

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT
FOR HAZARDOUS WASTE STORAGE, TREATMENT AND DISPOSAL**

Permit number:

Date Issued: _____

Date Expired: _____

Under the provisions of Act 97, the Solid Waste Management Act of July 7, 1980 (hereinafter called the Act), a Hazardous Waste Recycling, Treatment and Storage Permit Number _____ is issued for a hazardous waste recycling permit to:

Facility Name

This permit shall become effective on _____.

This permit allows for the storage and treatment of hazardous waste and approved mercury-containing residual wastes per the Approved Permit Application, the relevant regulations and the terms and conditions of this permit prior to recycling of the waste via its use or reuse as ingredients in an industrial process to make a product; its use or reuse as an effective substitute product or raw material; or its reuse in the primary metals industry.

INTRODUCTION

Permittee: Facility Name

Permit Number:

Facility: Facility Name

This permit is issued by the Commonwealth of Pennsylvania Department of Environmental Protection (DEP hereinafter called the Department) under authority of the Pennsylvania Solid Waste Management Act, the Act of July 7, 1980, Act 97, 35 P.S. Section 6018.101 et seq. (the Act), DEP hazardous and residual waste regulations and Federal hazardous waste regulations to Facility Name (hereafter called the Permittee), to operate a hazardous waste management facility located in Hellertown, Northampton County, at latitude _____ and longitude _____.

The Permittee must comply with all terms and conditions of this permit. This permit consists of the conditions contained herein (Parts I -V consisting of pages 1 through ___ and Attachments 1 through ___) and the applicable regulations contained in 25 Pa. Code Chapters 260a-270a and 40 CFR 260-270 & 273 as incorporated by reference in 25 Pa. Code Chapters 260a – 270a and 25 Pa. Code Chapters 287-299 (hereinafter called the "Regulations") as specified in the permit.

This permit is based on the assumption that the information submitted in the permit application attached to the Permittee's letter dated January 17, 1996 as modified by subsequent amendments dated December 19, 1997 and December 22, 1999 (hereafter referred to as the application) is accurate and that the facility will be constructed and/or operated as specified in the application. Any inaccuracies found in this information may be grounds for the revocation or modification of this permit and potential enforcement action. The Permittee must inform DEP of any deviation from or changes in the information in the application, which would affect the Permittee's ability to comply with the applicable regulations or permit conditions.

This permit is conditioned upon full compliance with all applicable provisions of the Act; DEP regulations contained in 25 Pa. Code Chapter 260a – 270a; 25 Pa. Code Article IX Residual Waste Chapters 287 – 299; Federal regulations contained in 40 CFR Chapters 260 – 270 & 273 as incorporated by reference in 25 Pa. Code Chapters 260a – 270a; the Clean Streams Law, 35 P.S. 691.1 et seq.; the Air Pollution Control Act, 35 P.S. 4001 et seq.; the Dam Safety and Encroachments Act, 32 P.S. 693.1 et seq.; the Surface Mining Conservation and Reclamation Act, 52 P.S. 1396.1 et seq.; the Coal Refuse Disposal Control Act, 52 P.S. 30.51 et seq.; the Storage Tank and Spill Prevention Act, 35. P.S. 6021.101 et seq.; 25 Pa. Code Chapter 245 Storage Tank and Spill Prevention Program; 25 Pa. Code Article II Erosion Control Chapter 102; all other Pennsylvania statutes related to the protection of the environment; and all Pennsylvania statutes related to the protection of public health, safety, and welfare.

This permit is effective as of _____, and shall remain in effect until _____, unless revoked and reissued, or terminated in accordance with 25 Pa. Code 270a.41, 270a.42, 270a.43 and 40 CFR 270.41, 270.42, and 270.43 and 40 CFR 270.41, 270.42, and 270.43 as incorporated by reference at 25 Pa. Code 270a.1..

PART I - STANDARD CONDITIONS

A. EFFECT OF PERMIT

This permit authorizes only the management of hazardous and residual waste expressly described in this permit and does not authorize any other management of hazardous or residual waste. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of State or local laws or regulations. Compliance with the terms of this permit does not constitute a defense to any action brought under the Act or any other law governing protection of public health or the environment.

B. PERMIT ACTIONS

This permit may be modified, revoked and reissued, terminated for cause as specified in 25 Pa. Code 270a.41, 270a.42, 270a.43 and 40 CFR 270.41, 270.42, and 270.43 as incorporated by reference at 25 Pa. Code 270a.1 or suspended in accordance with the Act. The filing of a request for a permit modification, revocation and reissuance, or revocation or the notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay or supersede the applicability or enforceability of any permit condition.

C. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held to be invalid, the application of such provision to other circumstances and the remaining provisions of this permit shall not be affected thereby.

D. DEFINITIONS

For the purpose of this permit, terms used herein shall have the same meaning as those in Title 25 of the Pennsylvania Code and Title 40 of the Code of Federal Regulations (25 Pa. Code Chapters 260a - 270a and 40 CFR 260 - 270 & 273 as incorporated by reference in 25 Pa. Code 260a - 270a and applicable sections of the Residual Solid Waste Regulations 25 Pa. Code 287 -299), unless this permit specifically states otherwise; where terms are not otherwise defined, the meaning associated with such terms shall be as defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term. "The Department" is the Department of Environmental Protection of the Commonwealth of Pennsylvania.

E. REPORTS, NOTIFICATIONS AND SUBMISSIONS TO THE DEPARTMENT

All reports, notifications or other submissions which are required by this permit to be sent or given to the Department should be sent certified mail or given to:

Program Manager
Waste Management Program
Commonwealth of Pennsylvania
Department of Environmental Protection
2 Public Square
Wilkes-Barre, PA 18711-0790

F. SIGNATORY REQUIREMENTS

All reports or other information requested by the Department shall be signed and certified as required by 40 CFR 270.11 as incorporated by reference in 25 Pa. Code 270a and as modified by 25 Pa. Code 270a.10 (c)(2).

G. DOCUMENTS TO BE MAINTAINED AT THE FACILITY SITE

The Permittee shall maintain at the facility, until closure is completed and certified by an independent registered professional engineer, the following documents and amendments, revisions and modifications to these documents:

1. Waste analysis plan required by 25 Pa. Code 264a.13, and 25 Pa. Code 297.203 and this permit.
2. Personnel training documents and records required by 40 CFR 264.16(d) as incorporated by reference in 25 Pa. Code 264a.1 and this permit.
3. Contingency plan required by 40 CFR 264.53(a) as incorporated by reference in 25 Pa. Code 264a.1 and this permit.

- (1) Closure plan and post-closure plan required by 25 Pa. Code 264a.115, 264a.120, 40 CFR 264.112(a) and (b) and 40 CFR 264.118 (a) and (b) as incorporated by reference in 25 Pa. Code 264a.1 and this permit.
5. Annually-adjusted cost estimate(s) for facility closure and post-closure required by 25 Pa. Code 264a.115, 264a.120, 264a.162, 40 CFR 264.142 and 264.144 as incorporated by reference in 25 Pa. Code 264a.1 and this permit.
- (2) Operating record required by 40 CFR 264.73 as incorporated by reference in 25 Pa. Code 264a.1 and Part II, Section H.1 of this permit.
- (3) Inspection schedules and logs required by 25 Pa. Code 264a.15 and 40 CFR 264.15(b)(2) as incorporated by reference in 25 Pa. Code 264a.1 and this permit.
- (4) Source Reduction Strategy required by 25 Pa. Code 262a.101 and 287.53 for wastes generated at this facility. This Source Reduction Strategy will prioritize reductions in Persistent, Bioaccumulative and Toxic chemicals including mercury.
- (5) Documents required by Part I, Section H.9, H.13, H.14, H.15, I and J; Part II, Sections B, F, H, I and L Part III Section D.1, J.4, of this permit.

H. DUTIES AND REQUIREMENTS

1. Duty to Comply. The Permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and the regulations promulgated thereunder and is grounds for enforcement action; for permit revocation, termination and reissuance, or modification; or for denial of a permit renewal application.
2. Duty to Reapply. If the Permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the Permittee must submit a complete application for a new permit at least 180 days before this permit expires.
3. Permit Expiration. This permit and all conditions therein will remain in effect beyond the permit's expiration date if the Permittee has submitted a timely, complete application and through no fault of the Permittee, the Department has not issued a new permit.
4. Need to Halt or Reduce Activity Not a Defense. It shall not be a defense for the Permittee in an enforcement action to argue that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
5. Duty to Mitigate. In the event of noncompliance with the Act, the regulations, or this permit, the Permittee shall take all necessary steps to prevent and abate any releases to the environment, and shall carry out such measures as are necessary to prevent significant adverse impacts on human health or the environment.
6. Proper Operation and Maintenance. The Permittee shall at all times properly operate and maintain all facilities and systems of storage, treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the Act, the regulations, and the conditions of this permit. Proper operation and maintenance shall include effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The Permittee shall operate back-up or auxiliary facilities or similar systems if necessary to achieve compliance with the Act, the regulations and the conditions of the permit.
7. Duty to Provide Information. The Permittee shall furnish to the Department within a reasonable time, any relevant information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Department, upon request, copies of records required to be kept by the Permittee pursuant to the Act, the regulations, or any permit condition.
8. Inspection and Entry. The Permittee shall allow the Department, its agents and authorized representatives, upon the presentation of credentials and other documents as may be required by law, or without advance notice or a search warrant to:
 - a. Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records concerning the regulated facility or activity are kept;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under the Act, the regulations, or this permit;
 - d. Sample or monitor any substances or parameters at any location for the purposes of assuring permit compliance or as otherwise authorized by the Act or the regulations; and
 - e. Engage in any other activities necessary or appropriate to the documentation of events or conditions at any locations including the taking of photographs; the performing of measurements, surveys, and other tests; to inspect monitoring equipment; to inspect methods of operation; and to inspect and/or copy documents, books and papers required by the Department to be maintained.
9. Monitoring and Records.
- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from Appendix I of 40 CFR Part 261 - Criteria, Identification and Listing of Hazardous Waste as incorporated by reference in 25 Pa. Code 261a.1 or an equivalent method approved by the Department. Laboratory methods must be those specified in Appendix III of 40 CFR Part 261; Test Methods for Evaluating Solid Waste: Physical/Chemical Methods (U.S. EPA Document SW-846, most recent edition) as incorporated by reference in 25 Pa. Code 261a.1; Standard Methods of Waste Water Analysis (U.S. EPA; most recent edition); or an equivalent method approved by the Department and as specified in the attached waste analysis plan.
 - b. The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports and records required by the Act, the regulations, or this permit, and all records of all data used to complete the application for this permit for a period of at least three 3 years from the date of the sample, measurement, report or record, or application. These periods may be extended by request of the Department at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility.
 - c. The Permittee shall maintain any required records of groundwater quality and groundwater surface elevations for the active life of the facility and during the post-closure care period as well.
 - d. The Permittee shall, at a minimum, keep monitoring records which include the following information:
 - (1) The dates, exact place, and times of sampling or measurements;
 - (2) The individuals who performed the sampling or measurements;
 - (3) The dates analyses were performed;
 - (4) The individuals who performed the analyses;
 - (5) The analytical techniques or methods used; and
 - (6) The results of such analyses.
10. Reporting Planned Changes. The Permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. This notice must include a description of all incidents of noncompliance reasonably expected to result from the proposed changes. The Permittee shall not modify the facility without first obtaining a permit or permit modification from the Department.
11. Anticipated Noncompliance. The Permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
12. Transfer of Permits. This permit shall not be transferred or assigned to any other person or municipality.
13. Twenty-Four Hour Reporting. The Permittee shall report to the Department any noncompliance with the Act, the regulations or any condition of this permit or any occurrence or event at the facility which may endanger health or the environment.
- a. Information shall be provided orally within twenty-four (24) hours from the time the Permittee becomes aware of the circumstances. The Permittee should notify the Bethlehem District Office at 610-861-2070 and the Regional Office at 570-826-2511. This report shall include the following:
 - (1) Information concerning release or potential release of any hazardous or residual waste from the facility that may endanger public drinking water supply sources.

- (2) Any information of a release, potential release, or discharge of hazardous or residual waste from the facility, or information of a potential or actual fire or explosion at the facility, which may threaten the environment or human health.
 - b. The description of the occurrence and its cause shall include:
 - (1) Name, address, and telephone number of the owner or operator;
 - (2) Name, address, and telephone number of the facility;
 - (3) Date, time, and type of incident;
 - (4) Name and quantity of material(s) involved;
 - (5) The extent of injuries, if any;
 - (6) An assessment of actual or potential hazards to the environment and human health at or near the facility; and
 - (7) Estimated quantity and disposition of recovered material that resulted from the incident.
 - c. A written submission shall also be provided to the Department within five (5) days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of non-compliance (including exact dates and times); if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The Permittee need not comply with the five (5) day written notice requirement if the Department extends it to fifteen (15) days.
14. Other Noncompliance. The Permittee shall report to the Department all other instances of noncompliance not otherwise required to be reported above, at the time monitoring reports are submitted. The reports shall contain the information listed in permit condition I.H.13.
15. Other Information. Whenever the Permittee becomes aware that it failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Department, or whenever the Permittee becomes aware of circumstances which require a modification or clarification of any fact or representation made to the Department in connection with a permit application, it shall promptly submit such facts or information to the Department.
16. Act 108 of 1988.
 - a. In accordance with Section 304 of Act 108 of 1988, the Permittee shall provide written notice on a form provided by the Department to landowners with private water supplies within 2500 feet of the commercial hazardous waste storage and treatment of the availability of a water testing program. If the landowner requests in writing the water-testing program, the Permittee shall have and pay for quarterly sampling and analysis conducted of those private water supplies used by these persons for drinking water. Sampling and analysis shall be conducted by a laboratory certified to the Pennsylvania Safe Drinking Water Act, selected under the terms of Section 304.
 - b. In accordance with Section 304 of Act 108 of 1988, the Permittee will allow certified municipal inspectors to enter the property, inspect records, take samples and conduct inspections, both accompanied and unaccompanied by representatives of the Department.
 - c. In accordance with Section 306 and 307 of Act 108 of 1988, unless otherwise agreed to in writing by the host municipality, the Permittee shall pay to the host municipality \$1.00 per ton of weighed hazardous waste or \$1.00 per three cubic yards of volume measured hazardous waste for all hazardous waste received at the treatment facility. The fee shall be paid on or before the twentieth day of April, July, October and January for three months ending the last day of March, June, September and December. The quarterly fee shall be accompanied by a quarterly report form prepared and furnished by the Department and completed by the Permittee. The report shall state the weight or volume of hazardous waste received by the facility during the prior quarter and shall be signed by the Permittee's representative. A copy of the report shall be sent to the Department at the same time that the fee and form are sent to the host municipality. The Permittee shall pay interest and penalties as set forth in Sections 308(a and B) of Act 108 of 1988 for failure to make payments on a timely basis.
17. Information Repository. The Permittee shall comply with 25 Pa. Code 270a.84 and 40 CFR 270.30(m) as incorporated by reference at 25 Pa. Code 270a.1 upon Department notification.

I. COMPLIANCE SCHEDULE REPORTING

The Permittee shall submit written reports of compliance or noncompliance with interim and final requirements contained in any compliance schedule of this permit to the Department no later than fourteen (14) days following each schedule date.

J. CERTIFICATION OF CONSTRUCTION OR MODIFICATION

The Permittee may not manage hazardous waste at the facility at any new or modified waste management area/unit until:

1. The Permittee has submitted to the Department by certified mail or hand delivery a letter signed by the Permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with the permit; and
 - E. The Department has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or
 - F. The Department has either waived the inspection or has not within fifteen (15) days notified the Permittee of its intent to inspect.

K. COMPLIANCE SCHEDULE

- E. The Permittee shall submit to the Department within 90 days of the issuance of this permit a protocol for an environmental assessment according to 40 CFR 264.601. The Department reserves the right to add conditions in order to modify the permit and ensure that the activities at the facility are protective of human health and the environment in accordance with the results of the environmental assessment. The Permittee shall submit the Module 9 Environmental Assessment as conducted per any approval with conditions of the Environmental Assessment Protocol within 90 days of the Departmental notice.
- F. The Permittee must comply with Chapter 264.1082 of 40 CFR Subpart CC-Air Emission Standards for Tanks, Surface impoundments, and Containers.
- G. The Permittee must comply with Air Quality Permit no. 48-399-041 and the Water Quality NPDES permit no. _____
- H. In order to conduct Treatability studies, the Permittee must comply with 40CFR 261.4(e) and (f).

PART II - GENERAL FACILITY CONDITIONS

A. DESIGN AND OPERATION OF FACILITY

The Permittee shall maintain and operate the facility to minimize the possibility of a fire, explosion, or release of hazardous waste or residual waste or waste constituents to air, soil, surface water, or groundwater which could threaten human health or the environment.

B. GENERAL WASTE ANALYSIS

The Permittee shall follow the procedures described in the attached waste analysis plan, Attachment 1. The Permittee shall verify its waste analysis as part of its quality assurance program, in accordance with current EPA

practices (Test Methods for Evaluating Solid Waste: Physical/Chemical Methods SW-846, most recent edition) or equivalent methods approved by the Department in accordance with procedures in 40 CFR 260.21 as incorporated by reference in 25 Pa. Code 260a.1; and at a minimum maintain proper functional instruments, use approved sampling and analytical methods, verify the validity of sampling and analytical procedures, and perform correct calculations.

The following are additional requirements and conditions to the waste analysis plan:

1. Each hazardous waste and residual waste must be completely characterized, chemically and physically, prior to the facility accepting an off-site waste for the first time, as required by 25 Pa. Code 264a.13 unless exempted from this requirement by 25 Pa. Code 261a.6. The waste generator shall provide the chemical and physical analysis set forth by the attached waste analysis plan (Attachment 1).
2. The Permittee shall provide all information set forth by 25 Pa. Code 264a.13 on forms provided by the Department (Module 1). This information shall be retained by the Permittee for a minimum of twenty (20) years. If fluorescent lamps are excluded as a hazardous waste under Pennsylvania law in the future, a manifest and other Department forms (Mod. 1) would not be required.
3. The Permittee shall submit an application to store and process or treat hazardous waste or residual waste and the Source Reduction Strategy on the appropriate forms supplied by the Department **for** each generator of waste which is proposed for acceptance. These documents must be, at a minimum, administratively complete. The forms shall be received at the Department's Northeast Regional Office by certified mail with return signature card or hand delivered at least fifteen (15) business work days (hereinafter "waiting period") before accepting the waste. If the Department does not object during the waiting period, the Permittee may accept the waste as long as the acceptance of the waste described in the request is consistent with the Waste Analysis Plan (Attachment 1). The absence of disapproval by the Department during or after the waiting period does not constitute an approval or final action by the Department. Should the Department determine that the waste which was accepted by the Permittee was not consistent with the request or the Waste Analysis Plan, the Permittee shall be subject to any or all applicable enforcement actions of the Solid Waste Management Act or the Department's Rules and Regulations promulgated thereunder.
4. A waste recharacterization of all wastes being received in an on-going manner shall follow the Waste Analysis Plan (Attachment 1), or as required by 25 Pa. Code 264a.13. A specific waste which has been received by the Permittee, but has not been received within a previous twelve (12) month period, shall be recharacterized, chemically and physically, prior to accepting the waste.

(1) GENERIC WASTE APPROVAL

The Permittee has demonstrated that certain waste types are sufficiently consistent to be acceptable for recovery at the **Facility Name** facility. These certain waste types, which are sufficiently consistent and meet the approved Bethlehem Appatatus Waste Categories in Attachment 1, shall be approved as “Generic Waste”.

The Permittee may accept for storage and treatment a specific hazardous waste from a specific generator that meets the characteristics of an approved Generic waste at the Facility. The Permittee shall follow the provisions of this Section for approved Generic Wastes.

1. **Facility Name** shall receive and maintain a waste profile for each waste from each generator.
2. **Facility Name** shall follow the shipment screening described in the Waste Analysis Plan, Attachment 1.
3. **Facility Name** shall submit a quarterly report to the Department’s Regional Office identifying Generic Waste received. The quarterly report must at least include generator’s name, city, state, waste code, volume, and date received. The Generic Waste quarterly report must be received by DEP by the last day of April, July, October, and January and include all information on wastes received during the previous three months of the quarter. For example, information for January, February, and March must be received by April 30.
4. The Permittee may accept wastes from the following generic categories specifically associated with the lamp recycling and metal recovery process. For the generic category “Soil containing mercury” see Part II Condition D.

Generic Categories	Waste Types	Waste Code
Devices and Apparatus Containing Mercury	Arc lamps, batteries, fluorescent lamps, ignition tubes, manometers, mercury vapor lamps, quartz lamps, relays switches	D009, is this all???
Solids Containing Mercury	Carbon containing mercury, phosphor powder, vermiculite, dental amalgam, contaminated PPE (i.e. Gloves, tyvek), mercury amalgams	D009, is this all???
Liquids Containing Mercury	Chemical Oxygen Demand Soln. (COD), hydrochloric acid containing mercury, liquids containing mercury compounds, Nessler’s Reagent, Nitric acid containing mercury, oil containing mercury, sulfuric acid containing mercury, water solutions containing mercury, Zenker’s solution	D009, is this all???
Mercury Compounds	Mercuric & mercurous acetate, mercuric & mercurous bromide, mercurous chlorate, mercuric chloride, mercurous chloride, mercuric chloride ammoniated, mercuric cyanide, mercuric dichromate, mercuric iodate, mercuric & mercurous iodide, mercuric & mercurous nitrate, mercuric & mercurous oxide, mercuric & mercurous sulfate, mercuric sulfide, mercuric thiocyanate	D009, is this all???
Residual waste	The permittee needs to create a generic category for this waste???	

D. APROVAL FOR SOIL CONTAINING MERCURY, CONTAMINATED DEBRIS (i.e. WOOD, PLASTIC), AND SPILL CLEANUP

The permitte may accept for storage and treatment soil containing mercury, contaminated debris and spill cleanup under the following conditions.

- (1) The following reporting and analytical requirements apply to material, which is less than a weight of 25 tons. There are no additional reporting requirements for analytical data for not more than 25 tons of material containing mercury (resulting from any one spill or cleanup action) to be stored and processed at the Permittee’s facility. The Permittee must notify the Department by certified mail or verbally of intent to store and process this type of material. Notification must include the name and address of the generator. The Permitttee must follow up with a

written notification to the Department within five (5) working days of verbal notification. Written notification must include certification that the material is consistent with this approval.

- (2) The following reporting and analytical requirements apply to material, which exceeds a weight of 25 tons resulting from any one spill or cleanup action:
 - E. Before accepting the material the Permittee must submit a modified Mod 1 form, which is supplied by the Department (see the Waste Analysis Plan, attachment 1) for each individual generator to the Department by Certified Mail with a return signature card. The forms may also be hand delivered to the Department; however, the Permittee is responsible for obtaining proof of delivery. If the modified Mod 1 is not returned within fifteen (15) Departmental working days from the date of receipt, then the material can be accepted for storage and processing. If at any time after the 15 working day period, it is determined that the material accepted is not consistent with this permit then the Permittee shall be subject to any and all applicable enforcement actions to the Solid Waste Management Act or the Department's Rules and Regulations promulgated thereunder.
 - F. The quarterly reports shall summarize the volumes received and processed for the sites generating over 25 tons resulting from any one spill or cleanup action per source.
- (3) This approval does not authorize the acceptance or storage of material that is not contaminated with mercury.

1. RESIDUAL WASTE

1. The provisions of 25 Pa. Code, 287.2(l) requires that **Facility Name** shall manage any residual waste as hazardous waste when stored or treated or processed within hazardous waste units if such wastes should be encountered. If incoming residual waste is kept strictly segregated from hazardous waste and is not processed in the approved Hazardous Waste Management Units, the material shall be managed per Approved Application as modified by the Residual Waste Regulations except as superceded by the conditions of this permit.
2. The Permittee shall only accept residual wastes whose chemical constituents are consistent with the Waste Analysis Plan, **(permittee needs to add residual waste to WAP)** Attachment 1. No residual waste may be accepted without containing economically significant amounts of mercury.
3. The Department hereby modifies the requirements for residual wastes that are generated in quantities of 2,200 pounds or less of that type of residual waste per generating location in each month (small quantity waste). The Department waives the detailed analysis of physical properties and chemical composition, the source reduction strategy (Form 25R), except as required for completing a hazardous waste determination as set forth by 40 CFR 262.11 as incorporated by reference in 25 Pa. Code 262a.10.

F. SECURITY

The Permittee shall comply with the security provisions of 40 CFR 264.14(b) and (c) as incorporated by reference in 25 Pa. Code 264a.1.

G. GENERAL INSPECTION REQUIREMENTS

The Permittee shall follow the inspection plan set out in the inspection schedule, **(Permittee needs to add daily, weekly and monthly inspection schedules to OCR)** Attachment 2. The Permittee shall remedy any deterioration or malfunction discovered by an inspection as required by 40 CFR 264.15(c) as incorporated by reference in 25 Pa. Code 264a.1. Records of inspections including preventive maintenance inspections shall be kept as required by 40 CFR 264.15(d) as incorporated by reference in 25 Pa. Code 264a.1.

H. PERSONNEL TRAINING

The Permittee shall conduct personnel training as required by 40 CFR 264.16 as incorporated by reference in 25 Pa. Code 264a.1. This training program shall follow the attached outline, Attachment 2. The Permittee shall maintain training documents and records as required by 40 CFR 264.16 (d) and (e) as incorporated by reference in 25 Pa. Code 264a.1.

I. PREPAREDNESS AND PREVENTION

- (4) Required Equipment. At a minimum, the Permittee shall equip the facility with the equipment set forth in the PPC plan, Attachment 3, as required by 40 CFR 264.32 as incorporated by reference in 25 Pa. Code 264a.1.
- (5) Testing and Maintenance of Equipment. The Permittee shall test and maintain the equipment specified in the previous permit condition and in Attachment 3 as necessary to assure its proper operation in time of emergency and as required by 40 CFR 264.33 as incorporated by reference in 25 Pa. Code 264a.1.
- (6) Access to Communications or Alarm System. The Permittee shall maintain access to the communications or alarm system as required by 40 CFR 264.34 as incorporated by reference in 25 Pa. Code 264a.1.
- (7) Required Aisle Space. At a minimum, the Permittee shall maintain aisle space as required by 25 Pa. Code 264a.173 and 40 CFR 264.35 as incorporated by reference in 25 Pa. Code 264a.1 and as shown on the plans and specifications **(Permittee needs to add to OCR)**, Attachment 2 and as required by Part III Condition H.
- (8) Arrangements with Local Authorities. The Permittee shall maintain arrangements with State and local authorities as required by 40 CFR 264.37 as incorporated by reference in 25 Pa. Code 264a.1. If State or local officials refuse to enter into or renew existing preparedness and prevention arrangements with the Permittee, the Permittee must document this refusal in the operating record.

J. PREPAREDNESS, PREVENTION AND CONTINGENCY (PPC) PLAN

- (9) Implementation of PPC Plan. The Permittee shall immediately carry out the provisions of the PPC plan, Attachment 3 **(Permittee should add how they will maneuver safety equipment in a 24 inch aisle space)**, and follow the emergency procedures described by 25 Pa. Code 264a.56 and 40 CFR 264.56 (a) – (j) as incorporated by reference in 25 Pa. Code 264a.1 whenever there is a fire, explosion, emission or discharge of hazardous waste or hazardous waste constituents which could threaten human health or the environment.
- (10) Copies of Plan. The Permittee shall comply with the requirements of 40 CFR 264.53 as incorporated by reference in 25 Pa. Code 264a.1.
- (11) Amendments to Plan. The Permittee shall review and immediately amend, if necessary, the PPC plan, as required by 40 CFR 264.54 as incorporated by reference in 25 Pa. Code 264a.1.
- (12) Emergency Coordinator. The Permittee shall comply with the requirements of 40 CFR 264.55 as incorporated by reference in 25 Pa. Code 264a.1.
- (13) Emergency Procedures. The Permittee shall comply with the requirements of 40 CFR 264a.56 and 40 CFR 264.56(a-j) as incorporated by reference in 25 Pa. Code 264a.1.
- (14) Corrective Action at Solid Waste Management Units: In event of uncontrolled releases, the Permittee shall comply with all requirements of 40 CFR 264.101 as incorporated by reference in 25 Pa. Code 264a.1 and as modified by 25 Pa. Code 264a.101.

K. RECORDKEEPING AND REPORTING

- (15) Operating Record. The Permittee shall maintain a written operating record at the facility in accordance with 40 CFR 264.73 as incorporated by reference in 25 Pa. Code 264a.1. The operating record shall contain information from a waste inventory and tracking system. The system must identify the waste description, quantity, generator, date received, transport manifest number, location stored, and date and quantity processed. The inventory tracking system shall be capable of identifying the location of each hazardous waste within the facility and the quantity stored at each location. This storage location and quantity shall be cross-referenced with transport manifest document numbers.
- (16) Biennial Report. The Permittee shall comply with all applicable annual report requirements 25 Pa Code 264a.75 and 40 CFR 264.75 as incorporated by reference in 25 Pa. Code 264a.1.
- (17) Required Reports. The Permittee shall comply with all applicable reporting requirements as described in 40 CFR 264.77 as incorporated by reference in 25 Pa. Code 264a.1 and Part I, Sections E, F, H.7, H.9, H.10, H.13, H.14, H.15, I, J; Part II, Sections B, D, G, H, K, P and Part III Section B.2 of this permit.

- (18) Quarterly Facility Reports. The Permittee shall submit quarterly reports per Part II Section C of this permit including the Host Municipality Quarterly Fee Report demonstrating compliance with Part I Section H.16 above. The Quarterly Reports shall contain tables adding up the total volume of each hazardous and residual waste type received during each month covered.

L. CLOSURE

1. Performance Standard. The Permittee shall close the facility as required by 40 CFR 264.111 and in accordance with the closure plan, Attachment 4.
- (19) Amendment to Closure Plan. The Permittee shall amend the closure plan in accordance with 40 CFR 264.112(c) as incorporated by reference in 25 Pa. Code 264a.1 whenever necessary.
- (20) Notification of Closure. The Permittee shall notify the Department in writing at least one hundred eighty 180 days prior to the date he expects the final volume of waste and within forty-five (45) days of final closure per 40 CFR 264.112(d).
- (21) Time Allowed for Closure. After receiving the final volume of hazardous waste, the Permittee shall remove from the site all hazardous and residual waste and shall complete closure activities in accordance with the schedules specified in the closure plan, Attachment 4.
- (22) Disposal or Decontamination of Equipment. The Permittee shall decontaminate and/or dispose of all facility equipment and structures as required by 40 CFR 264.114 as incorporated by reference in 25 Pa. Code 264a.1 and the closure plan, Attachment 4.
- (23) Analysis of Samples. The Permittee shall conduct analysis to verify that all decontaminated facility equipment and structures are adequately decontaminated as required by 40 CFR 264.114 as incorporated by reference at 25 Pa. Code 264a.1.
- (24) Certification of Closure. The Permittee shall certify that the facility has been closed in accordance with the specifications in the closure plan as required by 25 Pa. Code 264a.115 and 40 CFR 264.115 as incorporated by reference in 25 Pa. Code 264a.1.

M. COST ESTIMATE FOR FACILITY CLOSURE

1. Annual Adjustment. The Permittee shall adjust the closure and post-closure cost estimate for inflation within 30 days after each anniversary of the date on which the first cost estimate was made as required by 40 CFR 264.144(b). See Attachment 4.
- (25) Adjustment for Changed Conditions. The Permittee shall revise the cost estimate whenever there is a change in the facility's closure plan or in the measures necessary to prevent adverse effects upon the environment as required by 40 CFR 264.142 and 264.144(c) as incorporated by reference in 25 Pa. Code 264a.1.
- (26) Availability. The Permittee must keep at the facility the latest cost estimate as required by 40 CFR 264.112(a) and (b) as incorporated by reference in 25 Pa. Code 264a.1.
- (27) Incapacity of Permittee or Financial Institutions. The Permittee shall comply with 25 Pa. Code 264a.148 and 40 CFR 264.148 as incorporated by reference in 25 Pa. Code 264a.1 whenever necessary.

N. BONDING REQUIREMENT

The Permittee shall maintain the collateral bond submitted to and approved by the Department as required by 40 CFR 264.Subpart H as incorporated by reference in 25 Pa. Code 264a.1 and as modified by 25 Pa. Code 264a Subpart H. See Attachment 5 (**needs to be submitted by permittee**). The Permittee shall comply with all applicable bond replacement requirements of 25 Pa. Code 264a.158.

O. LIABILITY INSURANCE

The Permittee shall comply with the liability insurance requirements of 25 Pa. Code 264a.147 and the documentation requirements of 40 CFR 264.147(a) as incorporated by reference at 25 Pa. Code 264a.1 for hazardous waste and 25 Pa. Code 287.372 and 287.373 for strictly segregated residual waste. These include the

requirements to have and maintain liability coverage for sudden pollutional occurrences in the amount of at least \$2 million per occurrence with an annual aggregate of at least \$4 million, exclusive of legal defense costs, [and for non sudden pollutional occurrences in the amount of at least \$4 million per occurrence with an annual aggregate of at least \$8 million, exclusive of legal defense costs. See Attachment 6 **(needs to be submitted by permittee)**. The Permittee shall submit new certificates of liability insurance sixty 60 days prior to the expiration of the current certificate.

P. REQUIRED NOTICES

1. Notice to Generator. When the Permittee plans to receive hazardous waste from an off-site source (except where the Permittee is also the generator), he must inform the generator in writing that he has the appropriate permits for, and will accept, the waste the generator is shipping. The Permittee must keep a copy of this written notice as part of the operating record. (See permit condition II.H.1).
2. Notice to Department. The Permittee shall notify the Department in writing at least four (4) weeks in advance of the date the Permittee expects to receive hazardous waste from a foreign source. Notice of subsequent shipments of the same waste from the same foreign source is not required. The notice shall demonstrate that the requirements of 25 Pa. Code 264a Subchapter H (Transfrontier Shipments of Hazardous Waste For Recovery within the Organization for Economic Cooperation and Development (OECD)) have been met.
3. Notice from Generator. Whenever the generator violates any environmental law in the processing of waste at a permitted facility or violates any law or regulation relating to the generation of a waste in an industrial process, the generator will report this to the Permittee. The Permittee shall then notify the Department per 40 CFR 264.12 Required Notices, as incorporated by reference at 25 Pa. Code 264a.1.

Q. GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE

The Permittee shall comply with the requirements of 40 CFR 264.17 as incorporated by reference in 25 Pa. Code 264a.1. Ignitable, reactive, or incompatible waste may only be stored, processed or treated when documented evidence demonstrates that there will be no uncontrolled threats to human health or the environment. This documentation may be based on references to published scientific or engineering literature; data from trial tests, bench scale or pilot scale tests; waste analysis; or results of treatment of similar wastes by similar treatment processes.

R. MANIFEST SYSTEM

- (28) Use of the Manifest System. The Permittee shall comply with the manifest requirements of 25 Pa. Code 264a.71 and 40 CFR 264.70 – 264.72 as incorporated by reference at 25 Pa. Code 264a.1.
- (29) Hazardous Waste Management Fees. The Permittee will comply with the requirements of 25 Pa. Code 264a.78 – 264a.80.

FLOODPLAIN STANDARD

The Permittee shall comply with the requirements of 40 CFR 270.14(b)(11)(iv) as incorporated by reference at 25 Pa. Code 264a.1. **NEEDS TO BE SUBMITTED BY PERMITTEE AND ADDED TO OCR**

PART III - STORAGE IN CONTAINERS

A. WASTE IDENTIFICATION

The Permittee may store the following wastes in containers at the facility, subject to the terms of this permit.

PRIMARY

Hazardous Waste Code	Description
D009	Waste that exceeds the maximum concentration for the mercury toxicity characteristic
U151	Hazardous commercial chemical product, mercury (Permittee needs a generic mod 1 for this code)
K071	Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is not used (Permittee needs a generic mod 1 for this code)
K106	Wastewater treatment sludge from the mercury cell process in chlorine production (Permittee needs a generic mod 1 for this code)
—	Approved residual wastes per Part III Section B (needs to be added to WAP by permittee and Permittee needs a generic mod 1 for this code)

Each primary waste code listed above may exhibit the following secondary waste codes subject to the limitation that the facility has operational units capable of handling the waste codes per Part IV Section A.

SECONDARY

Hazardous Waste Code	Description
D001	Characteristic of ignitability
D002	Characteristic of corrosivity
D003	Characteristic of reactivity
D004	Waste that exceeds the maximum concentration for the arsenic toxicity characteristic
D005	Waste that exceeds the maximum concentration for the barium toxicity characteristic
D006	Waste that exceeds the maximum concentration for the cadmium toxicity characteristic

D007	Waste that exceeds the maximum concentration for the chromium toxicity characteristic
D008	Waste that exceeds the maximum concentration for the chromium toxicity characteristic
D010	Waste that exceeds the maximum concentration for the selenium toxicity characteristic
D011	Waste that exceeds the maximum concentration for the silver toxicity characteristic

B. DURATION OF STORAGE

- (1) The Permittee shall not store containers of hazardous waste at this facility in excess of one year. In coming containers must be marked with the date of arrival at the facility. At least 75% of the volume of waste received in any fiscal year must be processed during that fiscal year.
- (2) The Permittee shall notify the Department in writing if any drum or container is stored for more than eleven (11) months.
- (3) All staging areas and processing areas shall be emptied and cleaned at the end of each working day or 24 hours.

C. CONDITION OF CONTAINERS

If a container holding hazardous or residual waste is not in good condition (e.g., severe rusting, apparent structural defects) or if it begins to leak, the Permittee shall transfer the hazardous waste from such container to a container that is in good condition or otherwise manage the waste in compliance with the conditions of this permit.

D. PLACEMENT REQUIREMENTS

- (4) It shall be the responsibility of the Permittee to modify and keep on-site a floor plan depicting the different categories of hazardous and residual waste contained in each staging, processing and storage area. This floor plan must be submitted to the Department on a quarterly basis. Specific information should include the staging, processing and storage area location, hazardous waste codes, and height and aisle width between containers. The quarterly report must be received by DEP by the last day of April, July, October and January. For example, information for January, February and March must be received by the last day of April, July, October and January. For example, information for January, February and March must be received by April 30. For purposes of the following subsection and Part VI Section A, one drum equivalent will be assumed to equal 500 pounds unless the waste is containerized in standard sized DOT-compliant drums whose volumes are deemed to be cumulative to the total volume of equivalent 55 gallon drums approved for each area. One pallet of uncrushed lamps shall be assumed to equal 900 lamps or 540 pounds if not containerized in DOT- drums.
- (5) The Permittee shall store all hazardous and residual waste containers in accordance with the following volume, content and location requirements:

(The permittee needs to include in the OCR drawings, reduced to page size, of all areas. For area #3 the location of the storage areas within the basement needs to be shown)

1. **Area # 1** (see drawing) Permitted Waste Codes
Location: Northern Portion of Facility, Also See Attachment 2
Primary: D009, U151, K071, K106
Secondary: D001 – 008, D10 and D011
residual waste????

- a. Cell # - A
(1) Description: Drum Storage Area
(2) Maximum Volume of Waste Allowed: 37730 gal
(3) Maximum Number of Containers Allowed: 686, 55-gal. drums
- b. Cell # - B
(1) Description: Drum Storage Area
(2) Maximum Volume of Waste Allowed: 3960 gal
(3) Maximum Number of Containers Allowed: 72, 55-gal drums
- c. Cell # - C
(1) Description: Drum Storage Area
(2) Maximum Volume of Waste Allowed: 23100 gal
(3) Maximum Number of Containers Allowed: 420, 55-gal drums

2. **Area # 2** (see drawing) Permitted Waste Codes
Location: Central Portion of Facility, also see Attachment 2
Primary: D009, U151, K071, K106
Secondary: D001-D008, D010 and D011?
residual waste????

- a. Cell # - D
(1) Description: Drum Storage Area
(2) Maximum Volume of Waste Allowed: 6160 gal
(3) Maximum Number of Containers Allowed: 112, 55-gal drums
- b. Cell # - F
(1) Description: Drum Storage Area
(2) Maximum Volume of Waste Allowed: 4400 gal
(3) Maximum Number of Containers Allowed: 80, 55-gal drums

3. **Area # 3** (see drawing)

Permitted Waste Codes

Location: Southern Portion of
The Facility, also see
Attachment 2

Primary: D009, U151, K071, K106
Secondary: D001-D008, D010 and D011
residual waste????

a. Cell # - E

- (1) Description: Drum Storage Area
- (2) Maximum Volume of Waste Allowed: 1980 gal
- (3) Maximum Number of Containers Allowed: 36, 55- gal drums

b. Cell # - Basement

- (1) Description: Basement Area
- (2) Maximum Volume Allowed: 1320
- (6) Maximum Number Allowed: 24

E. COMPATIBILITY OF WASTES WITH CONTAINERS

The Permittee shall assure that the ability of the container to contain the waste is not impaired as required by 40 CFR 264.172.

F. MANAGEMENT OF CONTAINERS

The Permittee shall manage containers as required by 40 CFR 264.173 and 25 Pa. Code 264a.173.

G. CONTAINMENT

The Permittee shall construct and/or maintain the containment system as required by 40 CFR 264.175 and the attached plans and specifications, Attachment 2. All containment area floors shall be uniform and free from cracks or holes. Liquids are not permitted on the containment floors.

H. CONTAINER H. STACKING HEIGHT, WIDTH, AND DEPTH

The Permittee shall store containers of hazardous and residual waste as required by 40 CFR 264.173 as incorporated by reference at 25 Pa. Code 264a.1 and 25 Pa. Code 264a.173 and the attached plans and specifications (**Permittee needs to add to OCR**), Attachment 2. The aisle space (**a minimum of 24 inches wide**) and the stacking height (a maximum of 6 feet in height for ignitable and reactive waste and a maximum of 9 feet in height for non-ignitable and non-reactive waste) shall be adequate to allow for safe management of waste and the unobstructed movement of personnel, fire protection equipment, spill control equipment, decontamination equipment and emergency vehicles to any area of the facility operation in event of emergency, plus inspection, containment and remedial action.

I. SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTES

The Permittee shall not locate containers holding ignitable or reactive wastes within 15 meters (50 feet) of the facility's property line, nor within 40 feet of a building.

J. SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES

- (7) Placement of Incompatible Wastes. Incompatible wastes will not be placed in the same container. Further, wastes shall be separated from any nearby incompatible material. The Permittee shall follow the procedures specified in Attachments 2. **(In the permittees previous submittal it was stated that incompatible waste were stored on secondary containment pallets in areas designated I, J, K and L on the floor plan. We could not find areas I, J, K and L on the floor plan. The permittee must revise this).**
- (8) Incompatible Wastes in Unwashed Containers. The Permittee shall not place hazardous waste in an unwashed container that previously held an incompatible waste or material. Further, waste shall be separated from any nearby incompatible wastes.
- (9) Storage of Incompatible Wastes. The Permittee shall store containers of incompatible wastes as indicated in the attached plans, Attachment 2, as required by 40 CFR 264.177(c).
- (10) Documentation. The Permittee must document compliance with sections (1) and (2) of this condition as required by 40 CFR 264.17(c) and place this documentation in the operating record (permit condition II.H.1.).

K. OPERATING HOURS

The Permittee shall maintain at the entrance to the facility a sign displaying the hours of operation. The lettering shall be a minimum of four inches in height and of a color contrasting with its background.

L. CLOSURE

Closure must be implemented in accordance with 25 PA Code 264a.115, Part II Conditions L of this permit a and the closure plan, Attachment 4.

1. OFF LOADING

The Permittee must immediately ensure that incoming waste and materials have the proper secondary containment.

2. RCRA ORGANIC AIR EMISSIONS

The Permittee shall comply with all applicable requirements of 40 CFR 264 Subpart CC- Air Emission Standards for containers as incorporated by reference at 25 Pa. Code 264a.1.

3. CONTAINER RESIDUES

Residues of hazardous waste in empty containers shall be managed per 25 Pa. Code 261a.7.

4. WEIGHING OR MEASURING FACILITIES

The Permittee shall provide, maintain and operate weighing or measuring facilities as required by 25 Pa. Code 264a.180.

PART IV – PHYSICAL TREATMENT

High vacuum mercury retorts, Lamp Recycling, battery crushers, drum crushers

A. DESCRIPTION OF SOLID WASTE MANAGEMENT UNITS (SWMU) AND WASTE IDENTIFICATION

The Permittee may treat the following hazardous wastes in facilities listed below, subject to the terms of this permit:

<u>Facility #</u>	<u>Operation Description</u>	<u>Hazardous Waste Codes</u>
retorts 1 thru 23	see Operation Concept Report Attachment 2	Primary codes : D009, U151, K071???, K106??? Secondary codes: D001, D002, D003, D004, D005, D006, D007, D008, D010, D011
Lamp Recycling	The process involves the crushing of mercury containing lighting devices (fluorescent and High Intensity Discharge, HID, lamps) and other lighting devices (incandescent and low pressure sodium) containing various metal to separate glass, metal, phosphor powder, and mercury. (Permittee needs to describe this in the OCR)	Primary codes: D009, U151??? Secondary codes: D003, D005, D006, D007, D008, D010
Battery crushers	see Operation Concept Report Attachment 2	D009 ?????
Drum crushers	see Operational Concept Report Attachment 2	D009 ?????

B. MONITORING PARAMETERS

The Permittee shall monitor all processes conducted at the facility and is subject to the requirements of this permit. Sufficient data must be recorded to ensure the processes are protective of human health and the environment.

C. GENERAL OPERATING REQUIREMENTS

- (1) Units must be located, designed, constructed, operated, maintained, and closed in a manner that will ensure protection of human health and the environment according to 40CFR 264.601 and the Operational Concept Report Attachment 2.

CLOSURE

Closure must be implemented in accordance with 25 PA Code 264a.115, Part II Conditions L of this permit and the closure plan, Attachment 4.

MAINTENANCE AND OPERATING REQUIREMENTS

- i. Permittee shall maintain the facility in accordance with the attached designs and specifications, Attachment 2

- ii. Units must be located, designed, constructed, operated, maintained, and closed in a manner that will ensure protection of human health and the environment according to 40 CFR 264.601 as incorporated by reference at 25 Pa. Code 264a.1 and the Operational Concept Report Attachment 2.
- iii. Monitoring, testing, analytical data, inspections, response, and reporting procedures and frequencies must meet any requirements needed to protect human health and the environment as specified in the permit and the Operational Concept Report Attachment 2.

E. DUTY TO MINIMIZE WASTE

The Permittee shall certify no less often than annually that the Permittee has in place to reduce the volume and toxicity of hazardous waste that the Permittee generates to the degree determined by the Permittee to be economically practical; and the proposed method of treatment, storage or disposal is practicable method currently available to the Permittee which minimizes the present and future threat to human health and the environment. The Permittee shall maintain each such certification of waste minimization at the Facility until closure of the Facility 40 CFR 264.73(b) (9) as incorporated by reference by reference at 25 Pa. Code 264a.1.

F. DUTY TO COMPLY WITH LAND DISPOSAL RESRICTIONS

All activities of the Permittee which involve the land disposal of hazardous waste are subject to the provisions of RCRA Section 3004(b) – (m), 42 U.S.C. 6924 (b) – (m) and the applicable regulations there under 25 Pa. Code Chapter 268 and 40 CFR Chapter 268 as incorporated by reference at 25 Pa. Code 268a.1.

G. UNIVERSAL WASTES

All management of Universal Wastes shall comply with 25 Pa. Code 266b and 40 CFR 273 as incorporated by reference at 25 Pa. Code 266b.1 except as modified by the terms and conditions of this permit. Universal wastes include batteries as described in 40 CFR 273.2 and thermostats as described in 40 CFR 273.4. No pesticides are authorized for acceptance at this Facility.

RCRA ORGANIC AIR EMISSIONS (NEED SUBMITTAL FROM PERMITTEE BEFORE WE CAN ELIMINATE THIS AND ADD TO OCR)

The Permittee shall comply with the conditions specified below as well as all applicable requirements of 40 CFR 264 Subpart AA – Air Emission Standards for Process Vents and Subpart BB – Air Emission Standards doe Equipment Leaks as incorporated by reference at 264a.1 for the permitted processes:

- 1. SUBPART AA – AIR EMISSION STANDARDS FOR PROCESS VENTS
 - i. Process vents affected by this section are those associated with distillation, fractionation, thin-film evaporation, solvent extraction, or air or stream stripping operations that manage hazardous wastes with organic concentrations of at least 10 ppmw, if these operations are conducted in units subject to permitting requirements or hazardous waste recycling units.
 - ii. The Permittee shall comply, where applicable, with the requirements of 40 CFR 264.1030 through 264.1036 as incorporated by reference at 25 Pa. Code 264a.1.
- 2. SUBPART BB – AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS
 - i. Equipment affected by this section are those which contain or in contact with hazardous wastes with organic concentrations equal to or greater that 10 percent by weight that are managed in units subject to permitting requirements or hazardous waste recycling units.
 - ii. The Permittee shall comply, where applicable, with the requirements of 40 CFR 264.1050 through 264.1065 as incorporated by reference at 24 Pa. Code 264a.1.

ATTACHMENTS

Attachment 1 Waste analysis plan

permittee needs to submit a standalone document, with confidentiality eliminated and need to include the following:

Identify waste codes better (primary and secondary)

Describe the Residual waste

Generic Mod 1's need waste codes and or residual waste designation

Include Department's modified mod 1 form, soil contaminated with Hg, contaminated debris, spill cleanup

Describe waste treatability studies

Universal waste

Attachment 2 Operational Concept Report

permittee needs to submit a standalone document with confidentiality eliminated which includes the following:

Facility description	
Facility boundaries	
Process description	
* 1	Battery crushers
* 2	Drum crushers
* 3	Lamp recycling
* 4	Retorts
Weighing and measuring devices *	
Inspection schedule *	Inspection schedules (daily, weekly, monthly)
Plans and specifications	
1	Stacking height (3 drums high pallets of 4) 6 ft for ignitable and reactive and 9 ft for others
2	Precautions for incompatibility, reactivity, ignitability
3	Containment
* 4	Aisle space
5	Maps of floor plans, Basement floor plan (areas of storage?), and Areas where incompatible wastes are to be stored
6	Flood plain justification
Training	
Security	

Attachment 3 PPC Plan **(should include what to do incase of emergencies with 24 inch isle space???)**

Attachment 4 Closure and Closure Cost Estimate **(need an engineer to check, COMPARE TO AERC?)**

Attachment 5 Bonding???

PERMITTEE NEEDS TO SUBMIT THIS

Attachment 6 Insurance???

PERMITTEE NEEDS TO SUBMIT THIS