

US EPA ARCHIVE DOCUMENT



HSWA PORTION OF THE RCRA PERMIT

OWNER/OPERATOR: Safety Kleen Systems, Inc.
120 Richardson Dr,
Jackson, Mississippi 39209

EPA I.D. No. MSD 000776765

Pursuant to the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) of 1976, 42 USC Section 6901 et seq., and the Hazardous and Solid Waste Amendments (HSWA) of 1984, P.L. 98-616, and regulations promulgated thereunder by the U.S. Environmental Protection Agency (EPA) (codified and to be codified in Title 40 of the Code of Federal Regulations), a permit is issued to Safety Kleen Systems, Inc., hereafter called the Permittee), who owns and operates a hazardous waste facility located in Jackson, Mississippi at latitude 32E 21 ' 15 " and longitude 90 E 15 ' 23 ".

This Permit, in conjunction with the Hazardous Waste Management Permit issued by the State of Mississippi, constitutes the full RCRA Permit for this facility. The Permittee, pursuant to this permit, shall be required to comply with the organic air emission standards for tanks, miscellaneous units, surface impoundments and containers.

The Permittee must comply with all terms and conditions of this permit. This permit consists of the conditions contained herein (including those in any attachments) and applicable regulations contained in 40 CFR Parts 260 through 264, 270, and 124 as specified in the permit and statutory requirements of RCRA, as amended by HSWA. Nothing in this permit shall preclude the Regional Administrator from reviewing and modifying the permit at any time during its term in accordance with 40 CFR §270.41.

This permit is based on the premise that information and reports submitted by the Permittee prior to issuance of this permit are accurate. Any inaccuracies found in this information or information submitted as required by this permit may be grounds for termination or modification of this permit in accordance with 40 CFR §270.41, §270.42, and §270.43 and potential enforcement action. The Permittee must inform EPA 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.

The authority to perform all actions necessary to issue, modify, enforce, or revoke this permit has been delegated by the Regional Administrator to the Waste Management Division Director.

This permit is effective November 15, 2000 and shall remain in effect for 10 years until November 15, 2010 unless revoked and reissued, or terminated under 40 CFR §270.41 and §270.43 or continued in accordance with 40 CFR §270.51(a). All obligations for performance of HSWA provisions required under this permit are in effect until deemed complete by the Regional Administrator.

If any conditions of this permit are appealed in accordance with 40 CFR §124.19, the effective date of the conditions determined to be stayed in accordance with 40 CFR §124.16 shall be determined by final agency action as specified under 40 CFR §124.19.

Issued Date

Richard D. Green
Director
Waste Management Division

TABLE OF CONTENTS

		<u>40 CFR Regulatory Citation</u>	<u>Page</u>
Cover Page	Permit Authority Permit Duration	Part 124 Part 260 Part 261 Part 264 Part 266 Part 268 Part 270	1
Part I	STANDARD CONDITIONS		5
I.A.	Effect of Permit	§270.4 §270.30(g)	5
I.B.	Permit Actions	§270.30(f) §270.41 §270.42 §270.43	5
I.C.	Severability	§124.16	5
I.D.	Duties and Requirements		5
I.D.1.	Duty to Comply	§270.30(a)	5
I.D.2.	Duty to Reapply	§270.10(h) §270.30(b)	5
I.D.3.	Need to Halt or Reduce Activity	§270.30(c)	6
I.D.4.	Duty to Mitigate	§270.30(d)	6
I.D.5.	Proper Operation and Maintenance	§270.30(e)	6
I.D.6.	Duty to Provide Information	§270.30(h)	6
I.D.7.	Inspection and Entry	§270.30(l)	6
I.D.8.	Monitoring and Records	§264.74(b) §270.30(j)	6
I.D.9.	Reporting Planned Changes	§270.30(l)(1)&(2)	7

I.D.10.	Anticipated Noncompliance	§270.30(l)(2)	7
I.D.11.	Transfer of Permit	§264.12(c) §270.30(l)(3) §270.40	7
I.D.12.	Compliance Schedules	§270.33	7
I.D.13.	Other Noncompliance	§270.30(l)(10)	7
I.D.15.	Other Information	§270.30(l)(11)	8
I.E.	Signatory Requirement	§270.11 §270.30(k)	8
I.F.	Confidential Information	§270.12 Part 2	8
I.G.	Definitions	Part 124 Part 260 Part 261 Part 264 Part 270 RCRA, as amended	8
Part II	CORRECTIVE ACTION	§264.101	8
II.A.	Applicability	§264.101(a) §270.32(b)(2) Section 3005(c)	8
II.B.	Notification and Assessment for Newly Identified SWMUs and AOCs	§270.14(d) Section 3005(c)	9
II.C.	Notification Requirements for Newly Discovered Releases at SWMUs or AOCs	§270.14(d) Section 3005(c)	9
II.D.	Interim Measures	§264.101	10
II.E.	Corrective Measures Study	§264.101 §264.552	11
II.F.	Remedy Approval and Permit Modification	§264.552 §270.41 §270.42	11

II.G.	Modification of Schedule of Compliance	§264.101(b) §270.41(a)(4)	12
II.H.	Work Plan and Report Requirements	§270.11 §270.30(k)	12
II.I.	Approval/Disapproval of Submittals	§264.101	13
II.J.	Dispute Resolution	§264.101	13
Part III	RCRA ORGANIC AIR EMISSION REQUIREMENTS	§264.1080 Subpart CC	14
III.A.	Applicability		14
III.B.	Emissions Control Technology		14
III.C.	General Organic Air Emissions Standards for Miscellaneous Units		14
III.D.	Reporting Requirements		15
II.E.	Notification of new Units		15
Part IV	LAND DISPOSAL RESTRICTIONS	Part 268	16
IV.A.	General Restrictions		16
IV.B.	Land Disposal Prohibitions and Treatment Requirements		16
APPENDIX A	Summary of Solid Waste Management Units and Areas of Concern		A-1
	Summary of Organic Air Emission Standards Controls		A-2
APPENDIX B	Schedule of Compliance		B-1

PART I - STANDARD CONDITIONS

I.A. EFFECT OF PERMIT

Compliance with this RCRA permit constitutes compliance, for purposes of enforcement, with Subtitle C of RCRA except for those requirements not included in the permit which become effective by statute, are promulgated under 40 CFR Part 268 restricting placement of hazardous waste in or on the land or are promulgated under 40 CFR Part 264 of this chapter regarding leak detection systems for new and replacement surface impoundment, waste pile, and landfill units, and lateral expansions of surface impoundment, waste pile, and landfill units, as specified in 40 CFR §270.4. 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 law or regulations. Compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under Section 3008(a), 3008(h), 3004(v), 3008(c), 3007, 3013 or Section 7003 of RCRA, Sections 104, 106(a), 106(e), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq., commonly known as CERCLA), or any other law providing for protection of public health or the environment.

I.B. PERMIT ACTIONS

This permit may be modified, revoked and reissued, or terminated for cause as specified in 40 CFR §§270.41, 270.42, and 270.43. The filing of a request for a permit modification, revocation and re-issuance, or termination, or the notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition.

Upon the State of Mississippi becoming authorized for the RCRA Organic Air Standards for Surface Impoundments, Tanks and Container, which this permit addresses, the Permittee shall request a Class 1 permit modification as per §270.42 for termination of this permit.

I.C. SEVERABILITY

The provisions of this permit are severable, as specified in 40 CFR §124.16 and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

I.D. DUTIES AND REQUIREMENTSI.D.1. Duty to Comply

The Permittee shall comply with all conditions of this permit, except to the extent and for the duration such noncompliance is authorized by an emergency permit. Any permit noncompliance, other than noncompliance authorized by an emergency permit, constitutes a violation of RCRA and is grounds for enforcement action, permit termination, revocation and re-issuance, modification, or denial of a permit renewal application.

I.D.2. Duty to Reapply

If the Permittee will continue an activity allowed or required by this permit after the expiration date of this permit, the Permittee shall submit a complete application for a new permit at least one hundred eighty (180) calendar days before this permit expires, unless permission for a later date has been granted by the Regional Administrator.

I.D.3. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

I.D.4. Duty to Mitigate

In the event of noncompliance with the permit, the Permittee shall take all reasonable steps to minimize releases of hazardous waste or hazardous constituents to the environment, and shall carry out such measures as are reasonable to prevent significant adverse effects on human health or the environment.

I.D.5. Proper Operation and Maintenance

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

I.D.6. Duty to Provide Information

The Permittee shall furnish to the Regional Administrator, within a reasonable time, any relevant information which the Regional Administrator 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 Regional Administrator, upon request, copies of records required to be kept by this permit.

I.D.7. Inspection and Entry

The Permittee shall allow the Regional Administrator, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:

- a. Enter at reasonable times upon the Permittee's premises where a regulated activity is located or conducted, or where records must be kept under the conditions of this permit;
- 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 this permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by RCRA, any substances or parameters at any location.

I.D.8. Monitoring and Records

I.D.8.a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

I.D.8.b. The Permittee shall retain at the facility, as provided for under 40 CFR Part 264, or other appropriate location as approved by the Regional Administrator, records of all monitoring information required under the terms of this permit, including all calibration and maintenance records, records of all data used to prepare documents required by this permit, copies of all reports and records required by this permit, the certification required by 40 CFR §264.73(b)(9), and records of all data used to complete the application for this permit for a period of at least three years from the date of the sample, measurement, report, certification or application, or until corrective action is completed, whichever date is later.

I.D.8.c. Records of monitoring information shall specify:

- i. The dates, exact place, and times of sampling, or measurements;
- ii. The individuals who performed the sampling or measurements;
- iii. The dates analyses were performed;
- iv. The name of the laboratory which performed the analyses;
- v. The analytical techniques or methods used; and
- vi. The results of such analyses.

I.D.9. Reporting Planned Changes

The Permittee shall give written notice to the Regional Administrator as soon as possible of any planned physical alterations or additions to the tanks and containers subject to the requirements of this permit. The notice shall include at a minimum, a summary of the planned change, the reason for the planned change, a discussion of the impact(s) the planned change will have on the ability to comply with the organic air emissions standards for tanks and containers and this permit.

I.D.10. Anticipated Noncompliance

The Permittee shall give advance notice to the Regional Administrator of any planned changes in the permitted facility or activity which may result in noncompliance with the requirements of this permit.

I.D.11. Transfer of Permit

This permit may be transferred to a new owner or operator only after notice to the Regional Administrator and only if it is modified or revoked and reissued pursuant to 40 CFR §270.40(b) or §270.41(b)(2) to identify the new permittee and incorporate such other requirements as may be necessary under the appropriate Act. Before transferring ownership or operation of the facility during its operating life, the Permittee shall notify the new owner or operator in writing of the requirements of 40 CFR Parts 264 and 270, HSWA and this permit.

I.D.12. Compliance Schedules

Written notification of compliance or noncompliance with any item identified in the compliance schedule of this permit shall be submitted no later than fourteen (14) calendar days of its compliance or noncompliance with the schedule.

I.D.13. Other Noncompliance

The Permittee shall report all other instances of noncompliance not otherwise required to be reported above, at the time written reports as required by this permit are submitted.

I.D.14. Other Information

Whenever the Permittee becomes aware that it failed to submit any relevant facts or submitted incorrect information in any document(s) submitted to the Regional Administrator, the Permittee shall promptly submit such facts or information.

I.E. SIGNATORY REQUIREMENT

All applications, reports, or information submitted to the Regional Administrator shall be signed and certified in accordance with 40 CFR §270.11.

I.F. CONFIDENTIAL INFORMATION

The Permittee may claim confidential any information required to be submitted by this permit in accordance with 40 CFR §270.12.

I.G. DEFINITIONS

For purposes of this permit, terms used herein shall have the same meaning as those in RCRA and 40 CFR Parts 124, 260, 261, 264, and 270. Where terms are not defined in the regulation, the permit, or EPA guidelines or publications, the meaning associated with such terms shall be defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

PART II - CORRECTIVE ACTION

II.A. APPLICABILITY

The Conditions of this Part apply to:

- II.A.1. The SWMUs and AOCs identified in Appendix A-1, which require no further investigation under this permit at this time;

- II.A.2 Any additional SWMUs or AOCs discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means; As used in this Part of the permit, the terms "discover", "discovery", or "discovered" refer to the date on which the Permittee either, (1) visually observes evidence of a new SWMU or AOC, (2) visually observes evidence of a previously unidentified release of hazardous constituents to the environment, or (3) receives information which suggests the presence of a new release of hazardous waste or hazardous constituents to the environment;
- II.A.3. Contamination which has migrated beyond the facility boundary, if applicable. The Permittee shall implement corrective actions beyond the facility boundary where necessary to protect human health and the environment, unless the Permittee demonstrates to the satisfaction of the Regional Administrator that, despite the Permittee's best efforts, as determined by the Regional Administrator, the Permittee was unable to obtain the necessary permission to undertake such actions. The Permittee is not relieved of all responsibility to clean up a release that has migrated beyond the facility boundary where off-site access is denied. On-site measures to address such releases will be determined on a case-by-case basis. Assurances of financial responsibility for completion of such off-site corrective action will be required.
- II.B. NOTIFICATION AND ASSESSMENT REQUIREMENTS FOR NEWLY IDENTIFIED SWMUs AND AOCs
- II.B.1. The Permittee shall notify the Regional Administrator in writing, within fifteen (15) calendar days of discovery, of any suspected new AOC as discovered under Condition II.A.2. The notification shall include, at a minimum, the location of the AOC and all available information pertaining to the nature of the release (e.g., media affected, hazardous constituents released, magnitude of release, etc.). The Regional Administrator may conduct, or require the Permittee to conduct, further assessment (i.e., Confirmatory Sampling) in order to determine the status of the suspected AOC. The Regional Administrator will notify the Permittee in writing of the final determination as to the status of the suspected AOC. If the Regional Administrator determines that further investigation of an AOC is required, the permit will be modified in accordance with 40 CFR §270.41.
- II.B.2. The Permittee shall notify the Regional Administrator in writing, within fifteen (15) calendar days of discovery, of any additional SWMU as discovered under Condition II.A.2.
- II.B.3. The Permittee shall prepare and submit to the Regional Administrator, within ninety (90) calendar days of notification, a SWMU Assessment Report (SAR) for each SWMU identified under Condition II.B.2. At a minimum, the SAR shall provide the following information:
- a. Location of unit(s) on a topographic map of appropriate scale such as required under 40 CFR §270.14(b)(19).
 - b. Designation of type and function of unit(s).
 - c. General dimensions, capacities and structural description of unit(s) (supply any available plans/drawings).
 - d. Dates that the unit(s) was operated.
 - e. Specification of all wastes that have been managed at/in the unit(s) to the extent available. Include any available data on hazardous constituents in the wastes.

- f. All available information pertaining to any release of hazardous waste or hazardous constituents from such unit(s) (to include groundwater data, soil analyses, air, and/or surface water data).

II.B.4. Based on the results of the SAR, the Regional Administrator shall determine the need for further investigations at the SWMUs covered in the SAR. If the Regional Administrator determines that such investigations are needed, the Permittee shall be required to prepare a plan for such investigations within sixty (60) days of notification by the Regional Administrator.

II.C. NOTIFICATION REQUIREMENTS FOR NEWLY DISCOVERED RELEASES FROM SWMUs or AOCs

II.C.1. The Permittee shall notify the Regional Administrator in writing of any newly discovered release(s) of hazardous waste or hazardous constituents discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means, within fifteen (15) calendar days of discovery. Such newly discovered releases may be from SWMUs or AOCs identified in Condition II.A-2. or SWMU or AOCs identified in Condition II.A.2 for which further investigation under Condition II.B.4. was not required.

II. C.2. If the Regional Administrator determines that further investigation of the SWMUs or AOCs is needed, the Permittee shall be required to prepare a plan for such investigations within sixty (60) days of notification by the Regional Administrator.

II.D. INTERIM MEASURES (IM)

II.D.1. IM Work Plan

II.D.1.a Upon notification by the Regional Administrator, the Permittee shall prepare and submit an Interim Measures (IM) Work Plan for any SWMU or AOC which the Regional Administrator determines is necessary. IMs are necessary in order to minimize or prevent the further migration of contaminants, thereby limiting current and future potential for human and environmental exposure to contaminants while long-term corrective action remedies are evaluated and, if necessary, implemented. The IM Work Plan shall be submitted within thirty (30) calendar days of such notification and shall include the elements listed in II.D.1.b. Such interim measures may be conducted concurrently with investigations required under the terms of this permit.

II.D.1.b. The Permittee may initiate IM at a SWMU or AOC by submitting the appropriate notification pursuant to Condition I.D.10. The Regional Administrator will process Permittee initiated IM by either conditionally approving the IM or imposing an IM Work Plan per Condition II.D.1.a. Permittee-initiated IM shall be considered conditionally approved unless the Regional Administrator specifically imposes an IM Work Plan within thirty (30) calendar days of receipt of notification of the Permittee initiated IM. The scope and success of Permittee initiated IM conditionally approved per Condition II.D.1.b. shall be subject to subsequent in-depth review; the Regional Administrator will either comment on or approve the Permittee initiated IM. Permittee initiated IM must follow the progress and final reporting requirements in Condition II.D.3.

II.D.1.c. The IM Work Plan shall ensure that the interim measures are designed to mitigate any current or potential threat(s) to human health or the environment and is consistent with and integrated into any long-term solution at the facility. The IM Work Plan shall include: the interim measures objectives,

procedures for implementation (including any designs, plans, or specifications), and schedules for implementation.

- II.D.1.d. The IM Work Plan imposed under Condition II.D.1.a. must be approved by the Regional Administrator, in writing, prior to implementation. The Regional Administrator shall specify the start date of the IM Work Plan schedule in the letter approving the IM Work Plan. If the Regional Administrator disapproves the IM Work Plan, the Regional Administrator shall either (1) notify the Permittee in writing of the IM Work Plan's deficiencies and specify a due date for submission of a revised IM Work Plan, (2) revise the IM Work Plan and notify the Permittee of the revisions and the start date of the schedule within the approved IM Work Plan, or (3) conditionally approve the IM Work Plan and notify the Permittee of the conditions.

II.D.2. IM Implementation

- II.D.2.a. The Permittee shall implement the interim measures imposed under Condition II.D.1.a. in accordance with the approved IM Work Plan.

- II.D.2.b. The Permittee shall give notice to the Regional Administrator as soon as possible of any planned changes, reductions or additions to the IM Work Plan imposed under Condition II.D.1.a. or initiated by the Permittee under Condition II.D.1.b.

- II.D.2.c. Final approval of corrective action required under 40 CFR §264.101 which is achieved through interim measures shall be in accordance with 40 CFR §270.41 and Condition II.F. as a permit modification.

II.D.3. IM Reports

- II.D.3.a. If the time required for completion of interim measures imposed under Condition II.D.1.a. or implemented under Condition II.D.1.b. is greater than one year, the Permittee shall provide the Regional Administrator with progress reports at intervals specified in the approved Work Plan or semi-annually for Permittee initiated interim measures. The Progress Reports shall contain the following information at a minimum:

- I. A description of the portion of the interim measures completed;
- ii. Summaries of findings;
- iii. Summaries of any deviations from the IM Work Plan during the reporting period;
- iv. Summaries of any problems or potential problems encountered during the reporting period; and
- v. Projected work for the next reporting period.

- II.D.3.b. The Permittee shall prepare and submit to the Regional Administrator, within ninety (90) calendar days of completion of interim measures conducted under Condition II.D., an Interim Measures (IM) Report. The IM Report shall contain the following information at a minimum:

- I. A description of interim measures implemented;
- ii. Summaries of results;

- iii. Summaries of all problems encountered;
- iv. Summaries of accomplishments and/or effectiveness of interim measures; and
- v. Copies of all relevant laboratory/monitoring data, etc. in accordance with Condition I.D.9.

II.E. CORRECTIVE MEASURES STUDY (omitted)

II.F. REMEDY SELECTION AND PERMIT MODIFICATION

II.F.1 A remedy shall be selected from the remedial alternatives evaluated in the CMS. It will be based at a minimum on protection of human health and the environment, as per specific site conditions and existing regulations. The selected remedy may include any interim measures implemented to date.

II.F.2 Pursuant to 40 CFR §270.41, a permit modification will be initiated by the Regional Administrator after recommendation of a remedy under Condition II.F.1. This modification will serve to incorporate a final remedy, including a CAMU if necessary, into this permit.

II.F.3 Within one hundred and twenty (120) calendar days after this Permit has been modified for remedy selection, the Permittee shall demonstrate financial assurance for completing the approved remedy.

II.G. MODIFICATION OF THE CORRECTIVE ACTION SCHEDULE OF COMPLIANCE

II.G.1 If at any time the Regional Administrator determines that modification of the Corrective Action Schedule of Compliance is necessary, the Regional Administrator may initiate a modification to the Schedule of Compliance (Appendix B).

II.G.2 Modifications that are initiated and finalized by the Regional Administrator will be in accordance with the applicable provisions of 40 CFR Part 270. The Permittee may also request a permit modification in accordance with 40 CFR Part 270 to change the Schedule of Compliance.

II.G.3 Extensions of the due date for submittals may be granted by the Regional Administrator based on the Permittee's demonstration that sufficient justification for the extension exists. Similarly, extension to due dates which the permit explicitly defines as being due by a certain time or during a certain time interval (e.g., a specific number of days after comment by the Regional Administrator, a specific number of days from discovery, annually, etc.) may be granted by the Regional Administrator if sufficient justification for the extension is demonstrated by the Permittee. However, extensions to these permit established schedules shall follow Condition II.G.2.

II.H. WORK PLAN AND REPORT REQUIREMENTS

II.H.1 All work plans and schedules shall be subject to approval by the Regional Administrator prior to implementation to assure that such work plans and schedules are consistent with the requirements of this Permit and with applicable regulations. The Permittee shall revise all submittals and schedules as specified by the Regional Administrator. Upon approval the Permittee shall implement all work plans and schedules as written.

- II.H.2. All work plans and reports shall be submitted in accordance with the approved schedule. Extensions of the due date for submittals may be granted by the Regional Administrator based on the Permittee's demonstration that sufficient justification for the extension exists.
- II.H.3. If the Permittee at any time determines that the SAR information required under Condition II.B. no longer satisfies the requirements of 40 CFR §264.101 or this permit for prior or continuing releases of hazardous waste or hazardous constituents from solid waste management units and/or areas of concern, the Permittee shall submit an amended Work Plan(s) to the Regional Administrator within ninety (90) calendar days of such determination.
- II.H.4. Two (2) copies of all reports and work plans shall be provided by the Permittee, one (1) each to the following addresses: These copies may be electronic.

Chief, RCRA Programs Branch
Waste Management Division
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street
Atlanta, Georgia 30303

Chief, Hazardous Waste Division
Mississippi Department of
Environmental Quality
101 W. Capitol Street, Suite 100
Jackson, Mississippi 39201

II.I. APPROVAL/DISAPPROVAL OF SUBMITTALS

- II.I.1. The Regional Administrator will review the work plans, reports, schedules, and other documents ("submittals") which require the Regional Administrator's approval in accordance with the conditions of this permit. The Regional Administrator will notify the Permittee in writing of any submittal that is disapproved, and the basis therefore. Condition II.J. shall apply only to submittals that have been disapproved and revised by the Regional Administrator, or that have been disapproved by the Regional Administrator, then revised and resubmitted by the Permittee, and again disapproved by the Regional Administrator.

II.J. DISPUTE RESOLUTION

Notwithstanding any other provision in this permit, in the event the Permittee disagrees, in whole or in part, with the Regional Administrator's revision of a submittal or disapproval of any revised submittals required by the permit, the following may, at the Permittee's discretion, apply:

- II.J.1.a. In the event that the Permittee chooses to invoke the provisions of this section, the Permittee shall notify the Regional Administrator in writing within thirty (30) days of receipt of the Regional Administrator's revision of a submittals or disapproval of a revised submittals. Such notice shall set forth the specific matters in dispute, the position the Permittee asserts should be adopted as consistent with the requirements of the permit, the basis for the Permittee's position, and any matters considered necessary for the Regional Administrator's determination.

- II.J.1.b. The Regional Administrator and the Permittee shall have an additional thirty (30) days from EPA's receipt of the notification provided for in Condition II.J.1.a. to meet or confer to resolve any disagreement.
- II.J.1.c. In the event agreement is reached, the Permittee shall comply with the terms of such agreement or if appropriate submit the revised submittals and implement the same in accordance with and within the time frame specified in such agreement.
- II.J.1.d. If agreement is not reached within the thirty (30) day period, the Regional Administrator will notify the Permittee in writing of his/her decision on the dispute, and the Permittee shall comply with the terms and conditions of the Regional Administrator's decision in the dispute. For the purposes of this provision in this permit, the responsibility for making this decision shall not be delegated below the Waste Management Division Director.
- II.J.1.e. With the exception of those conditions under dispute, the Permittee shall proceed to take any action required by those portions of the submission and of the permit that the Regional Administrator determines are not affected by the dispute.

PART III - RCRA ORGANIC AIR EMISSION REQUIREMENTS

III.A. APPLICABILITY

- III.A-1. Subpart CC applies to all tanks, containers, and miscellaneous units identified in Appendix A, Table A-2, and in the State RCRA permit, except as provided for in 40 CFR § 264.1 and § 264.1080(b).

The Conditions of this Part apply to:

- III.A-2. Hazardous waste management units identified in Appendix A, for which required control equipment has been installed and is operational or are exempt from Subpart CC standards under § 264.1082(c).

III.B. EMISSION CONTROL TECHNOLOGY

The Permittee shall install and maintain all regulated units and associated emission control technology in accordance with the detailed plans, schedules, information and reports as contained in the Part B Permit Application dated January 25, 1999 and subsequent responses to NODs.

III.C. GENERAL ORGANIC AIR EMISSION STANDARDS FOR MISCELLANEOUS UNITS

The Permittee maintains one hazardous waste management miscellaneous unit, the Return/Fill Dumpster/Washing Unit. This unit, at the time of this permit's issuance, is under consideration at a national level by the US Environmental Protection Agency and the states. The Agency and states are considering the operations and threats to human health and the environment that these Return/Fill Dumpster/Washing Units might pose and what controls these units might require to ensure protection of health and environment.

The Agency, based on current information, determines the conditions on the use of the Return/Fill Dumpster/Washing Unit contained in III.C. of this Permit to be fully protective. If future determinations are made by the Agency that more

stringent requirements and permit conditions are required for this unit, an immediate modification of this permit will be initiated to incorporate the Agency's recommended restrictions upon the use of this unit.

III.C.1. While not in operation, the Return/Fill Dumpster/Washing Unit sump shall contain not more than two (2) inches in depth of hazardous waste, the minimum volume necessary to prime the pump. This unit shall be deemed not in service during periods of time between each shift, between each processing batch, or at any time the unit is left unattended for 15 minutes or longer.

III.C.2. When not in operation, the Return/Fill Dumpster/Washing Unit cover shall be maintained in the closed position and the junction of the upper and lower halves of the clam-shell lid shall be tightly fitted and gasketed if needed in order to ensure that no organic vapor leaks are occurring as defined in Condition III.C.3. below. The entire unit shall be maintained in a manner that minimizes volatilization of organic compounds from hazardous wastes or hazardous constituents to the air per Section 3004(n) of the Solid Waste Disposal Act.

III.C.3. The facility shall monitor for leaks in accordance with the procedures of Reference Method 21 in 40 CFR Part 60 each quarter, about all joints, seals, seams, connectors, pumps, valves or other equipment ancillary to this unit. An instrument reading of 10,000 ppm or greater shall constitute detection of a leak.

III.C.4. If a leak is detected, the facility shall attempt repair within 5 days of detection and repair in accordance with the 40 CFR § 264.1084(k)(1).

III.C.5. Records of the design, monitoring and repair of the Return/Fill Dumpster/Washing Unit shall be maintained in the on-site facility operating records for three (3) years.

III.D. REPORTING REQUIREMENTS

III.D.1. For each tank, container, miscellaneous unit or surface impoundment which manages hazardous waste that is exempted from using air emission controls, a written report shall be submitted to the Regional Administrator within fifteen (15) days of each occurrence when hazardous waste is placed in the waste management unit in noncompliance with the Conditions of 40 CFR §§ 264.1082(c)(1) or (c)(2), as applicable. The written report shall contain the EPA identification number, facility name and address, a description of the noncompliance event and the cause, the dates of the noncompliance, and the actions taken to correct the noncompliance and prevent reoccurrence of the noncompliance.

III.D.2. For tanks listed in Conditions III.A-2., which use air emission controls in accordance with the requirements 40 CFR § 264.1084(c), a written report shall be submitted to the Regional Administrator within fifteen (15) days of each occurrence when hazardous waste is managed in the tank in noncompliance with the Conditions specified in 40 CFR § 264.1084(c)(1) through (c)(4). The written report shall contain the EPA identification number, facility name and address, a description of the noncompliance event and the cause, the dates of the noncompliance, and the actions taken to correct the noncompliance and prevent reoccurrence of the noncompliance.

III.D.3. For control devices used in accordance with the requirements of 40 CFR § 264.1087, a semiannual written report shall be submitted to the Regional Administrator except as provided for in Condition III.D.4. of this Part. The report shall describe each occurrence during the previous 6-month period when a control device is operated continuously for 24 hours or longer in noncompliance with the applicable operating values defined in 40 CFR § 264.1035(c)(4) or when a flare is operated with visible emissions as defined in 40 CFR § 264.1033(d). The written report shall include the EPA identification number, facility name and address, and an explanation why the control device could not be returned to compliance within 24 hours, and actions taken to correct the noncompliance.

III.D.4. A report to the Regional Administrator in accordance with the requirements of Condition III.D.3. of this Part is not required for a 6-month period during which all control devices subject to 40 CFR Part 264, Subpart CC are operated by the owner or operator such that during no period of 24 hours or longer did a control device operate continuously in noncompliance with the applicable operating values defined in 40 CFR § 264.1035(c)(4) of this part or a flare operate with visible emissions as defined in 40 CFR § 264.1033(d).

III.D.5. All reports shall be signed and dated by an authorized representative of the Permittee as per 40 CFR § 270.11(b).

III.E. NOTIFICATION OF NEW UNITS

Prior to installing any tank, container, surface impoundment or miscellaneous unit subject to 40 CFR Part 264, Subpart CC, or modifying an existing process, waste handling or tank or container such that the unit(s) will become subject to 40 CFR Part 264 Subpart CC, the Permittee shall apply for a permit modification under § 270.42, and provide specific Part B application information required under 40 CFR §§ 270.14-17 and § 270.27, as applicable, with the modification request.

IV. RCRA LAND DISPOSAL RESTRICTIONS

IV.A. GENERAL RESTRICTIONS

IV.A-1. 40 CFR Part 268 identifies hazardous wastes that are restricted from land disposal and defines those limited circumstances under which an otherwise prohibited waste may continue to be placed on or in a land treatment, storage or disposal unit. The Permittee shall maintain compliance with the requirements of 40 CFR Part 268. Where the Permittee has applied for an extension, waiver or variance under 40 CFR Part 268, the Permittee shall comply with all restrictions on land disposal under this Part once the effective date for the waste has been reached pending final approval of such application.

IV.B. LAND DISPOSAL PROHIBITIONS AND TREATMENT STANDARDS

IV.B.1. A restricted waste identified in 40 CFR Part 268 Subpart C may not be placed in a land disposal unit without further treatment unless the requirements of 40 CFR Part 268 Subparts C and/or D are met.

IV.B.2. The storage of hazardous wastes restricted from land disposal under 40 CFR Part 268 is prohibited unless the requirements of 40 CFR Part 268 Subpart E are met.

Appendix A

Summary of Solid Waste Management Units and Areas of Concern

Summary of Organic Air Emission Standards Controls

Table A-1 List of solid waste management units (SWMUs) and areas of concern (AOCs) requiring no further action at this time.

SAFETY- KLEEN SYSTEMS, INC. , Jackson, MS

EPA I.D. No. MSD 000 776 765

SWMU/AOC Name/Number	Unit Comment and Basis for NFA	Dates of Operation	Potentially Affected Media
SWMU 1- Container Storage Area	RCRA Permitted Unit. No evidence of release.	1974 to present	Air, Soil Groundwater
SWMU 2- Waste Solvent Tank	RFI Conducted. Hazardous constituents below Residential Risk-Based concentrations onsite. Secondary Containment.	1979 to present	Air, Soil Groundwater
SWMU 3- Solvent Return/Fill Area	RFI Conducted. Hazardous constituents below Residential Risk-Based concentrations onsite. Secondary Containment.	1979 to present	Air, Soil Groundwater
SWMU 4- Paint Waste Shelter	RFI Conducted. Hazardous constituents below Residential Risk-Based concentrations onsite. Secondary Containment.	1979 to present	Air, Soil Groundwater
SWMU 5- Facility Stormwater Control Unit	RFI Conducted. Hazardous constituents below Residential Risk-Based concentrations onsite.	1988 to present	Air, Soil Groundwater
SWMU 6- Truck Washing Area	RFI Conducted. Hazardous constituents below Residential Risk-Based concentrations onsite.	1979 to present	Air, Soil Groundwater
SWMU 7- Tanker Truck Load/Unload Area	RFI Conducted. Hazardous constituents below Residential Risk-Based concentrations onsite. Secondary Containment.	1979 to present	Air, Soil Groundwater

TABLE A-2 SUMMARY OF HAZARDOUS WASTE MANAGEMENT UNITS SUBJECT TO SUBPART CC SAFETY- KLEEN SYSTEMS, INC. , Jackson, MS EPA I.D. No. MSD 000 776 765					
HAZARDOUS WASTE MANAGEMENT UNIT	LOCATION and TYPE OF HAZARDOUS WASTE MANAGEMENT UNIT	EPA HAZARDOUS WASTE CODES MANAGED	BRIEF WASTE DESCRIPTION	SUBPART CC STATUS	METHOD COMPLIANCE SUBPART STANDARD Appendix
Storage Tank System composed of one 4,000 gallon tank and one 8,000 gallon Tank ¹	Permitted Tank Storage Unit See Permit Application dated January 25, 1999 Sections C.8, E.3a & 3b for location and description	D001, D004-D011, D018, D019, D021-D030 and D032-D043	Organic solvents that are liquids, containing some solids.	Subject to Tank Level 1 Controls per 264.1084(c)	1
Container Storage Warehouse and Flammable Storage Shelter total 6,648 gallons ²	Permitted Container Storage Area See Permit Application dated January 25, 1999 Sections C. 10 & C.12 for location and description	D001, D004-D011, D018, D019, D021-D030 and D032 F002, F004 and F005	Organic solvents that are liquids, containing some solids and flammables.	Subject to Container Level 1 Controls per 264.1086(c)	11
Return Fill Dumpster/ Drum Washer, composed of twin units of 25 gallons each, total 50 gallons ³	Miscellaneous Unit See Permit Application dated January 25, 1999 Sections C.8 & E.10 and Response to NOD dated August 6, 1999 for location and description	D001, D004-D011, D018, D019, D021-D030 and D032	Organic solvents that are liquids, containing some solids.	Subject to Specific Permit Conditions per Section ____ of the State of Mississippi Hazardous Waste Management Permit.	Not Listed
Notes: 1. Tanks with a design capacity less than 75m ³ (19,800) gallons and a vapor pressure less than 76.6 kPa, not in light industrial service. 2. Container with design capacity greater than 0.1 m ³ and less than 0.46 m ³ not in light industrial service. 3. These units will either be in compliance with Subpart CC permit conditions or closed within six months of issuance of this permit.					

TABLE A-3

METHODS OF COMPLIANCE WITH SUBPART CC STANDARDS

Tanks

1. These tanks shall comply with Level 1 controls which require tanks to have a fixed roof with no visible cracks, holes, gaps, or other spaces in accordance with 264.1084(c). The tank shall be visually inspected for defects initially prior to the tank becoming subject to the requirements and at least once every year thereafter. [40 C.F.R. 264.1084(c)].
2. These tanks are fixed-roof tanks equipped with an internal floating roof and shall comply with Tank Level 2 controls in accordance with 264.1084(e). The internal floating roof shall be visually inspected for defects at least once every 12 months after initial fill unless complying with the alternative inspection procedures in 40 C.F.R. 264.1084(e)(3)(iii). [40 C.F.R. 264.1084(d)(1)]
3. These tanks are equipped with an external floating roof and shall comply with Tank Level 2 controls in accordance with 264.1084(f). The external floating roof seal gaps shall be measured in accordance with the procedures contained in 264.1084(f)(3)(i) within 60 days and at least once every 5 years thereafter. The external floating roof shall be visually inspected for defects at least once every 12 months after initial fill. [40 C.F.R. 264.1084(d)(2)]
4. These tanks are vented through a closed-vent system to a control device and shall comply with Tank Level 2 controls in accordance with 264.1084(g). The tank shall be equipped with a fixed roof and closure devices which shall be visually inspected for defects initially and at least once every year. The closed-vent system and control device shall be inspected and monitored in accordance with 264.1087. [40 C.F.R. 264.1084(d)(3)]
5. These tanks are pressure tanks which shall comply with Tank Level 2 controls in accordance with 264.1084(h). [40 C.F.R. 264.1084(d)(4)]
6. These tanks are located inside an enclosure that is vented through a closed-vent system to an enclosed combustion control device and shall comply with Tank Level 2 controls in accordance with 264.1084(i). The closed-vent system and control device shall be inspected and monitored in accordance with 264.1087. [40 C.F.R. 264.1084(d)(5)]
7. These tanks have covers which have been specified as "unsafe to inspect and monitor" and shall comply with the requirements of 264.1084(l)(1). [40 C.F.R. 264.1084(f) & (g)]

Surface Impoundments

8. These surface impoundments shall have a floating membrane cover in accordance with 264.1085(c). The floating membrane cover shall be visually inspected for defects initially and at least once each year. [40 C.F.R. 264.1085(b)(1)]
9. These surface impoundments shall have a cover that is vented through a closed-vent system to a control device in accordance with 264.1085(d). The surface impoundment cover and its closure devices shall be visually inspected for defects initially and at least once each year. The closed-vent system and control device shall be inspected and monitored in accordance with 264.1087. [40 C.F.R. 264.1085(b)(2)]
10. These surface impoundments have covers which have been designated as "unsafe to inspect and monitor" and shall comply with the requirements of 264.1085(g). [40 C.F.R. 264.1085(c) & (d)]

Containers

11. These containers have a design capacity greater than 0.1 m³ and less than or equal to 0.46 m³ and meet the applicable U.S. DOT regulations under the Container Level 1 standards. The container shall be visually inspected for defects at the time the container first manages hazardous waste or is accepted at a facility. If a container remains at a facility for 1 year or more, it shall be visually inspected for defects at least once every 12 months. [40 C.F.R. 264.1086(b)(1)(i) & (c)(1)(i)]
12. These containers have a design capacity greater than 0.1 m³ and less than or equal to 0.46 m³ and are equipped with a cover and closure devices which form a continuous barrier over container openings. The container and its cover and closure devices shall be

visually inspected for defects at the time the container first manages hazardous waste or is accepted at a facility. If a container remains at a facility for 1 year or more, it shall be visually inspected for defects at least once every 12 months. [40 C.F.R. 264.1086(b)(1)(I) & (c)(1)(ii)]

13. These containers have a design capacity greater than 0.1 m³ and less than or equal to 0.46 m³ and are open-top containers in which an organic-vapor suppressing barrier is placed on or over the hazardous waste in the container. The container and its cover and closure devices shall be visually inspected for defects at the time the container first manages hazardous waste or is accepted at a facility. If a container remains at a facility for 1 year or more, it shall be visually inspected for defects at least once every 12 months. [40 C.F.R. 264.1086(b)(1)(I) & (c)(1)(iii)]
14. These containers have a design capacity greater than 0.46 m³, are not in light material service and meet the applicable U.S. DOT regulations under the Container Level 1 standards. The container shall be visually inspected for defects at the time the container first manages hazardous waste or is accepted at a facility. If a container remains at a facility for 1 year or more, it shall be visually inspected for defects at least once every 12 months. [40 C.F.R. 264.1086(b)(1)(ii) & (c)(1)(I)]
15. These containers have a design capacity greater than 0.46 m³, are not in light material service and are equipped with a cover and closure devices which form a continuous barrier over container openings. The container and its cover and closure devices shall be visually inspected for defects at the time the container first manages hazardous waste or is accepted at a facility. If a container remains at a facility for 1 year or more, it shall be visually inspected for defects at least once every 12 months. [40 C.F.R. 264.1086(b)(1)(ii) & (c)(1)(ii)]
16. These containers have a design capacity greater than 0.46 m³, are not in light material service and are open-top containers in which an organic-vapor suppressing barrier is placed on or over the hazardous waste in the container. The container and its cover and closure devices shall be visually inspected for defects at the time the container first manages hazardous waste or is accepted at a facility. If a container remains at a facility for 1 year or more, it shall be visually inspected for defects at least once every 12 months. [40 C.F.R. 264.1086(b)(1)(ii) & (c)(1)(iii)]
17. These containers have a design capacity greater than 0.46 m³, are in light material service and meet the applicable U.S. DOT regulations under the Container Level 2 standards. The container shall be visually inspected for defects at the time the container first manages hazardous waste or is accepted at a facility. If a container remains at a facility for 1 year or more, it shall be visually inspected for defects at least once every 12 months. [40 C.F.R. 264.1086(b)(1)(iii) & (d)(1)(I)]
18. These containers have a design capacity greater than 0.46 m³, are in light material service and operate with no detectable organic emissions as defined in 40 C.F.R. 265.1081. The container and its cover and closure devices shall be visually inspected for defects at the time the container first manages hazardous waste or is accepted at a facility. If a container remains at a facility for 1 year or more, it shall be visually inspected for defects at least once every 12 months. [40 C.F.R. 264.1086(b)(1)(iii) & (d)(1)(ii)]
19. These containers have a design capacity greater than 0.46 m³, are in light material service and that have been demonstrated within the preceding 12 months to be vapor-tight using 40 C.F.R. Part 60, Appendix A, Method 27. The container and its cover and closure devices shall be visually inspected for defects at the time the container first manages hazardous waste or is accepted at a facility. If a container remains at a facility for 1 year or more, it shall be visually inspected for defects at least once every 12 months. [40 C.F.R. 264.1086(b)(1)(iii) & (d)(1)(iii)]
20. These containers have a design capacity greater than 0.1 m³ that are used for treatment of a hazardous waste by a waste stabilization process and are vented directly through a closed-vent system to a control device in accordance with 264.1086(e)(2)(ii). The closed-vent system and control devices shall be inspected and monitored as specified in 264.1087. [40 C.F.R. 264.1086(b)(2) & (e)(1)(I)]
21. These containers have a design capacity greater than 0.1 m³ that are used for treatment of a hazardous waste by a waste stabilization process and are vented inside an enclosure which is exhausted through a closed-vent system to a control device in accordance with 264.1086(e)(2)(I) & (ii). The closed-vent system and control devices shall be inspected and monitored as specified in 264.1087. [40 C.F.R. 264.1086(b)(2) & (e)(1)(ii)]

Appendix B

Schedule of Compliance

Schedule of Compliance	Due Date
Written report of noncompliance of tanks, surface impoundments, miscellaneous units or containers with 40 CFR §§ 264.1082(c)(1) or (c)(2) Condition III.D.1.	Within fifteen (15) calendar days of becoming aware of noncompliance
Written report of noncompliance of tanks with 40 CFR §§ 264.1084(c)(1) or (c)(2) Condition III.D.2.	Within fifteen (15) calendar days of becoming aware of noncompliance
Semi-Annual Report for Use of Control Devices 40 CFR § 264.1090(c) Condition III.D.3	Semi-annually, beginning six (6) months from the effective date of the permit*

* Semi-annual report is not required if provisions of Condition III.D.4. are met.