.D.2. The Permittee shall inspect and maintain used oil equipment, tanks, containers, storage units and transportation vessels on a weekly basis to ensure compliance with this section.

I.D.3. Secondary containment is required for containers and tanks, including any piping connections and valves, in accordance with R315-15-4.6(d) of the Utah Administrative Code.

I.D.4. In the event of a release of used oil, the Permittee shall comply with the Emergency Controls and reporting requirements specified in R315-15-9 Utah Administrative Code and the Permittee’s Emergency Spill Plan in Attachment 3.

I.D.5. 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 business activity in order to maintain compliance with the conditions of this permit and attachments.

I.D.6. The Permittee is subject to all applicable Spill Prevention, Control and Countermeasures as defined in 40 CFR 112.

**I.E. Record Retention**

I.E.1. The Permittee shall maintain all applicable used oil records required by R315-15 of the Utah Administrative Code and this Permit at the Permitee’s Utah transfer facility located at 2167 South 5370 West in West Valley City, Utah 84120, (UTR000012328).

I.E.2. All records shall be readily accessible for inspection by representatives of the Director. Records may be in a hard copy or electronic format. Records shall be maintained for a minimum of three years.

**I.F. Tracking**

I.F.1. The Permittee shall keep documentation of each used oil load received, transferred, and delivered to verify storage periods.

I.F.2. The Permittee’s facility acceptance records shall document the permitted transporter’s name, address, EPA identification number, the name of the receiving entities, date of acceptance and signatures of both the transporter and an authorized representative of the Permittee.

I.F.3. The Permittee’s facility shipping records shall document the transfer of the used oil to a permitted used oil transporter, transfer facility, burner, or processor. This record shall have the company name, address and EPA identification number of the entity receiving the used oil. Both the Permittee and the receiving entity (dated upon receipt) shall sign the shipping record.

**I.G. Sampling and Analyses**

I.G.1. The Permittee shall follow all sampling and analysis procedures in Condition II.D and in the Sampling and Analysis Plan in Attachment 2 when conducting used oil sampling and analytical testing to meet the requirements of R315-15 of the Utah Administrative Code and this Permit.

**I.H. Prohibited Waste**

I.H.1. 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 applicable hazardous waste and PCB-contaminated waste rules.

I.H.2. Used oil shall not be stored in tanks, containers, or storage units that previously stored hazardous waste unless these tanks, containers, storage units and associated piping are cleaned in accordance with R315-261-7 of the Utah Administrative Code.

I.H.3. 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.I. Waste Characterization and Disposal**

I.I.1. The Permittee shall properly characterize used oil waste related material to determine if the wastes are hazardous or non-hazardous in accordance with R315-15-8 of the Utah Administrative Code and manage it accordingly.

I.I.2. The Permittee shall maintain records showing characterization, handling and disposal of waste generated at the facility.

**I.J**. **Used Oil Storage**

I.J.1. The Permittee shall not store used oil longer than 35 days without first obtaining a processor permit for that storage location. This includes storing used oil in vehicles at loading and unloading docks and parking areas.

I.J.2. The Permittee shall have secondary containment for all storage units, containers, tanks, transportation vehicles and associated piping in accordance with R315-15-4.6 of the Utah Administrative Code.

I.J.3. The Permittee shall not store used oil in units other than tanks, containers, or units subject to regulations under R315-265 or R315-264 of the Utah Administrative Code.

I.J.4. The Permittee shall label all used oil containers, tanks and, when applicable, associated piping with the words “Used Oil.”

**I.K.** **Liability and Financial Requirements**

I.K.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 the release of use oil in accordance with R315-15-10 through 12 of the Utah Administrative Code and this Permit.

I.K.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.K.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. The Permittee shall receive approval from the Director prior to implementation of these changes.

**I.L.** **Cleanup and** **Closure Plan**

I.L.1.The Permittee shall update its closure plan cost estimates and provide the update estimated 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 of a permit modification for the cleanup and closure plan that would result in an increase cost estimate, 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.L.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 Transfer Facility Permit in accordance with the requirements of R315-15-11.3 of the Utah Administrative Code and this Permit.

I.L.3. 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.L.4. 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.M.** **Used Oil Handler Certificate**

I.M.1. In accordance with R315-15-4 of the Utah Administrative Code, the Permittee shall not operate as a used oil transfer facility without obtaining annually a Used Oil Handler Certificate from the Director. The Permittee shall pay a used oil handler fee, pursuant to Utah Code 63J-1-504, by December 31 of each calendar year to receive certification for the upcoming calendar year.

**I.N.** **Inspection and Inspection Access**

I.N.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.N.2. The authorized employees may collect soil, groundwater or surface water samples to evaluate the Permittee’s compliance.

I.N.3.Failure to allow reasonable access to the property by an authorized employee may constitute “denial of access” and may be grounds for enforcement action or permit revocation.

**I.O.** **Annual Report**

I.O.1. As required by R315-15-13.4 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 Transfer Facility Annual Report form.

**I.P.** **Other Laws**

I.P.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.Q.** **Enforceability**

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

**I.R**. **Effective Date**

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

**II.A. Used Oil Transfer Facility Operations**

II.A.1. The Permittee is authorized to store 1,320 gallons of used oil in tanks, containers, and tank trailers for up to 35 days.

II.A.2. Storage in any other type of container is prohibited.

II.A.3. The Permittee shall only accept shipments of used oil from Utah permitted used oil transporters.

II.A.4. 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.5. 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 at the time of acceptance.

II.A.5.a. The Permittee shall determine the halogen content by collecting a representative sample in accordance with Condition II.D and Attachment 2 (Sampling and Analysis Plan), then 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 2.

II.A.5.b. The Permittee shall then record the results of the halogen testing on the shipping document prior to shipment from the facility.

II.A.6. 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.7. The Permittee may accept shipments of used oil from permitted used oil transporters, transfer facilities, processors/re-refiners and burners with valid EPA identification numbers.

II.A.8. 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.9. 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.B. Used Oil Storage Areas and Secondary Containment**

II.B.1 The Permittee shall store used oil in above storage tanks and containers (drums). These tanks and containers are located in the storage areas as shown in the site’s map.

II.B.2 The used oil storage areas are equipped with a secondary containment system consisting of dikes, berms, and retaining walls; and a floor that covers the entire area within the dikes, berms, or retaining walls except areas where existing portions of existing aboveground tanks meet the ground.

II.B.3 The entire containment system, including walls and floors, shall be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, groundwater, or surface water.

II.B.4 Water, used oil, or other liquids shall be removed from secondary containment, including sumps, within 24 hours of discovery. Used oil shall not be stored or allowed to accumulate in sumps and similar water containment structures at the facility. Any used oil in such sumps beyond a surface sheen shall be removed within 24 hours of discovery.

**II.C. Used Oil Loading and Unloading Requirements**

II.C.1. The Permittee shall secure the vehicle by positioning wheel chocks and applying the emergency brakes before loading or unloading used oil from transportation vehicles.

II.C.2. The Permittee shall inspect all used oil collection equipment (e.g., vehicles, tanks, and associated pumping equipment) for any damage prior to use.

II.C.3. The Permittee shall place buckets or other containers under piping connections to collect drips of used oil during loading and unloading operations.

II.C.4. The Permittee shall ensure the amount of used oil to be loaded will not exceed the current capacity. The Permittee shall utilize a calibrated gauging instrument.

II.C.5. The Permittee is not authorized to transfer used oil between highway vehicles and railcars or railcars to railcars unless this Permit is modified with the information required by R315-15-13.4(a)(16) of the Utah Administrative Code.

**II.D. Used Oil Sampling and Analysis**

II.D.1. The Permittee shall sample and analyze used oil accepted at the facility when required by Condition II.A of this Permit in accordance with the requirements of the Sampling and Analysis Plan in Attachment 2.

**II.E. 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 used oil without a trained employee present until used oil training is completed.

II.E.2. Employee training shall include documentation that the following topics were covered: identification of used oil, recordkeeping requirements and facility used oil procedures for handling, transporting, sampling and analysis, emergency response, spill reporting and personal safety.

II.E.3. 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.

II.E.4. 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.E.5. Employees collecting and performing field halogen testing shall be trained and shall demonstrate competence in collecting a representative used oil sample and testing for halogens using a CLOR-D-TECT® kit prior to fieldwork.

**II.F. Spill Response, Remediation, and Reporting**

II.F.1. In accordance with R315-15-9.1(a) of the Utah Administrative Code, the person responsible for a spill shall immediately take appropriate action to minimize the threat to human health and the environment. The Permittee shall notify the DEQ Hotline at (801) 536‑4123 if the spill is greater than 25 gallons or for smaller spills that pose threat to human health or the environment.

II.F.2. Responders shall take action to prevent a spill from spreading by utilizing absorbent, booms, pads, rags, etc.

II.F.3. Once the material is containerized, a waste determination shall be made to determine the material’s disposition.

II.F.4.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.F.5. All costs associated with the cleanup shall be at the expense of the Permittee.

II.F.6. The Permittee shall maintain spill cleanup kits in the used oil storage areas.

II.F.7. Facility spill kits shall contain, at a minimum, the equipment listed in the Emergency Spill Plan in Attachment 3 of this Permit and shall be inspected weekly.

II.F.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.F.9. An air, rail, highway, or water transporter who has discharged used oil shall give notice, if required by 49 CFR 171.15, to the National Response Center at http://nrc.uscg.mil/nrchp.html, (800) 424-8802 or (202) 426-2675. In addition to the notification above, a written report, as required in 49 CFR 171.16, shall be presented to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau located in Washington, D.C., 20590.

II.F.10. 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.

**II.G. Facility Closure**

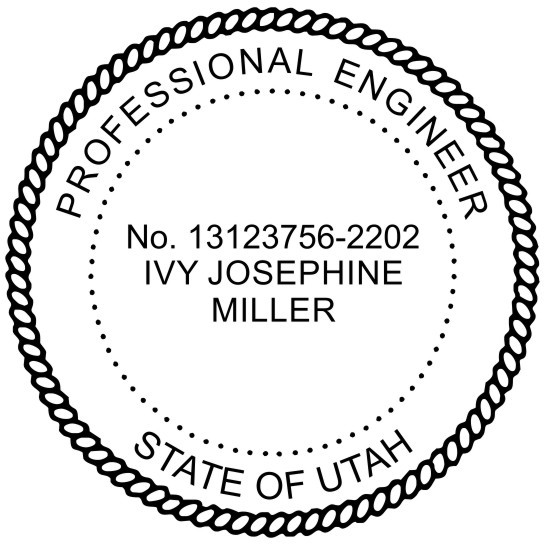
II.G.1. The Permittee shall implement the closure plan in Attachment 1 which evaluates the potential impacts of used oil operations on the surrounding soil, groundwater, and surface water in accordance with R315-15-11 of the Utah Administrative Code. The Permittee shall be responsible for any cleanup 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.

**Attachment 1**

**Closure Plan**

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**PREPARED FOR:**

Cummins, Inc. dba Sales and Service 2167 South 5370 West

West Valley City, Utah 84120

**PREPARED BY:**

T&M Associates

130 E. Washington Street, Suite 404

Indianapolis, IN 46204

USED OIL TRANSFER FACILITY – CLOSURE PLAN

CUMMINS, INC. DBA SALES AND SERVICE 2167 SOUTH 5370 WEST

WEST VALLEY CITY, UTAH 84120

**T&M PROJECT NO. CSSN00016**

**APRIL 2023**

Shape

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Logo, company name

Description automatically generatedIvy Josephine Miller, PE

Utah License No. 13123756-2202

**USED OIL TRANSFER FACILITY CLOSURE PLAN**

CUMMINS INC. DBA SALES AND SERVICE

1. th 5370 West West Valley City, Utah

**A GENERAL**

The Permittee will at time of closure comply with all the clean-up and closure requirements of R315-15-5 and this Closure Plan.

The Permittee will remove all used oil and used oil residues from the site of operation and return the site to a post-operational land use in a manner that minimizes the need for further maintenance and controls, minimizes, or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of used oil, used oil constituents, leachate, contaminated run-off, or used oil decomposition products to the ground or surface waters, or to the atmosphere.

A cleanup and closure cost estimate (Table 1) and a mechanism for financial responsibility to cover the cost of cleanup and closure will be provided.

**B SOIL & GROUNDWATER TESTING**

All the tanks and drums are stored above ground on a minimum of 8-inches of reinforced concrete or asphalt, with all the tanks stored inside. Only a few 55-gallon drums are stored outside on the asphalt. Therefore, the chance of a large quantity discharge is minimal. However, the Permittee shall be responsible for used oil, used oil contaminants, or used oil residual materials that have been discharged or migrated beyond the facility property boundary.

Since only a few 55-gallon drums of oil product are stored outside in a secondary containment area, the facility doesn’t anticipate the need for any soil or groundwater testing. However, if at the time of closure there is evidence of possible soil and/or groundwater contamination, the follow steps will be taken:

* + The Permittee will sample the soil and groundwater [Metals (including RCRA 8), Volatiles, Semi-Volatiles and PCBs] to determine the potential contamination from used oil operations at the facility.
  + An updated closure plan will be submitted for Director’s approval. The updated plan will include the specific location for each sample collected.
  + The Permittee will submit a Level III data validation analytical package from a Utah- certified laboratory for all samples used to verify closure within 30 days of receipt to the Division for review and Director approval.
  + The Permittee will adhere to the Cleanup Action and Risk-Based Closure Standards of R315-101 UAC at closure of the facility or site characterization.
  + The Permittee will use the EPA Regional Screening Levels (RSLs) table for screening of contaminants in soils and groundwater during site characterization.
  + Analysis of volatile Organic Compounds (VOCs), Semi-Organic Compounds (SVOCs), including Poly Aromatic Hydrocarbons (PAHs), Total Petroleum Hydrocarbon (TPH) fractionation analysis of Gasoline Range Organics (GRO), Diesel Range Organics (DRO), and/ or Oil Range Organics (ORO) will be conducted as applicable during cleanup actions.

**C PLANT DECOMMISSION**

The Permittee will recycle/dispose of all used/virgin oil products in the facility tanks and containers at time of closure.

All facility oil storage/operational equipment, tanks, drums, storage boxes, storage trailers, small hand implements, vehicles, and mechanized equipment, etc. will be decontaminated on site and physically removed from the facility. All contaminated clothing, PPE, and cleaning materials will be physically removed from the facility and disposed of in a permitted disposal facility, to prevent any possible contamination to the ground or surface waters, or to the atmosphere.

The secondary containment areas will be decontaminated and the rinsate water disposed of at an appropriate disposal facility.

Hazardous waste, non-hazardous waste, and scrap metal generated will be transported to a recycling facility or a permitted waste disposal facility as applicable.

**D CHANGES TO CLOSURE PLAN**

When physical or operational conditions at the facility change that result in a change in the nature or extent of cleanup and closure or an increase in the estimated costs of cleanup and closure, the Permittee will submit a modified plan for review and approval by the Director.

The amount or face value of a financial mechanism will be updated annually for inflation. The adjustment will be made by recalculating the cleanup closure cost estimate in current dollars or by using an inflation factor derived from the most recent Implicit Price Deflator for Gross Domestic Product published by the U.S. Department of Commerce, Bureau of Economic Analysis in its Survey of Current Business as specified in R315-264-145(b)(1) and (2). The inflation factor is the incremental increase of the latest published annual Deflator to the Deflator for the previous year divided by the previous year Deflator. The first adjustment is made by multiplying the cleanup closure cost estimate by the inflation factor. The result is the adjusted cleanup closure cost estimate. Subsequent adjustments are made by multiplying the latest adjusted cleanup closure cost estimate by the latest inflation factor.

**E TIME ALLOWED TO INITIATE CLOSURE**

The Permittee will initiate closure in accordance with the approved cleanup and closure plan and notify the Director that closure has been initiated within 90 days after the Permittee receives the final volume of used oil.

**F CLOSURE CERTIFICATION COSTS**

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

**G CERTIFICATION OF CLOSURE**

Within 60 days of completion of cleanup and closure, the owner will submit to the Director, by registered mail, a certification that the used oil facility has been cleaned and closed in accordance with the specifications in the approved cleanup and closure plan. The certification will be signed by the owner and by an independent, Utah- registered professional engineer.

**TABLE** **1**

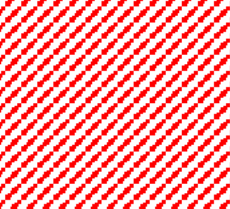
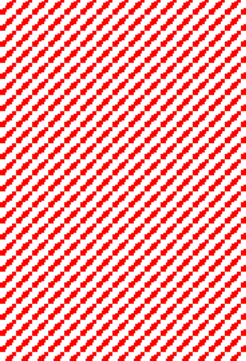
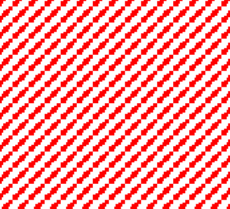
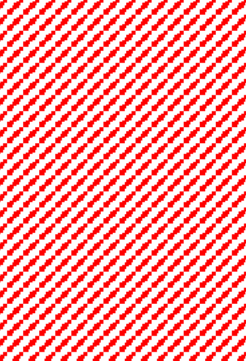
**ITEMIZED** **CLOSURE** **COSTS** **FOR** **FINANCIAL** A**SSURANCE**

***CUMMINS*** ***INC.*** ***DBA*** ***SALES*** ***AND*** ***SERVICE***

**West Valley City, Utah**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Soil** **&** **Groundwater** **Testing** | | | | | |
| **Description** | **Quantity** | **Units** | **Rate** | **Cost** | **Comments** |
| Mobilization & Demobilization | 1 | Lump Sum | $3,000.00 | $3,000.00 |  |
| Sampling (labor) | 140 | Hour | $75.00 | $1,050.00 | All tanks and drums are stored above ground on concrete or asphalt that is a minimum of 8- inches thick. |
| Samples & Analytical Testing Soil (8) Groundwater (1) | 10 | Each | $1,200.00 | $12,000.00 | In addition, all tanks have secondary containment. |
| Drilling for soil sample collection | 12 | Hour | $150.00 | $1,800.00 |  |
| Equipment Rental | 1 | Each | $2,000.00 | $2,000.00 |  |
| Level 3 QC Data Validation Report | 1 | Each | $1,000.00 | $1,000.00 |  |
| ***Site*** ***Sampling*** ***&*** ***Analytical*** ***Cost*** ***Sub-Total*** | | | | **$20,850.00** |  |
| **Facility** **Decommission** | | | | | |
| **Description** | **Quantity** | **Units** | **Rate** | **Cost** | **Comments** |
| Oil removal, transportation, and recycling | 4,880 | Gallons | $2.00 | $7,760.00 |  |
| Tank decontamination and the disposal of generated rinsate water. | 9 | Each | $3,200.00 | $28,800.00 | Nine (9) ASTs |
| Tank transportation and disposal | 9 | Each | $750.00 | $6,750.00 | Tanks will be re-purposed and not disposed. |
| Container transportation and disposal | 1 | Each | $1,500.00 | $1,500.00 |  |
| Disposal PCB contaminated soil (<50 ppm) | 0 | Tons | $0.00 | $0.00 | No PCBs contaminated oil accepted at the facility. |
| Secondary containment decontamination and  rinsate water disposal | 11 | Each | $550.00 | $6,050.00 | Eleven (11) secondary containment areas. |
| Back fill tank farm area | 1 | Lump Sum | $4,500.00 | $4,500.00 |  |
| Closure Report and Project Management | 30 | Hour | $100.00 | $3,000.00 |  |
| ***Plant*** ***Decommission*** ***Cost*** ***Sub-Total*** | | | | **$60,360.00** |  |
| **Closure** **Certification** **&** **DWMRC** **Review** | | | | | |
| **Description** | **Quantity** | **Units** | **Rate** | **Cost** | **Comments** |
| Independent P.E. Verification | 1 | Each | $4,400.00 | $4,400.00 | Includes site visit & closure report review |
| Division Review | 30 | Hours | $110.00 | $3,300.00 |  |
| ***Final*** ***Closure*** ***Verification*** ***Cost*** ***Sub-total*** | | | | **$7,700.00** |  |
| **Total** | | | | **$88,910.00** |  |
| ***Inflation*** ***Adjustment*** | | | | **$90,536.49** | Table 1.1.9 Implicit Price Deflators for GDP |
| ***10%*** ***Contingency*** | | | | $9,053.65 |  |
| **Total** **Estimated** **Closure** **Cost** | | | | **$99,590.14** |  |

West Valley City Fluids



Management Map

Oil Trailers

Oil Above Ground

Storage Tanks

Spill Kit

55 Gallon Drum Oil Storage

Generator Fuel

Tank and

Transformer

Fire Extinguisher

**Attachment 2**

**Sampling and Analysis Plan**

**A. Sample Collection Requirements**

A.1. The Permittee shall collect a representative sample from tanks, totes, drums or other containers to determine the halogen content. Sampling personnel shall be trained on appropriate sampling methods for each type of container and matrix.

A.2. Samples collected from bulk oil containers greater than 55 gallons shall be individual samples, not composited samples.

A.3. A representative composite sample may consist of not more than four drums/containers or 220 gallons, whichever is less, per composite sample from drums or containers from the same source. The individual drum/container samples are consolidated into one representative composite sample and tested.

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

**B. Used Oil Analytical Procedures**

B.1. The Permittee shall analyze used oil for halogens accepted at the facility when required by Condition II.A of this Attachment.

**C. Halogen Field Screening Methods**

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

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

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

True Halogen Concentration = Reading Syringe + [(10 + 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 ppm [(10 ml + 4 ml)/10] = 2,800 ppm

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

C.2. The requirement for a quality control sample (duplicate) may be satisfied by testing prior to off-loading from permitted vehicles in accordance with the CLOR-D-TECT® kits (Method 9077 of SW846) and is not required for each load collected.

**D. Halogen Laboratory Analytical Methods**

D.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 [or insert another equivalent method we approve-- see deb].

**E. PCB Contaminated Used Oil**

E.1. The Permittee shall obtain analytical results of dielectric oil used in transformers and other high voltage devices, verifying the PCB concentrations are less than 50 mg/kg prior to loading the used oil into the transportation vehicle.

E.2. The Permittee shall determine the PCB concentration of other used oils not specified in F.6 by written certification from the generator or laboratory testing.

E.3. Used oil shall not be diluted to avoid any provision of any federal or state environmental rules.

E.4. If PCB concentrations greater than 2 mg/kg have been transported, the Permittee shall assume that all subsequent loads of used oil are contaminated with PCBs and has a quantifiable PCB concentrations of 2 mg/kg or greater unless the equipment has been decontaminated as described in 40 CFR761 Subpart S.

**F. Rebuttable Presumption**

F.1. Used oil with total halogen concentrations greater than 1,000 mg/kg is presumed to have been mixed with a hazardous waste and shall be managed as a hazardous waste unless the halogen concentration has been successfully rebutted.

F.2. Used oil with halogen concentrations between 1,000 ppm and 4,000 ppm may be accepted, if the Permittee rebuts the hazardous waste presumption or has documentation (analytical data) from a prior used oil handler that the used oil is not a hazardous waste or if the used oil is solely from a Very Small Quantity Generators (VSQG), [formerly CESQG,] or a DIYer used oil collecton center. The Permittee shall attach any analytical results used to rebut the hazardous waste presumption to the shipping documents.

F.3. 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 halogens in the used oil originated from sources other than halogenated hazardous constituents listed in Appendix VIII of 40 CFR 261.

F.4. If the additional testing shows that used oil has been mixed with a listed hazardous waste described in R315-261of the Utah Administrative Code, the mixture is subject to regulation as a hazardous waste if the concentration of any individual compound listed in UAC R315-261 Appendix VIII is greater than or equal to 100 mg/kg (ppm).

F.5. The rebuttable presumption does not apply to metalworking oils/fluids containing chlorinated paraffins if they are processed through a tolling arrangement as described in R315-15-2.5(c) of the Utah Administrative Code to reclaim metalworking oils/fluids. The rebuttable presumption does apply to metalworking oils/fluids if such oils/fluids are recycled in any other manner or disposed.

F.6. The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units if the CFCs are destined for reclamation. The rebuttable presumption does apply to used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units.

**Table F: PCB Sample Preparation and Analytical Methods**

|  |  |  |  |
| --- | --- | --- | --- |
| **Sample Preparation Methods** | **Analytical Method** | **Analytes \*** | |
| 3500C (General)  3580A (Preparation)  3665A (Cleanup) | 8082A | **PCB CAS RN** | **PCB Aroclor**® |
| **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. Choose an additional  two Aroclors® from the last column for analysis which could be contained in the oil. A total of seven Aroclors® are required. | | | |

**Attachment 3**

**Emergency Spill Plan**

1. **General Procedures**

A.1. In the event of a release of used oil, the Cummins Inc. DBA Sales and Service employee will immediately take the following appropriate actions to contain and minimize the spill and the threat to life, health, environment and property:

A.1.a. The Cummins Inc. DBA Sales and Service employee will attempt to control or stop the leak if it can be done safely.

A.1.b. Use absorbent material, booms, spill pads and dirt dams and dikes if necessary to control the material. If possible, keep spilled material out of storm drains and open waterways.

A.1.c. Contact 911 emergency responders if needed.

A.1.d. Contact the supervisor.

A.1.e. If necessary, the supervisor will contact an authorized waste remediation company for assistance with the clean- up.

A.2. Used oil spills exceeding 25 gallons, or that pose a risk to human health and the environment, shall be reported to Cummins Inc. DBA Sales and Service’s management, and to the Utah Department of Environmental Quality and any other applicable regulatory agency immediately after containment of the spill (Table 1).

**Table: 1: Regulatory Agency Notification Numbers**

|  |  |
| --- | --- |
| **Regulatory Agency** | **Contact Phone Number** |
| National Response Center | (800) 424-8802 or (202) 426-2675 |
| Utah Department of Environmental Quality  (within 24 hrs.) | (801) 536-4123 |
| Utah State Highway Patrol | (801) 538-3400 |

A.3. The following information shall be provided by telephone to the Utah State Department of Environmental Quality’s 24-hour answering service at (801) 536-4123:

A.3.a. The names, telephone numbers and the addresses of the parties that is responsible for the release.

A.3.b. The name, title and telephone number of the individual that is reporting the spill.

A.3.c. Time and date of the release of used oil.

A.3.d. Location of the release, be as specific as possible including nearest town, city, highway or waterway.

A.3.e. Description of released material found on the manifest or shipping document, along with the amount of material released.

A.3.f. Cause of the release.

A.3.g. Possible hazards to human health or the environment and any emergency action taken to minimize these threats.

A.3.h. The extent of injury, if any

A.4. If a spill occurs on a highway or railway, employees should immediately stop the release if possible, secure the scene and contain the spill. Cummins Inc. DBA Sales and Service shall give notice, if required by 49 CFR 171.15 to the National Response Center (Table 1). The Utah State Highway Patrol (Table 1) shall be contacted if the spill restricts a public road.

A.5. A spill report of used oil spills exceeding 25 gallons, or that pose a risk to human health and the environment, shall be submitted to the Division of Waste Management and Radiation Control within 15 days of the spill in accordance with R315-15-9.1.

A.6. The driver/employee shall immediately notify their supervisor of reportable spills. If after hours, initial notification is to be made to the 24-hour emergency contacts in Table 2 below. If there are, injuries to personnel/public or the spill will require additional emergency responders to contain then all 911 to request help. The discharge notification form is included in this spill plan shall be completed by the operator after containment of the used oil, notification to emergency responders (if applicable) and Cummins Inc. DBA Sales and Service’s management.

**Table: 2: Emergency Contacts List**

|  |  |  |
| --- | --- | --- |
| **Contact Person** | **Title** | **Contact Information** |
| Randy Nielson | Emergency Coordinator | Office: (801) 524-1373  Cell (24 hrs.): (801) 946-1288  Email: randy.nielson@cummins.com |
| Fire Response | NA | 911 |

A.7. The transporter shall maintain absorbents and equipment to contain a leaking containers and spills. At a minimum each vehicle spill kit shall contain the items listed in Table 3.

**Table 3: Spill Equipment Inventory for Transfer Facility**

|  |  |
| --- | --- |
| **Equipment Description** | **Quantity** |
| Shovel / Broom | 1 each |
| Buckets | 2 |
| Spill Absorbent Pads | 10 |
| Granulated Absorbent | 2 ft3 |
| Absorbent Boom/oil sock | 1 |
| Emergency Controls Spill Plan (with contact numbers) | 1 |
| First Aid Kit and Fire Extinguisher | 1 each |

A.8. Employees are exempted from reporting de minimis drips to management that are immediately cleaned up by the responsible employee.

A.9. The Cummins Inc. DBA Sales and Service supervisor shall be responsible to initiate and complete any reporting and notification to the required Federal, State and local agencies.