



Resource Protection Inc.

P.O. Box 369

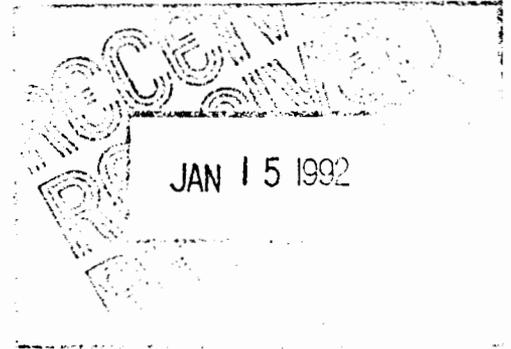
Phone (505) 393-1079

Hobbs, New Mexico 88241

Ed Herby

January 10, 1992

Mr. Benito Garcia
State of New Mexico
NMED/HRMB
525 Camino De Los Marquez
Santa Fe, NM 87502



Re: Storage Facility Floor Design

Dear Mr. Garcia:

Pursuant to your letter of November 20, 1991, approving our request for a floor engineering design change at our container storage facility, I am submitting the revised page inserts for our permit that reflect the changes we requested.

Page B-2 revised; removed the last sentence in the last paragraph.

Page B-3 revised; changed the floor contained engineering design.

Page B-4 revised; modified our management procedures to address the immediate and complete removal of any standing or spilled liquids.

Page C-20 revised; changed the last sentence under Weekly Inspections.

Page F-3 revised; changed the third sentence in the third paragraph.

The ramps over the six-inch curbs that separate the storage bay have been engineered wide enough and with sufficient slope to allow for the safe movement of forklift between bays.

Should you have any questions please feel free to contact us at 800-328-7801.

Sincerely,

G.W. Shearer
G.W. Shearer

*2/4/92
Pages listed
have been inserted
in permits leg*

GWS/sz
enc



BRUCE KING
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-2850

JUDITH M. ESPINOSA
SECRETARY

RON CURRY
DEPUTY SECRETARY

HAZARDOUS WASTE FACILITY PERMIT

PERMITTEE: Resource Protection Inc. ID. NO: NMD986670354

LOCATION: Section 17, T. 20 S., PERMIT NO: NMD986670354-1
R. 32 E., Lea County, NM
(near the intersection of
Lea Co. Rd C-29 and US
Highway 62-180).

Pursuant to the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA), as amended (42 U.S.C. 6901, et seq. NMSA 1978), a permit is issued to Resource Protection Inc. (hereafter called the Permittee) to operate a hazardous waste container storage facility at the location stated above.

The Permittee must comply with all the terms and conditions of this permit. This permit consists of the conditions contained herein including the attachments. Applicable provisions of regulations cited are those which are in effect on the effective date of this permit, New Mexico Hazardous Waste Management Regulations (HWMR-6). This permit shall become effective 30 days after notice of the decision has been served on the applicant in accordance with HWMR-6, Part IX, section 902.A.10 and shall run for a period of ten years.

This permit is also based on the assumption that all information contained in the permit application is accurate and that the facility will be operated as specified in the application. The permit application consists of information submitted in the original Part B permit application, dated June 5, 1990, and subsequent submissions received December 19, 1990, and in numerous exchanges of technical documents.

Any inaccuracies found in the information may be grounds for the termination or modification of this permit and potential enforcement action.

Signed this 7th day of June
by Kathleen M. Sisneros

Kathleen M. Sisneros, Director
Water and Waste Management Division



BRUCE KING
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-2850

JUDITH M. ESPINOSA
SECRETARY

RON CURRY
DEPUTY SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

June 4, 1991

Mr. Johnny Cope
Resource Protection Inc.
P.O. Box 369
Hobbs, NM 88241

RE: OPERATING PERMIT
NM986670354-1

Dear Mr. Cope:

Enclosed is the operating permit required by the Resource Conservation and Recovery Act (RCRA), as amended (42 U.S.C. 6901, et seq.) and the New Mexico Hazardous Waste Act (Sections 74-4-1 et seq. NMSA 1978) for the management of hazardous waste in the container storage facility you propose to construct in Lea County, NM. This operating permit will become effective 30 days after receipt of this letter in accordance with the New Mexico Hazardous Waste Regulations (HWMR-6), Part IX, Section 902.A.10. The U.S. Environmental Protection Agency (EPA), Region 6 will issue the permit for the Hazardous and Solid Waste Amendments of 1984.

Note that pursuant to Module I.I., several documents must be submitted to the New Mexico Environment Department (NMED) before hazardous waste can be received by RPI. These documents concern financial assurance for closure costs (HWMR-6, Pt. V., § 264.143), and assurance of liability coverage (HWMR-6, Pt. V., § 264.147). "As-built" drawings of the RPI storage facility, signed by RPI and a registered professional engineer must also be supplied to NMED (Module I.I.2). Separate certification regarding the construction and proper installation of fire suppression, gas monitoring, and ventilation systems is also required (Module I.I.2). Finally, RPI must supply to the Secretary an accurate list of the names, addresses, and telephone numbers of all persons that may serve as the facility Emergency Manager (Module I.I.3; see also attachment D).

With regard to your request dated May 1, 1991 to modify Module

II.B.1. to permit RPI to receive foreign waste, we have acted in accordance with subsequent phone conversations with yourself (May 14, 1991), and with Mr. Bill Shearer (May 17, 1991) and have left Module II.B.1. intact. Recall that the factor most influencing this decision involved the public notification that would be needed in order to make such a modification, which would have delayed the issuance of this permit. In order to accept foreign waste, you must request a permit modification in accordance with HWMR-6, Pt. IX., § 270.41 or § 270.42.

The New Mexico Environment Department received several comments from the EPA and the Hazardous and Radioactive Waste Bureau during the comment period on the draft permit. A copy of the NMED responses to comments is enclosed for your information.

You have the right to appeal this decision in accordance with the New Mexico Hazardous Waste Act, Section 74-4-4.2.G. which reads as follows: "Any person adversely affected by a decision of the Secretary concerning the issuance, modification, suspension, or revocation of a permit may appeal the decision by filing a notice of appeal with the court of appeals within thirty days after the date the decision is made. The appeal shall be on this record made at the hearing. The appellant shall certify in his notice of appeal that arrangements have been made with the Department for a sufficient number of transcripts of the record of the hearing on which the appeal (sic.) depends to support his appeal to the court, at the expense of the appellant, including one copy which he shall furnish to the department."

If you have any questions on the technical content of the permit, please contact Dr. A. Elizabeth Gordon of the Hazardous and Radioactive Waste Bureau staff at 827-2926.

Sincerely,



Judith M. Espinosa
Secretary
New Mexico Environment Department

Enclosures (2): Operating permit
 Response-to-comments letter

cc: Mr. Bill Honker, EPA 6H-P, w/encls.
 Mr. Ken Smith, NMED District III, w/out encls.

KS/HDG/hdg

Response to Comments on the Draft Hazardous Waste Permit for Resource Protection Inc.

The New Mexico Environment Department (NMED) proposed to issue a permit to Resource Protection Inc. to operate a commercial hazardous waste storage facility. This facility will be capable of storing in approved containers virtually all legally defined hazardous waste with the exception of explosives. No radioactive waste of any kind may be handled. The public comment period ended on May 2, 1991.

This letter contains responses to comments received from Resource Protection Inc., the U.S. Environmental Protection Agency (EPA), Region IV, and changes initiated by NMED. The complete file of the written comments is available in the files of the Hazardous and Radioactive Waste Bureau in Santa Fe. The references to Permit Modules are identical in the draft and final permits.

Comments from the Public

No written comments were received from the general public. Attendance at the public hearings was light and no negative comments were received.

Comments from NMED

1. **Comment:** A review of the draft permit by the Occupational Health and Safety Bureau revealed that RPI had addressed the OHSB standards in an implicit manner, but had not addressed employee health and safety in detail. It was suggested that RPI contact the Technical Services Section of the OHSB at the time they begin operations. **Permit Modification:** None required.

2. **Comment:** As noted in letter dated March 14, 1991, a certification of the RPI facility, signed by Resource Protection Inc. and by a registered professional engineer, including as-built drawings, must be furnished to the Hazardous and Radioactive Waste Bureau before beginning operation. **Permit Modification:** Module I.I.2. was modified to specify that the permittee must provide a "complete set of as-built plans" to the Secretary prior to acceptance of any hazardous waste.

3. **Comment:** Four subsections were missing in Module II of the draft permit that apply to cost estimate for facility closure, financial assurance for facility closure, liability requirements, and incapacity of owners or operators. **Permit Modification:** Subsections II.M., II.N., II.O., and II.P., were added to Module II to address financial requirements of closure, liability, and incapacity issues covered by HWMR-6, Pt. V, § 264.142, § 264.143, § 264.147, and § 264.148.

Comments from EPA, Region IV

4. **Comment:** General comment- There are several provisions in the draft permit which mention the 40 CFR requirements (e.g., HWMR-5, Pt. IX, Sec 270.30 (c)). However, there is no indication in the permit which 40 CFR regulations are effective for this permit. This needs to be clarified in the permit. **Response:** A copy of HWMR-6 which includes the edition of 40 CFR incorporated by reference is included as a permit attachment.

5. **Comment:** There needs to be a condition placed in the permit requiring the owner or operator to notify the Director of Bankruptcy proceedings (40 CFR 264.148). **Permit Modification:** Paragraph II.P. was added to address bankruptcy notification as per HWMR-6 Pt. V § 264.148. (see also comment 3 above)

6. **Comment:** In Module IV.E.3.; the sentence "The Administrative Authority shall provide...." should read "The Administrative Authority will provide...". **Permit Modification:** Permit paragraph IV.E.3 was modified as noted.

7. **Comment:** There is a typographical error in the second sentence of Permit paragraph IV.G.3 - Module V should be Module IV. **Permit Modification:** Permit paragraph IV.G.3 was modified as noted.

Comments of RPI

8. **Comment:** In a letter dated April 26, 1991, RPI requested that in Permit Attachment D - Personnel Training, Page D-2, the statement "specific qualifications may be waived at the option of Management if in their judgement a particular individual has experience equivalent to the stated requirements" that appears as a footnote to the position description of President be added to the position descriptions for Hazardous Waste Management Coordinator, Customer Service Supervisor, and Warehouseman. **Permit Modification:** Said statement has been added as requested.

9. **Comment:** In a letter dated May 1, 1991, RPI requested that Module II-B be changed to allow RPI to accept hazardous waste from foreign sources (i.e. companies located along the U.S.-Mexico border). In a subsequent phone conversation of May 14, 1991, RPI withdrew this request, opting instead to submit a request for a permit modification at a later date. The deciding factor in this decision was the need for public comment on such a change in the permit. **Permit Modification :** None required.

RESOURCE PROTECTION INC.

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MODULE I - GENERAL PERMIT CONDITIONS

I.A. EFFECT OF PERMIT

The Permittee is allowed to store hazardous waste in accordance with the conditions of this Permit. Any storage of hazardous waste requiring a permit under the New Mexico Hazardous Waste Management Regulations (HWMR-6), Part V. and not specifically authorized in this Permit is prohibited. Subject to HWMR-6, Pt. IX, 40 CFR section 270.4, compliance with this Permit during its term constitutes compliance, for purposes of enforcement, with the New Mexico Hazardous Waste Act (Sections 74-4-1 et seq. NMSA 1978) and HWMR-6, Pts. V, VII, and IX, only for those management practices specifically authorized by this Permit. The Permittee is also required to comply with HWMR-6, Pts. I, II III and IV to the extent the requirements of those Parts are applicable. The Permittee must also comply with all applicable self-implementing provisions imposed by the Resource Conservation and Recovery Act (RCRA) or HWMR-6, Pt. VIII. A complete (RCRA) permit consists of this Permit and a US EPA Permit issued under the provisions of the Hazardous and Solid Waste Amendments of 1984 (HSWA) which addresses the portion of the RCRA program for which the State is not authorized. Issuance of this Permit does not convey any 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 Sections 3008(a), 3008(h), 3013, or 7003 of RCRA; Sections 106(a), 104 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. (HWMR-6, Pt. IX, § 270.4, 270.30(g))

I.B. PERMIT ACTIONS

I.B.1. Permit Modification, Revocation and Reissuance, and Termination

This Permit may be modified, revoked and reissued, or terminated for cause, as specified in HWMR-6, Pt. IX, §§ 270.41, 270.42, and 270.43. The filing of a request for a permit modification, revocation and reissuance, 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. (HWMR-6, Pt. IX, §§ 270.4(a) and 270.30(f))

I.B.2. Permit Renewal

This Permit may be renewed as specified in HWMR-6, Pt. IX, § 270.30(b) and Permit Condition I.E.2. Review of any application for a Permit renewal shall consider improvements in the state of control and measurement technology, as well as changes in applicable regulations. (HWMR-6, Pt. IX, § 270.30(b))

I.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 invalid, the application of such provision to other circumstances and the remainder of this Permit shall not be affected thereby. (HWMR-6, Pt. X, Section 1004)

I.D. DEFINITIONS

For purposes of this Permit, terms used herein shall have the same meaning as those in HWMR-6, Pts. I, V, VII, VIII, and IX, unless this Permit specifically provides otherwise. Where terms are not defined in the regulations or the Permit, 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. "Secretary" means the Secretary of the New Mexico Environment Department (NMED), or his designee or authorized representative. "Regional Administrator" means the Regional Administrator of EPA Region VI, or his designee or authorized representative.

I.E. DUTIES AND REQUIREMENTS

I.E.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; for Permit termination, revocation and reissuance, or modification; or for denial of a Permit renewal application. (HWMR-6, Pt. IX, § 270.30(a))

I.E.2. Duty to Reapply

If the Permittee wishes to continue an activity allowed by this Permit after the expiration date of this Permit, the Permittee shall submit a complete

application for a new Permit at least 180 days prior to Permit expiration. (HWMR-6, Pt. IX, §§ 270.10(h), 270.30(b))

I.E.3. Permit Expiration

Pursuant to HWMR-6, Pt. IX, § 270.50, this Permit shall be effective for a fixed term of ten years from its effective date. As long as NMED is the Permit-issuing authority, this Permit and all conditions herein will remain in effect beyond the Permit's expiration date, if the Permittee has submitted a timely, complete application (see HWMR-6, Pt. IX, §§ 270.10, 270.13 through 270.29) and, through no fault of the Permittee, the Director has not issued a new Permit, as set forth in HWMR-6, Pt. IX, § 270.51.

I.E.4. 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. (HWMR-6, Pt. IX, § 270.30(c))

I.E.5. Duty to Mitigate

In the event of noncompliance with this Permit, the Permittee shall take all reasonable steps to minimize releases to the environment and shall carry out such measures as are reasonable to prevent significant adverse impacts to human health or the environment. (HWMR-6, Pt. IX, § 270.30(d))

I.E.6. 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/quality control procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Permit. (HWMR-6, Pt. IX, § 270.30(e))

I.E.7. Duty to Provide Information

The Permittee shall furnish to the Director, within a reasonable time, any relevant information which the Director 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 Director, upon request, copies of records required to be kept by this Permit. (HWMR-6, Pt. V, § 264.74(a); Pt. IX, § 270.30(h))

I.E.8. Inspection and Entry

Pursuant to HWMR-6, Pt. IX, § 270.30(i), the Permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- I.E.8.a. Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Permit;
- I.E.8.b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
- I.E.8.c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
- I.E.8.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.E.9. Monitoring and Records

- I.E.9.a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored substance or activity. The method used to obtain a representative sample must be described in Permit Attachment A (the waste analysis plan), or be approved by the Director. Analytical methods must be those specified in Test Methods for Evaluating Solid Waste: Physical/Chemical Methods (EPA publication SW-846); Standard Methods of Wastewater Analysis; or an equivalent method as specified in Permit Attachment A or approved by the Director.

(HWMR-6, Pt. IX, § 270.30 (j)(1)).

I.E.9.b. The Permittee shall retain records of all monitoring, sampling, and analytical 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 this Permit, the certification (concerning waste minimization) required by HWMR-6, Pt. V, § 264.73(b)(9), and records of all data used to complete the application for this Permit for a period of at least 3 years from the date of the sample, measurement, report, record, certification, or application. These periods may be extended by request of the Director at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility. (HWMR-6, Pt. V, § 264.74(b); Pt. IX, § 270.30(j)(2))

I.E.9.c. Pursuant to HWMR-6, Pt. IX, § 270.30(j)(3), records of monitoring, sampling, and analytical 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 individuals who performed the analyses;
- v. The analytical techniques or methods used; and
- vi. The results of such analyses.

I.E.10. Reporting Planned Changes

The Permittee shall give notice to the Director, as soon as possible, of any planned physical alterations or additions to the Permitted facility. (HWMR-6, Pt. IX, § 270.30(1)(1))

I.E.11. Reporting Anticipated Noncompliance

The Permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. (HWMR-6, Pt. IX, §

270.30(1)(2))

I.E.12. Transfer of Permits

This Permit is not transferable to any person, except after notice to the Director. The Director may require modification or revocation and reissuance of the Permit pursuant to HWMR-6, Pt. IX, § 270.40. 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 HWMR-6, Pts. V and IX, and this Permit. (HWMR-6, Pt. IX, § 270.30(1)(3); Pt. V, § 264.12(c))

I.E.13. Twenty-four hour and subsequent reporting

I.E.13.a The Permittee shall report to the Director any spill, release, fire, explosion, or other occurrence which involves a quantity of hazardous waste greater than one pound which escapes the secondary containment system, or which might otherwise endanger human health or the environment. This report must be made orally within twenty-four hours of the time the Permittee first becomes aware of the situation. It must be made even if the facility's contingency plan is not implemented. The report must include:

- i. Name, address, and telephone number of the owner or operator;
- ii. Name, address, and telephone number of the facility;
- iii. Date, time, and type of incident;
- iv. Name and quantity of materials involved;
- v. The extent of injuries, if any;
- vi. An assessment of actual or potential hazards to the environment and human health outside the facility, including particularly any possible threat to public or private drinking water supplies, where this is applicable; and
- vii. Estimated quantity and disposition of recovered material that resulted from the incident.

I.E.13.b A written submission shall also be provided within five days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the occurrence and its cause; the period(s) of the occurrence (including exact dates and times); whether the situation has been corrected; and, if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the situation. The Director may waive the five-day written notice requirement in favor of a written report within 15 days. (HWMR-6, Pt. IX, § 270.30(1)(6))

I.E.13.c If the Contingency Plan is implemented, the Permittee must comply with the reporting requirements listed in Permit Attachment E.

I.E.14. Other Noncompliance

The Permittee shall report all other instances of noncompliance, not otherwise required to be reported by Permit Conditions I.E.1. and I.E.13., as soon as the Permittee becomes aware of them. The reports shall contain the information listed in Permit Condition I.E.13.b (HWMR-6, Pt. IX, § 270.30(1)(10))

I.E.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 Director, the Permittee shall promptly submit such facts or information. (HWMR-6, Pt. IX, §§ 270.30(1)(11))

I.F. SIGNATORY REQUIREMENT

All applications, reports, or information submitted to or requested by the Director, his designee, or authorized representative, shall be signed and certified in accordance with HWMR-6, Pt. IX, § 270.11 and 270.30(k).

I.G. REPORTS, NOTIFICATIONS, AND SUBMISSIONS TO THE DIRECTOR

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

Secretary
Environment Department
1190 St. Francis Dr.
Harold Runnels Building
Santa Fe, New Mexico 87502

I.H. CONFIDENTIAL INFORMATION

In accordance with HWMR-6, Pt. IX, § 270.12, the Permittee may claim as confidential any information required to be submitted by this Permit.

I.I. DOCUMENTS TO BE SUBMITTED PRIOR TO OPERATION

- I.I.1. At least 60 days before any hazardous waste may be accepted at the facility, financial assurance for closure costs must be made as required by HWMR-6, Pt. V, § 264.143; and liability coverage must be demonstrated as required by HWMR-6, Pt. V, § 264.147. The wording of all financial instruments used must be exactly as specified in HWMR-6, Pt. V, § 264.151.
- I.I.2. Prior to the acceptance of any hazardous waste at the facility, the Permittee must submit to the Secretary, by certified mail or hand delivery, a letter signed by the Permittee and by a registered professional engineer that the facility has been constructed in compliance with this Permit, and that a complete set of as-built plans accompanying the letter accurately describe the facility as it was built. Separate certification must be received no later than the facility certification mentioned above, that the automatic fire suppression system, gas monitoring system, and ventilation systems have been designed under the supervision of a registered professional engineer, are adequate for the facility, and have been installed properly, as described in Permit Attachment C.
- I.I.3. No later than the submission of the certification mentioned in Permit Condition I.I.2. above, the Permittee must submit to the Secretary an accurate list of the names, addresses, and telephone numbers of all persons that may serve as the facility Emergency Coordinator, as described in Permit Attachment D.

I.J. DOCUMENTS TO BE MAINTAINED AT THE FACILITY

The Permittee shall maintain at the facility, until closure is completed and certified by an independent, registered professional

engineer, the following documents and all amendments, revisions and modifications to these documents:

- I.J.1. Waste Analysis Plan, as required by HWMR-6, Pt. V, § 264.13 and this Permit.
- I.J.2. Inspection schedules, as required by HWMR-6, Pt. V, § 264.15(b)(2) and this Permit.
- I.J.3. Personnel training documents and records, as required by HWMR-6, Pt. V, § 264.16(d) and this Permit.
- I.J.4. Contingency Plan, as required by HWMR-6, Pt. V, § 264.53(a) and this Permit.
- I.J.5. Operating record, as required by HWMR-6, Pt. V, § 264.73 and this Permit.
- I.J.6. Closure Plan, as required by HWMR-6, Pt. V, § 264.112(a) and this Permit.
- I.J.7. All other documents required by Module I, Permit Condition I.E.9; Module II, Permit Condition II.H.6.; and Module III, including Permit Condition III.B.3.a.ii.

I.K. PERMIT CONSTRUCTION

I.K.1. Citations

Whenever paragraphs of this Permit or of the Hazardous Waste Management Regulations are cited, such citations include all subordinate sections of the cited paragraphs. When subordinate sections are cited, such citations include all subsections of the cited subparagraphs. All such citations shall be considered an inclusion by reference to this Permit in accordance with HWMR-6, Pt. IX.

I.K.2. Gender

Whenever the pronoun "he" used in reference to the Director of the Environmental Improvement Division or the Permittee, it is to be read as "she" in any instance where the object of the reference is female.

I.L. FACILITY INSPECTION

The Permittee may not commence storage of hazardous waste at the facility until:

- I.L.1. The Secretary or his representative has inspected the facility and finds that it is in compliance with the conditions of this Permit; or
- I.L.2. The Secretary has either waived his right to inspect the facility or has not, within 15 days the date of facility certification as required by Permit Condition I.I.2., notified the Permittee of his intention to inspect the facility.(HWMR-6, Pt. IX. § 270.30(1)(2))

MODULE II - GENERAL FACILITY CONDITIONS

II.A. DESIGN AND OPERATION OF FACILITY

The Permittee shall construct, maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or nonsudden release of hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment, as required by HWMR-6, Pt. V, § 264.31. The Permittee shall maintain the structures and equipment and follow the procedures described in Permit Attachments A through G.

II.B. REQUIRED NOTICES

II.B.1. Hazardous Waste Imports

This Permit does not allow the Permittee to accept wastes from a foreign source. If the Permittee is to receive hazardous waste from a foreign source, he shall apply for and receive a permit modification in accordance with HWMR-6, Pt. IX, § 270.41 or 270.42 prior to accepting such waste.

II.B.2. Hazardous Waste from Off-Site Sources

When the Permittee is 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 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 in accordance with HWMR-6, Pt. V, § 264.12 (b).

II.C. GENERAL WASTE ANALYSIS

The Permittee shall follow the waste analysis procedures required by HWMR-6, Pt. V, § 264.13, as described in the attached Waste Analysis Plan, Permit Attachment A.

The Permittee shall verify the analysis of each waste stream according to the schedule set out in Permit Attachment A. Any sampling, testing, or analytical methods not specifically described in Permit Attachment A must be as specified in Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, EPA Publication SW-846, Standard Methods of Wastewater Analysis, or equivalent methods approved by the Secretary. At a minimum, the Permittee shall maintain proper functional instruments, use approved sampling and analytical methods, verify the validity of sampling and analytical procedures, and perform correct calculations. If the Permittee uses a contract laboratory to perform analyses, the Permittee shall inform the laboratory in writing that it must operate under the waste analysis conditions set forth in this Permit.

II.D. SECURITY

The Permittee shall comply with the security provisions of HWMR-6, Pt. V, § 264.14(b)(2) and § 264.14(c); and Permit Attachment C (Procedures to Prevent Hazards).

II.E. GENERAL INSPECTION REQUIREMENTS

The Permittee shall follow the inspection schedule set out in Permit Attachment C (Procedures to Prevent Hazards). The Permittee shall remedy any deterioration or malfunction discovered by an inspection as required by HWMR-6, Pt. V, § 264.15(c). Records of inspection shall be kept, as required by HWMR-6, Pt. 5, § 264.15(d) and by Module I, Permit Condition I.I.2.

II.F. PERSONNEL TRAINING

The Permittee shall conduct personnel training, as required by HWMR-6, Pt. V, § 264.16. This training program shall follow the attached outline, Permit Attachment D (Personnel Training). The Permittee shall maintain training documents and records, as required by HWMR-6, Pt. V, §§ 264.16(d) and (e), and Permit Condition I.I.3.

II.G. SPECIAL PROVISIONS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE

The Permittee shall comply with the requirements of HWMR-6, Pt. V, § 264.17(a). The Permittee shall follow the procedures for handling ignitable, reactive, and incompatible wastes set forth in Permit Attachments B (Container Management) and C (Procedures to Prevent Hazards).

II.H. PREPAREDNESS AND PREVENTION

II.H.1. Required Equipment

At a minimum, the Permittee shall maintain at the facility the equipment set forth in Permit Attachment B (Container Management) and Permit Attachment E (Contingency Plan), as required by HWMR-6, Pt. V, § 264.32.

II.H.2. Testing and Maintenance of Equipment

The Permittee shall test and maintain the equipment specified above in Permit Condition II.H.1, as necessary, to assure its proper operation in time of emergency, as required by HWMR-6, Pt. V, § 264.33.

II.H.3. Access to Communications or Alarm System

The Permittee shall maintain access to the communications or alarm system as required by HWMR-6, Pt. V, § 264.34.

II.H.4. Required Aisle Space

At a minimum, the Permittee shall maintain aisle space as required by HWMR-6, Pt. V, § 264.35 and the plans and specifications contained in Permit Attachment B.

II.H.5. Arrangements with Local Authorities

The Permittee shall maintain preparedness and prevention arrangements with state and local authorities as required by HWMR-6, Pt. V, § 264.37. If state or local officials refuse to enter into preparedness and prevention arrangements with the Permittee, the refusal must be documented in the operating record.

II.H.6 The Permittee will maintain, in an accessible location, a current inventory showing type, location, and quantity of all hazardous materials and hazardous waste at the facility.

II.I. CONTINGENCY PLAN

II.I.1. Implementation of Plan

The Permittee shall immediately carry out the provisions of the Contingency Plan, Permit Attachment E, whenever there is a fire, explosion,

or release of hazardous waste or constituents which could threaten human health or the environment.

II.I.2. Copies of Plan

The Permittee shall maintain and distribute copies of the Contingency Plan in accordance with the requirements of HWMR-6, Pt. V, § 264.53.

II.I.3. Amendments to Plan

The Permittee shall review and immediately amend, if necessary, the Contingency Plan as required by HWMR-6, Pt. V, § 264.54.

II.I.4. Emergency Coordinator

A trained emergency coordinator shall be available at all times in case of an emergency, as required by HWMR-6, Pt. V, § 264.55.

II.J. MANIFEST SYSTEM

The Permittee shall comply with the manifest requirements of HWMR-6, Pt. V, §§ 264.71, 264.72, and 264.76.

II.K. RECORDKEEPING AND REPORTING

In addition to the recordkeeping and reporting requirements specified elsewhere in this Permit, the Permittee shall do the following:

II.K.1. Operating record

The Permittee shall maintain a written operating record at the facility, as required by HWMR-6, Pt. 5, § 264.73.

II.K.2. Biennial Report

The Permittee shall comply with the biennial reporting requirements of HWMR-6, Pt. V, § 264.75.

II.L. GENERAL CLOSURE REQUIREMENTS

II.L.1. Performance Standard

The Permittee shall close the facility, as required by HWMR-6, Pt. V, § 264.111 and in

accordance with the Closure Plan, Permit Attachment F.

II.L.2. Amendment to Closure Plan

The Permittee shall amend the Closure Plan, in accordance with HWMR-6, Pt. V, § 264.112(c), whenever necessary.

II.L.3. Notification of Closure

The Permittee shall notify the Secretary in writing at least 45 days prior to the date on which he expects to begin closure of any of the facility as required by HWMR-6, Pt. V, § 264.112(d).

II.L.4. Time Allowed For Closure

After receiving the final volume of hazardous waste, the Permittee shall treat or remove from the unit or facility all hazardous waste and shall complete closure activities in accordance with HWMR-6, Pt. V, § 264.113 and the schedules specified in Permit Attachment F (the Closure Plan).

II.L.5. Disposal or Decontamination of Equipment, Structures, and Soils

The Permittee shall decontaminate or dispose of all contaminated equipment, structures, and soils, as required by HWMR-6, Pt. V, § 264.114 and Permit Attachment F (the Closure Plan).

II.L.6. 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 HWMR-6, Pt. V, § 264.115.

II.M. COST ESTIMATE FOR FACILITY CLOSURE

II.M.1. The Permittee shall keep at the facility a copy of the most recent closure plan contained in Permit Attachment F and prepared in accordance with HWMR-6, Pt. V, § 264.142.

II.M.2. The Permittee must adjust the closure cost estimate annually for

inflation in accordance with the requirements of HWMR-6, Pt. V, § 264.142 (b).

- II.M.3. The Permittee must revise the closure cost estimate whenever there is a change in the facilities Closure Plan, as required by HWMR-6, Pt. V, § 264.142 (c).

II.N. FINANCIAL ASSURANCE FOR FACILITY CLOSURE

The Permittee shall demonstrate continuous compliance with the requirements of HWMR-6, Pt. V, § 264.143. Annually during the life of this permit, the Permittee must demonstrate continued compliance by submitting to the Secretary a copy of the documentation required by Pt. V, § 264.143 for the financial assurance mechanism(s) selected. This submission must be made at the time specified in Pt. V, § 264.143; or, if none is specified, it must be made within thirty days after the anniversary of the issuance of this permit. Any change in the financial assurance mechanisms used to satisfy these requirements, other than an increase in amount as required by permit condition II.M above, must be approved in advance by the Secretary as required by HWMR-6, Pt. V, § 264.143.

II.O. LIABILITY REQUIREMENTS

The Permittee shall demonstrate continuous compliance with the requirements of HWMR-6, Pt. V, § 264.147 (a) to maintain liability coverage for sudden accidental occurrences in the amount of at least \$1 million per occurrence with an annual aggregate of at least \$2 million, exclusive of legal defense costs. The demonstration must be made by submitting signed duplicate original of the insurance policy endorsement or Certificate of Insurance annually to the Secretary. This submission must be made on or before the expiration or anniversary date of the insurance policy. The wording of the endorsement or Certificate of Insurance must be identical to the wording required in HWMR-6, Pt. V, § 264.151 (i) or (j).

II.P. INCAPACITY OF OWNERS OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS

The permittee must notify the Secretary by certified mail of the commencement of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming the permittee as debtor, within 10 days after commencement of the proceeding as required by HWMR-6, Pt. V. § 264.148 (a).

II.Q. REQUIREMENT FOR RELEASES

II.Q.1. Releases from the Container Storage Area

If, based on information contained in reports required by Module I, Permit Conditions I.E.13.a. and b., the Secretary determines that a release from the container storage area is of such a quantity, duration or repeated occurrence that further assessment is required, he may direct the Permittee to conduct the sampling and analysis required pursuant to HWMR-6, Pt. IX, sec. 270.14(d).

II.Q.2. Releases from Newly Identified Solid Waste Management Units (SWMUs)

For newly identified SWMUs, the Permittee shall fulfill the requirements of Module IV, Permit Condition IV.E.

MODULE III - CONTAINER STORAGE

III.A CONTAINER STORAGE - MODULE HIGHLIGHTS

- III.A.1 This permit authorizes storage of hazardous wastes in containers in a warehouse building.
- III.A.2 The container storage warehouse and loading dock are comprehensively described in Permit Attachment B. Plans may be found on pages B-17 and B-18 of Attachment B.
- III.A.3 The Permittee will store waste in containers equivalent to the containers specified for each waste by the U. S. Department of Transportation (DOT) regulations, set forth in Title 49 of the Code of Federal Regulations, Part 173 (49 CFR 173). These containers will meet or exceed the requirements for strength and integrity specified by DOT at 49 CFR 178 for each class of container.

III.B PERMITTED AND PROHIBITED WASTE

- III.B.1 The Permittee may store at the facility only the kinds of hazardous wastes identified in Permit Attachment G (Part A of the permit application.) The Permittee must apply for and receive a permit modification prior to storing any hazardous waste described by an EPA waste code not found in Permit Attachment G.
- III.B.2 If the amount of any waste, as identified by EPA waste code, handled in a calendar year exceeds the amount listed for that waste code in Permit Attachment G, the Permittee shall submit a report explaining the situation to NMED and, if the increase in annual quantity is expected to be repeated, shall submit a revised Part A form by March 1 of the following year. The revised Part A will replace Attachment G and become part of this Permit.
- III.B.3 The Permittee shall comply with Permit Conditions III.B.3.a through c below regarding storage in containers of wastes identified in HWMR-6, Part VIII, §§ 268.10, 268.11, and 268.12 as being subject to the restrictions on land disposal set forth in HWMR-6, Part VIII, Subpart C. The same conditions shall be imposed on the storage of any wastes that may become prohibited or restricted

from land disposal by the New Mexico Hazardous Waste Management Regulations during the life of this Permit.

III.B.3.a.

i. Waste shall be stored for no longer than one year from the date of its first receipt by the Permittee, unless

ii. The Permittee furnishes proof to the Secretary that such storage for a period in excess of one year is solely for the purpose of accumulation of such quantities as are necessary to facilitate proper recovery, treatment or disposal.

III.B.3.b.

Each container must be clearly marked as to its contents and the date each period of accumulation begins.

III.B.3.c.

Hazardous wastes meeting the treatment standards in HWMR-6, Part VIII, §§ 268.41, 268.42, and 268.43 are not subject to the storage prohibition in Permit Condition III.B.3.a above.

III.C

CONDITION OF CONTAINERS

If a container holding hazardous waste is not in good condition (e.g., it exhibits severe rusting or other visible 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. (HWMR-6, Pt. V, § 264.171)

III.D

COMPATIBILITY OF WASTE WITH CONTAINERS

The Permittee shall assure that the ability of the container to contain the waste is not impaired by any incompatibility with its contents, as required by HWMR-6, Pt. V, § 264.172.

III.E MANAGEMENT OF CONTAINERS

The Permittee shall keep all containers closed during storage, except when it is necessary to add or remove waste, and shall not open, handle, or store containers in a manner which may rupture the container or cause it to leak. (HWMR-6, Pt. V, § 264.173)

III.F INSPECTION SCHEDULES AND PROCEDURES

The Permittee shall inspect the container area daily when it is in use, and at least weekly regardless of use, in accordance with Permit Attachment C (Procedures to Prevent Hazards) to detect leaking containers and the deterioration of containers and/or of the containment system caused by corrosion or other factors. (HWMR-6, Pt. V, §§ 264.15(b) and 264.174)

III.G CONTAINMENT SYSTEMS

The Permittee shall maintain the containment system in a leakproof and fully operable condition in accordance with the plans and specifications contained in Permit Attachment B (HWMR-6, Pt. V, § 264.175)

III.H RECORDKEEPING

The Permittee shall place the results of all waste analyses and trial tests and any other documentation showing compliance with the requirements of Permit Conditions III.K.1 and III.K.2 and HWMR-6, Pt. V, §§ 264.17(b) and 264.177 in the facility operating record. (HWMR-6, Pt. V, § 264.73)

III.I CLOSURE

At closure of the container area, the Permittee shall remove all hazardous waste and hazardous waste residues from the containment system, in accordance with the procedures in Permit Attachment F (the Closure Plan). (HWMR-6, Pt. V, § 264.178)

III.J SPECIAL PROVISIONS FOR IGNITABLE OR REACTIVE WASTE

III.J.1 The Permittee shall not locate containers holding ignitable or reactive waste within 15 meters (50 feet) of the facility's property line. (HWMR-6, Pt. V, § 264.176)

III.J.2 The Permittee shall take precautions to prevent accidental ignition or reaction of ignitable or reactive waste, and shall follow the procedures specified in Permit Attachments B and C for this purpose. (HWMR-6, Pt. V, § 264.17(a) and 264.176)

III.K SPECIAL PROVISIONS FOR INCOMPATIBLE WASTE

III.K.1 The Permittee shall not place incompatible wastes, or incompatible wastes and materials, in the same container. (HWMR-6, Pt. V, § 264.177(a))

III.K.2 The Permittee shall not place hazardous waste in an unwashed container that previously held an incompatible waste or material. (HWMR-6, Pt. V, § 264.177(b))

III.K.3 The Permittee shall separate containers of incompatible wastes as required by HWMR-6, Pt. V, § 264.177(c).

MODULE IV

SPECIAL CONDITIONS PURSUANT TO THE 1984 HAZARDOUS AND SOLID WASTE AMENDMENTS TO RCRA FOR RESOURCE PROTECTION, INC., LEA COUNTY, NM

EPA I.D. NO.: NMD986670354

A. DEFINITIONS

For purposes of the Module, the following definitions shall apply:

"Administrative Authority" means the Secretary of the New Mexico Environment Department or his/her designee or, in case of HSWA provisions (Module IV) for which the State is not authorized, the U.S. Environmental Protection Agency shall be the Administrative Authority.

"Area of Concern" (AOC) means any discernable unit or area which may have received solid or hazardous waste or waste containing hazardous constituents at any time.

"Facility" means all contiguous property under the control of the owner or operator seeking a permit under Subtitle C of RCRA.

"Generator" means any person, by site, whose act or process produces hazardous waste identified or listed in Part 261 of this chapter or whose act first causes a hazardous waste to become subject to regulation.

"Hazardous constituent" means any constituent identified in Appendix VIII of 40 CFR Part 261, or any constituent identified in Appendix IX of 40 CFR Part 264.

"Hazardous waste" means a solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed. The term hazardous waste includes hazardous constituent as defined below.

"Release" means any spilling, leaking, pouring, emitting, emptying, discharging, injecting pumping, escaping, leaching, dumping, or disposing of hazardous wastes (including hazardous constituents) into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing

hazardous wastes or hazardous constituents).

"Solid waste management unit" (SWMU) means any discernible unit at which solid wastes have been placed at any time, irrespective of whether the unit was intended for the management of solid or hazardous waste. Such units include any area at or around a facility at which solid wastes have been routinely and systematically released.

If subsequent to the issuance of this permit, these terms are redefined in promulgated regulations, the Administrative Authority may, at its discretion, apply the new definition to this permit.

B. SPECIFIC CONDITIONS

1. Waste Minimization

- (a) Pursuant to 40 CFR 264.73(b)(2), the Permittee shall document in the operating record all hazardous waste present at the facility. The Permittee shall document all hazardous waste produced at the facility, by quantity and type and by building/area.
- (b) Pursuant to 40 CFR 264.73(b)(9), the Permittee shall maintain in the operating record a certification that the Permittee, as a generator of hazardous waste, has a program in place to reduce the volume and toxicity of hazardous waste that he generates to the degree determined to be economically practicable; and that the proposed method of treatment, storage, or disposal is the practicable method which is currently available to the Permittee and that minimizes the present and future threat to human health and the environment. The certification shall include:
 - (1) a narrative description of methods or efforts undertaken during each calendar year to reduce the volume and toxicity of waste generated. This description shall include methods for source reduction and recycling of hazardous waste generated at the facility;
 - (2) the results of the program through documentation of the changes in volume and toxicity of waste actually achieved during each calendar year; and
 - (3) a discussion of the factors that have prevented implementation of source reduction and/or recycling;

The Permittee shall annually submit the certification in accordance with 40 CFR § 270.11 to the Administrative Authority by December 1, for the

previous year ending September 30.

- (c) Pursuant to 40 CFR 264.75(h), the Permittee shall include with the Biennial Report a description of the efforts undertaken during the year to reduce the volume and toxicity of waste generated.
- (d) Pursuant to 40 CFR 264.75(i), the Permittee shall include in the Biennial Report a description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years to the extent such information is available for years prior to 1984.

2. Dust Suppression

Pursuant to 40 CFR 266.23(b), the Permittee shall not use waste or used oil or any other material, which is contaminated with dioxin or any other hazardous waste (other than a waste identified solely on the basis of ignitability), for dust suppression or road treatment.

3. Specific Waste Ban

- (a) The Permittee shall not place in any land disposal unit the wastes specified in RCRA Section 3004 after the effective date of the prohibition unless the Administrator has established disposal or treatment standards for the hazardous waste and the Permittee meets such standards and other applicable conditions of this permit.
- (b) The Permittee may store wastes restricted under 40 CFR 268 solely for the purpose of accumulating quantities necessary to facilitate proper recovery, treatment, or disposal provided that it meets the requirements of 40 CFR 268.50(a)(2) including, but not limited to, clearly marking each tank or container.
- (c) The Permittee is required to comply with all the requirements of 40 CFR 268.7, as amended, regarding waste analysis. Testing of the waste, or an extract of the waste or treatment residue, must be performed according to the frequency specified in the facility's waste analysis plan as required by 40 CFR 264.13. Changes to the waste analysis plan will be processed as minor modifications, pursuant to 40 CFR 270.42. Results of waste analysis shall be maintained in the operating record.

4. Additional Waste Disposal Ban Requirements

The Permittee shall not land dispose any hazardous waste restricted by 40 CFR 268 unless:

- (a) The waste meets treatment standards specified in 40 CFR 268.40, 268.41, 268.42, or 268.43;
- (b) A variance from the treatment standards has been granted pursuant to 40 CFR 268.44;
- (c) A petition has been granted on a case-by-case extension to the effective date, pursuant to 40 CFR 268.5;
- (d) A "no-migration" petition has been granted pursuant to 40 CFR 268.6; or
- (e) The surface impoundment is exempt under 40 CFR 268.4 for treatment.

C. CORRECTIVE ACTION FOR CONTINUING RELEASES

- 1. Section 3004(u) of RCRA, as amended by HSWA, and 40 CFR 264.101 require that permits issued after November 8, 1984, address corrective action for releases of hazardous waste including hazardous constituents from any solid waste management unit (SWMU) at the facility, regardless of when the waste was placed in the unit.

Section 3004(v) of RCRA as amended by HSWA and Federal regulations promulgated as 40 CFR 264.101, require corrective action beyond the facility boundary, where necessary to protect human health and the environment unless the owner or operator 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 offsite access is denied.

- 2. If any corrective action is required either at a SWMU identified in the RCRA Facility Assessment (RFA) or at any newly discovered area of concern (AOC) or SWMU, all plans and schedules developed to address the necessary corrective action will require modification of this permit according to the procedures outlined in 40 CFR 270.42.

D. NOTIFICATION REQUIREMENTS FOR EVIDENCE OF NEW AREAS OF CONCERN (AOCs)

- 1. The Permittee shall notify the Administrative Authority, in writing, of evidence of new AOCs (i.e., an area not specifically identified during the RFA) discovered during the course of ground water monitoring, field investigations, environmental audits, or other means no later than fifteen (15) calendar days

after discovery.

2. The notification shall include, at a minimum, the following information for each new AOC:
 - (a) The location of the new AOC in relation to other units;
 - (b) The type and function of the area;
 - (c) The period during which the area may have received waste;
 - (d) The specifics on all wastes that the area may have received or is receiving, to the extent available;
 - (e) A description of the activity that resulted in the detection of the release(s) of hazardous waste, including hazardous constituents, which resulted in the identification of the new AOC;
 - (f) The results of any sampling and analysis which resulted in the identification of the new AOC.

2. Based on the results of this Notification, the Administrative Authority may require investigation of the area as if it were a SWMU. If shown to be a SWMU be the investigation, the AOC must be reported by the Permittee as a newly-identified SWMU. If the AOC is shown not to be a SWMU by the investigation, the Administrative Authority may determine that not further action is necessary and notify the Permittee in writing.

E. NOTIFICATION REQUIREMENTS FOR AND ASSESSMENT OF NEWLY-IDENTIFIED SOLID WASTE MANAGEMENT UNIT(S) (SWMUs)

1. The Permittee shall notify the Administrative Authority, in writing, of any newly-identified SWMU(s) (i.e., a unit not specifically identified during the RFA) discovered during the course of ground water monitoring, field investigations, environmental audits, or other means, no later than fifteen (15) calendar days after discovery.

2. The Permittee shall submit a SWMU Assessment Report to the Administrative Authority no later than ninety (90) calendar days from notification. The SWMU Assessment Report shall describe all results obtained from the SWMU investigation. At a minimum, the Report shall provide the following information for each newly-identified SWMU:
 - (a) The location of the newly-identified SWMU in

relation to other SWMUs;

- (b) The type and function of the unit;
 - (c) The general dimensions, capacities, and structural description of the unit (supply any available drawings);
 - (d) The period during which the unit was operated;
 - (e) The specifics on all wastes that have been or are being managed at the SWMU, to the extent available;
 - (f) A description of the activity that resulted in the detection of the release(s) of hazardous waste, including hazardous constituents, which resulted in the identification of the new SWMU; and
 - (g) The results of any sampling and analysis required for the purpose of determining whether releases of hazardous wastes including hazardous constituents have occurred, are occurring, or are likely to occur from the unit.
3. Based on the results of this Notification, the Administrative Authority may determine the need for further investigations or corrective measures at specific unit(s) covered in the Notification. If the Administrative Authority determines that such investigations are needed, the Administrative Authority may require the Permittee to prepare a plan for such investigations. The Administrative Authority will provide requirements for the investigative plan, including the intended objectives and schedule for submittal. The requirements of this plan shall be implemented through a modification of this module.

F. MODIFICATION OF MODULE IV

- 1. If at any time the Administrative Authority determines that modification of this Module is necessary, he or she may initiate a modification to this Module according to the procedures of 40 CFR 270.41 and 42.
- 2. Modifications to Module IV of this permit do not constitute a reissuance of the permit.

G. COMPLIANCE WITH PERMIT

1. Compliance with this Permit during its term constitutes compliance, for the purposes of enforcement, with 40 CFR Parts 264 and 266 only for those management practices specifically authorized by this permit. The Permittee is also required to comply with 40 CFR Parts 260, 261, 262, and 263 to the extent the requirements of those Parts are applicable.
2. Pursuant to 40 CFR 270.4(a), compliance with this RCRA permit during its term constitutes compliance, for the purpose of enforcement, with Subtitle C of RCRA except for those requirements not included in the permit which become effective by statute, or which are promulgated under Part 268 of RCRA restricting the placement of hazardous wastes in or on the land.
3. Pursuant to 40 CFR 270.43, failure to submit the information required in Module IV or falsification of any submitted information, is grounds for termination of this Permit. The Permittee shall ensure that all notifications and other submissions to the Administrative Authority required in Module IV are signed and certified in accordance with 40 CFR 270.11. Two copies and one compatible disk copy each of the notifications and submissions shall be submitted to the Administrative Authority by Certified Mail or hand delivered to:

U.S. EPA, Region 6
Hazardous Waste Division
1445 Ross Avenue
Dallas, TX 75202-2733

New Mexico Environment
Department
Hazardous and Radioactive
Waste Bureau
1190 St. Francis Drive
Santa Fe, NM 87502

H. PERMIT REVIEW

This Permit may be reviewed by the Administrative Authority five years after the date of permit issuance and may be modified as necessary as provided for in 40 CFR 270.41.

PERMIT ATTACHMENT A

WASTE ANALYSIS PLAN

PERMIT ATTACHMENT A
WASTE ANALYSIS PLAN

SUMMARY

The Waste Analysis Plan describes the laboratory capabilities of the Resource Protection, Inc. facility, and the analytical techniques and sampling methods that ensure adequate knowledge of the wastes to be stored at the facility. Three general kinds of procedures are described:

- (1) Pre-Acceptance Procedures - to determine the acceptability of a particular waste stream with regard to facility permit conditions and safe operating capabilities prior to the shipment of that waste stream to the facility.
- (2) Incoming Load Procedures - to verify that the delivered waste is accurately described by the accompanying waste manifest and the pre-acceptance documentation.
- (3) Waste Analysis for Spills or Releases - to ensure that the composition of any released material is accurately known.

LABORATORY CAPABILITIES AND REQUIREMENTS

At a minimum, the laboratory facilities necessary to perform the "fingerprint analyses" described beginning on page A-10 below will be maintained on site in proper working order. This includes the following equipment specifically:

- Gas chromatograph
- pH meter
- Flash point tester

- All necessary ancillary equipment (such as laboratory balances, glassware, reagents, etc.) to adequately support the operation of the equipment mentioned above.

At least one laboratory technician, fully capable of properly maintaining and accurately operating all the equipment in the laboratory and competently following the quality assurance and quality control procedures described in the paragraph below, will be employed at all times.

Quality control procedures sufficient to guarantee the accuracy and validity of all laboratory work will be developed and implemented. These procedures will be in accord with, and comply with the minimum requirements specified in, the general procedures for quality control contained in Chapter I of US Environmental Protection Agency (EPA) Publication SW-846, Test Methods for Evaluating Solid Waste, and will further conform to any specific quality control requirements that pertain to specific methods described in Publication SW-846.

If at any time quality control procedures in full compliance with the requirements given above cannot be maintained by the Resource Protection, Inc. laboratory, all analyses required by this Permit will be sent to an outside laboratory that meets the requirements outlined in the following paragraph.

Any chemical or physical analyses required by this Permit that must be performed by outside laboratories will be performed only by laboratories that have passed a current EPA proficiency examination, are certified or accepted as certified by the state in which they are located (if that state has a laboratory certification program), and use laboratory analysis and quality control methods approved by the US Environmental Protection Agency.

PRE-ACCEPTANCE PROCEDURES

Generator Requirements

For each new waste stream that is a candidate for delivery to the facility, the following procedures are required:

- (1) The generator will provide Resource Protection, Inc. with all the pertinent chemical and physical data requested on the Generator's Waste Profile Sheet, and a representative sample of the waste. The minimum information that must be on the profile sheet is specified below.
- (2) Resource Protection, Inc. will verify the data on the Generator's Waste Profile Sheet. If analyses adequate to reveal any inaccuracies in the information on the Waste Profile Sheet cannot be performed by Resource Protection, Inc.'s facility laboratory, they will be performed by an outside laboratory meeting the minimum requirements spelled out on the previous page of this Attachment. All analyses needed to confirm the accuracy of the Waste Profile Sheet will be performed prior to acceptance of any of the waste.
- (3) After comparing the data supplied by the generator with that obtained by verification, Resource Protection, Inc. will determine the acceptability of the waste based on the terms and conditions of this Permit.

Whenever the term is used in this attachment, "waste stream" means a type of waste, from the same generator, that is described by the same EPA waste code or codes, and will require the same storage management.

The Generator's Waste Profile Sheet used by this facility will include as a minimum the following information:

- Generator Information: Generator's name, facility address, US EPA identification number, telephone number, and name of technical contact.
- Description of process generating waste.
- Description of physical characteristics of the waste: physical state, color, clarity, phase separation, pH, specific gravity, flash point.
- Detailed listing of the chemical composition of the waste, including upper and lower percentage ranges; accounting for 100% of the ingredients of the waste.

- Concentration levels of all constituents for which Toxicity Characteristic Leaching Procedure (TCLP) regulatory levels have been set, and for hexavalent chromium, copper, nickel, thallium, and zinc.
- Concentration levels of total cyanides, sulfides, and phenolics.
- Shipping information: Whether waste is a Department of Transportation (DOT) Hazardous Material, proper shipping name, hazard class, DOT ID number, reportable quantity.
- Hazardous characteristics: Reactivity (water reactive, pyrophoric, shock sensitive, explosive, or other type of reactivity), corrosivity, ignitability, toxicity (based on TCLP testing); etiological, radiological, or pesticide manufacturing waste.
- EPA hazardous waste codes.
- Special handling or other information.
- Signed and dated certification that the information contained in the profile sheet is complete and accurate and that all known or suspected hazards have been disclosed; that accompanying sample is representative of the waste stream and taken in accord with the instructions in EPA Publication SW-846; and that Resource Protection, Inc. will be notified of any changes in the processes or feedstocks generating the waste.

Frequency of Analysis

The pre-acceptance evaluation will be repeated whenever a generator notifies Resource Protection, Inc. that the process or feedstocks generating the waste has changed; if Resource Protection, Inc. has any reason to suspect that the waste is in non-conformance with available pre-acceptance documentation; or if a significant discrepancy is detected. If any of these events occurs, the generator will be required to submit a new waste profile sheet and sample. The sample will be fully analyzed by Resource Protection, Inc. (or by an independent laboratory as described on page 2 of this Attachment) to ensure that the information on the waste profile sheet is accurate.

Waste streams (as defined on page A-3 of this Attachment) will be re-analyzed following the appropriate pre-acceptance analytical procedure no less often than annually to ensure the continuing accuracy of the waste profile information.

Waste Analysis Parameters and Rationale for Selection

Mandatory Analyses, as described below, are those that must be performed to answer the questions on the waste profile sheet. They will be performed on all waste streams accepted by this facility. They will be performed by waste generators in order to fill out the waste profile sheet, and will be done as part of the pre-acceptance verification procedure by Resource Protection, Inc. for all waste streams.

Supplemental analyses will be performed as needed to provide the Hazardous Waste Coordinator with another level of confidence concerning the proper means of storage should the need arise. Some of these additional analyses utilize unique procedures which have been found preferable for waste characterization. Others are standard analytical techniques recognized by EPA and the American Society for Testing and Materials (ASTM). Resource Protection, Inc. will perform the supplemental analyses if possible. If the on-site laboratory does not have the equipment to perform certain analytical procedures, waste samples will be sent to an outside laboratory qualified as described on page 2 of this Attachment.

Mandatory Analyses

Mandatory Analyses include five basic screening procedures to be performed on all waste streams. They will provide a general characterization of the waste and indicate compatibility with other materials in the building. Supplemental analyses may be performed on certain waste samples when more detailed information is required than that provided by the mandatory analyses.

(1) Physical Description - is used to determine the general characteristics of the waste, to compare the sample waste with prior waste descriptions or samples. A Paint Filter Liquid Test will be used to determine if the waste contains no free liquids.

(2) pH screening - is used to indicate the corrosivity of the waste and to ensure that no highly alkaline or acidic wastes are stored in the same storage bay with incompatible waste or are incompatible with their containers.

(3) Specific Gravity - is selected because significant changes in this parameter are strongly indicative of changes in other waste characteristics.

(4) Ignitability Screen - is used to determine whether the waste is a RCRA ignitable waste, and whether it is defined as flammable or combustible by the federal Department of Transportation. This test can be applied to all waste liquids or semi-solids.

(5) Assay - is a gas chromatograph analysis to confirm waste identity, amount of recoverable component(s), and major constituents.

Supplemental Analyses

(1) Distillation - is used to determine the percent recovery and boiling range of a sample, and to generate distillate and bottoms samples for further testing.

(2) Waste Compatibility - determines whether wastes, if stored or processed together, are compatible.

(3) Beilstein Copper Wire Test for Organic Chlorides - detects the presence of organic chlorides in the wastes prior to acceptance. If the Beilstein test is positive, then a total organic halogen analysis will be performed to determine the exact chloride concentration.

(4) Heavy Metals (As, Ba, Cd, Cr, Pb, Hg, Se, Ag) - are run to quantify heavy metals concentration to determine process operating parameters.

(5) Flash Point - further characterizes ignitable wastes to establish proper storage practice (in particular, allowable stack height and maximum pile size), and conformance with permit conditions.

(6) Water Content - determines the amount of free water or indicates the combustibility of the waste.

(7) Heat Value - assesses the amount of heat available for release during incineration or use as a fuel supplement.

(8) Total Organic Halides - quantifies the halides present in the waste stream.

(9) TCLP test, as described in HWMR-6, Part VIII, 40 CFR section 268, Appendix I; determines if a waste displays the RCRA characteristic of toxicity, and quantifies the toxic constituents present.

(10) Other analyses may be necessary as particular circumstances arise over the life of this Permit. Analytical techniques used, by Resource Protection, Inc. or by outside laboratories, will be among the methods described by EPA Publication SW-846, the Annual Book of ASTM Standards, or Standard Methods of Water and Wastewater Analysis.

Test Methods for Analytical Parameters

Mandatory Analyses:

Physical Description - Samples are inspected and the physical appearance of the waste is recorded, including color, viscosity, physical state (solid, semi-solid, or liquid), layering (if multiple phases are present, color and viscosity are reported for each layer), and presence of free liquid.

pH Screen - Full-range pH paper may be used as an initial screening method. If this initial screen indicates a pH lower than 3 or above 11.5, a pH meter will be used. A pH meter is used directly on liquid samples and on the free liquid portion of liquid/solid samples.

Specific Gravity - Preliminary checking of specific gravity need only be approximate. Testing for specific gravity is performed at room temperature. An appropriate hydrometer will be placed in a 100 ml. graduated cylinder containing about 70 ml. of the sample liquid. The specific gravity is read from the hydrometer scale where it is crossed by the bottom of the meniscus of the sample. When more accurate measurements are needed, the specific gravity will be measured in accordance with ASTM D2111-71.

Ignitable Screen - A small amount of a liquid waste sample is placed into a Pensky-Martens Closed Cup flash point tester container. An ignition source is introduced into the vapor zone immediately above the sample. For liquid samples, the flash point is recorded as less than 70 degrees F if the sample ignites at room temperature. If not, the sample temperature is elevated to approximately 140 degrees F. The ignition source is introduced again. If the sample ignites, the flash point is recorded as greater than 70 degrees F but less than 140 degrees F. If the sample does not ignite after sustained heating, or after boiling is observed, the flash point is recorded as greater than 140 degrees F. Halogenated solvents may give off vapors that burn with a yellow, smoky flame in the presence of an external flame. Wastes with this type of non-sustaining flame are reported as having a flash point greater than 140 degrees F.

Assay - The gas chromatograph techniques that will be used at the Resource Protection, Inc. facility will depend on the class of compounds that will be tested for. Exact quantification of all the components is not necessary. The verification procedure requires only that the presence or absence of the components which render the waste hazardous and which have been declared by the generator be verified. Significant unknown peaks can be investigated further with other common laboratory techniques if necessary.

Supplemental Analyses:

Distillation - A known quantity of sample is placed in an appropriate sized flask/condenser distillation set-up, with some boiling chips. Heat is applied with steam or an electrically-heated oil bath. During distillation, heat is maintained so that a drop of liquid remains on the thermometer bulb. Temperature and collected volume of each fraction is monitored.

Waste Compatibility - Samples of liquid wastes (or appropriate waste extracts) are added to each other in proportion to their anticipated final mixed volumes. The generation of heat, gases, or precipitates; polymerization or other chemical reactions; and changes in viscosity and layering, are noted. If the temperature of the mixture rises, any measurable gas is evolved, or noticeable polymerization or other potentially destructive chemical reaction occurs, the materials may not be stored in the same storage bay or otherwise handled as compatible chemicals. Viscosity will be measured using a viscometer. Layering and precipitates will be measured on a volume/volume basis in a graduated cylinder.

Beilstein Copper Wire Test for Organic Chlorides - A copper wire is put into a flame until there is no discoloration of the flame. The copper is then put into a sample of the waste, and the wire is placed in the flame again. If a green flame can be seen, the copper wire test is positive for organic chlorides.

Heat Value - is measured using ASTM method D240.

Total Organic Halides - are measured using ASTM methods E442-74.

INCOMING LOAD PROCEDURES

Verification of Documentation and Container Acceptability

Every shipment of waste to the facility must be checked in detail against the manifest(s) that accompany it. If any discrepancies are found, the Hazardous Waste Management Coordinator must be notified immediately, and procedures specified in HWMR-6, Part V, 40 CFR sections 264.72 or .76 for dealing with manifest discrepancies must be followed.

At least the following inspections must be made of every incoming load:

- Quantities and sizes of containers in shipment must be identical to those specified in the manifest(s)
- Waste descriptions on manifest(s) must match those provided on relevant waste profile sheets
- Hazardous waste labels on containers must match manifests and other documentation
- Appropriate DOT hazard labels must be on containers (e.g. Flammable, etc.)
- All inappropriate labelling must be removed or painted over
- Containers must be DOT approved for their contents
- Containers must be compatible with the waste they contain
- Containers must not be leaking, seriously rusted, deeply dented or creased; and bungs must be sealed
- Containers free of liquid or dried waste on exterior

A checklist with entries for at least the items mentioned above will be developed and filled out for every shipment received. The incoming load inspection will be performed and the checklist will be filled out by an employee properly trained in the procedure and authorized to perform it. Every checklist will be signed and dated by the employee performing the inspection.

Selection of Containers for Random Sampling

Upon receipt of a shipment, Resource Protection, Inc. has the responsibility of ensuring that the customer did indeed send what was profiled and accepted. Since it is impractical to

analyze a sample from every container received, a procedure for choosing containers to sample at random and performing adequate analyses on those samples to confirm the validity of their documentation is described in the following section.

The number of containers that will be sampled will be chosen according to the cube root equation. The cube root of the number of containers in each waste stream in the the shipment will be the number that will be sampled. The source for this cube root procedure is the American Society for Testing and Materials, Method D 140-70. For example, the formula provides the following:

Drums Received	Drums Sampled
1	1
2-8	2
9-27	3
28-64	4
65-125	5

In other words, for each truckload (or other shipment) of waste, each group of containers from the same generator, with the same EPA waste codes and the same storage requirements, will be treated as a group of containers for the purposes of cube root sampling. The cube root of the number of containers in the group, as illustrated in the table above, will be the number of containers from that group picked for random sampling.

Each drum in the group will be assigned a number, and the particular drums to be sampled will be chosen by picking numbers from a random number table.

Fingerprint Waste Analysis

The containers chosen for random sampling will undergo the following "fingerprint analyses":

- (1) Physical state of the waste, including color, clarity, and phase separation. The Paint Filter Liquid Test will be performed on all wastes said to contain no free liquids.
- (2) pH of the sample (if aqueous).

- (3) Specific gravity if liquid; density, if solid.
- (4) Flash point.

The test methods used for the fingerprint analysis are the same as those already described in the previous section entitled, "Test Methods for Analytical Parameters", beginning on page 7 of this Attachment.

Tolerance Levels for Fingerprint Analyses

The results of the measurements of the fingerprint parameters selected for a given waste stream will be compared to the values obtained from previous shipments of the stream and to the relevant waste profile sheet, and will be required to fall within the tolerance limits for that parameter described below. If the results of fingerprint analyses fall outside the ranges specified below (or if there is any other evidence that the waste may not match its description), the group of drums constituting a waste stream in the shipment in question will either be rejected or will be subject to enough additional analysis that the composition of the waste is accurately and unambiguously known.

Physical appearance: The random sample will be compared to a pre-acceptance sample retained for comparison. In the case of wastes where a retained sample will degrade with time so as to be useless for later comparisons, the sample will be described as thoroughly as possible, and photographed if necessary. If, in the judgment of the Hazardous Waste Management Coordinator as advised by the facility laboratory chemist, a significant discrepancy is present between the random sample and the prior retained sample (or description), the waste stream in the shipment from which the random sample was drawn will either be rejected or will receive adequate further analysis as described in the paragraph above.

pH: The Hazardous Waste Management Coordinator will decide on an appropriate range of pH values for each aqueous waste stream. If the random sample falls outside the acceptable range, the group of sampled containers will be rejected or analyzed further, as described above.

Specific Gravity/Density: If the specific gravity or density of the random sample differs from the specific gravity of the reference sample by more than plus or minus 10 percent, the container group will be rejected or further analyzed as described above.

Flash Point: If the flash point of the random sample differs

from that of the reference sample by more than 10 percent, or if the flash point of the random sample places the waste in a different Department of Transportation or fire code category than that of the reference sample, the container group will be rejected or further analyzed as described above.

Sampling Device

The sampling device that will be used to sample containers with liquid contents is a Coliwasa-type sampler. Since the vast majority of containers handled and therefore sampled will be liquid-containing, the sampling procedure for them will be described in detail (assuming that the container is a typical 55-gallon drum for purposes of illustration). For containers with non-liquid contents, sampling procedures will be followed which ensure a representative sample of the waste and prevent the exposure of facility personnel to the waste.

Personnel Safety Precautions

Prior to opening the container for sample withdrawal, the employee who is to do the sampling must be wearing safety glasses, gloves, and a long-sleeved chemical resistant apron or suit. The equipment required in order to obtain a sample consists of:

- (1) A non-sparking bung wrench
- (2) A Coliwasa-type sampling tube
- (3) A clean, dry sample bottle, appropriate for the waste to be sampled
- (4) A screw cap for the sample bottle
- (5) A label containing the following information:
 - i) The manifest and waste profile number corresponding to the waste shipment
 - ii) The name of the waste being sampled
 - iii) The date on which the sample is taken
 - iv) The name of the employee withdrawing the sample

Sampling Procedures for Drums

The following steps will be taken while sampling a drum:

- (1) Sampling is to be done on the receiving dock at Resource Protection, Inc. or at a well ventilated location away from ignition sources. Do not open containers in the Resource Protection, Inc.'s warehouse.
- (2) Sampling is done through the bung on the drum. When removing the bung closure of the drum, loosen it slightly in order to relieve any internal pressure before completely removing the bung.
- (3) Remove the bung closure completely.
- (4) Open the bottom of the Coliwasa type sampler completely.
- (5) Slowly lower the sampler into the drum until the bottom of the sampler reaches the bottom of the drum. If the sample is lowered faster than it can fill, the sample will not be representative of the waste in the drum.
- (6) Close the bottom stopper of the sampler.
- (7) Withdraw the sampler.
- (8) Transfer the contents of the sampler to the sample bottle.
- (9) Screw the cap onto the bottle.
- (10) Wipe any spillage from the outside of the bottle, saving the rag or paper towel for disposal as a hazardous waste.
- (11) Affix and complete the appropriate label to the bottle.
- (12) Clean the sampler thoroughly before it is used again.
- (13) Inspect the gasket on the drum closure to make sure it is in good condition (replace if necessary).
- (14) Reseal the drum.
- (15) Take the samples to the sample storage area.

The kind of container used for the sample (clear glass, amber glass, plastic, and so forth) and the sample preservation and handling protocol will be as specified in EPA Publication SW-846 for the kind of analysis to be done.

Procedures for Rejecting Shipments of Wastes

If any of the following conditions apply to a shipment or partial shipment, it will be rejected and may not be stored at the facility until the problem has been corrected:

- (1) Failure to prequalify waste stream or provide appropriate data or sample.
- (2) Presence in shipment of wastes which Resource Protection, Inc. is not permitted to store.
- (3) Waste shipments that contain radioactive and/or explosive components.

If any of the following conditions apply, the shipment or partial shipment may not be accepted by or stored at the facility unless the problem(s) can be corrected immediately by facility or transporter personnel, in conference with the generator.

- (4) Improper or inappropriate packaging, labeling, or manifesting.
- (5) Quantity or composition discrepancies between the waste and the waste manifest or profile.
- (6) Values for fingerprint analysis parameters that are out of the tolerance ranges set by the Resource Protection, Inc.

Wastes found to be in non-conformance with their waste profiles may be rejected or may be reevaluated for possible acceptance by the facility despite the variance. Resource Protection, Inc. will reevaluate the waste using the Pre-Acceptance Procedure described above in this Attachment and any supplemental analyses necessary to identify and characterize the waste with confidence and determine whether it can be handled at the facility without violation of any of the terms of this Permit. If these analyses indicate the waste can be accepted and the generator concurs, new waste profiles may be created as necessary to insure compliance. If a manifesting discrepancy cannot be resolved within 15 days of shipment receipt, the Director will be notified, in writing, of the discrepancy and of attempts to reconcile it, including a copy of the manifest(s) involved.

ANALYSIS OF SPILLS OR RELEASES

Storage procedures are intended to insure that no hazard will befall the personnel of Resource Protection, Inc. and/or the environment. Wastes that are radioactive and/or explosive will not be accepted at the Resource Protection, Inc. facility. A more detailed discussion of the procedures that are used at the facility to handle ignitable and incompatible wastes, and to prevent releases of waste, is given in Permit Attachment C which describes the prevention of hazards.

In the event that a spill should occur, the following steps will be taken to analyze waste in the secondary containment system for its physical and chemical characteristics:

- (1) The label(s) on the drum(s) that caused the spill will be checked for information on the waste that was contained in that drum.
- (2) The waste analysis data on that waste stream will be retrieved from the waste analysis files.
- (3) The spill will be analyzed using fingerprint analysis parameters and will be compared to the analysis that is on file for the particular waste stream.
- (4) If discrepancies appear between the fingerprint analysis completed on the spill and the analysis on file at the facility, the drum(s)' labels will be rechecked and enough additional analyses will be done on the spilled material to characterize it adequately for storage under the terms of this Permit, and to provide for its ultimate treatment or disposal.
- (5) Having identified the important physical and chemical characteristics of the waste spill, appropriate action will be taken to insure that the spill is safely and adequately neutralized if necessary, and cleaned up. More detailed information about the procedures for cleaning up a hazardous waste spill can be found in the Contingency Plan, Permit Attachment E.

PERMIT ATTACHMENT B

CONTAINER MANAGEMENT

PERMIT ATTACHMENT B

CONTAINER MANAGEMENT

Container Specifications

The containers handled by Resource Protection, Inc. are usually drums with a 55-gallon capacity. Containers typically used are constructed of steel, meeting U. S. Department of Transportation (DOT) specification 17E. DOT specification 17H (openhead) and 85-gallon overpack drums may occasionally be encountered as well. The customer is required to provide a container authorized for the particular waste as set forth by the U. S. Department of Transportation in 49 CFR 172.101. Reuse of containers for hazardous wastes by customers is allowed as authorized by DOT regulations. Resource Protection, Inc. does request of its customers that if they are reusing containers, they place spent materials back into a container which held the same virgin material. This practice is encouraged to ensure that there is no risk of incompatible materials being introduced into the container which might result in container failure. DOT regulations require that generators refilling used containers allow them to stand for 24 hours before shipment to preclude transportation of leaking containers.

Condition of Containers

Contents of a container of waste will be transferred immediately if a leaking container is discovered. The material will be transferred to another container meeting appropriate container specifications. A transfer of this type will be accomplished as set forth in written procedures on hand at the facility, and under the direct supervision of the Emergency Coordinator.

At least 25 empty steel 55-gallon drums and 10 85-gallon "overpack" drums will be kept on hand at the facility to ensure an adequate supply of drums for recontainerization of waste in leaking containers.

Handling and Storage of Containers

Containers will always be closed during storage, unless it is necessary to open the container for waste sampling or to transfer waste from leaking containers. Containers will never be moved unless they are securely closed. Containers will not be opened, handled, or stored in any manner which may rupture the

container or cause it to leak. Containers will not be opened for sampling or repackaging in a storage area. They will be transferred to the dock area to provide maximum ventilation.

No treatment or disposal of hazardous wastes of any kind will be undertaken at this facility, unless emergency response activities require the neutralization of released wastes to minimize damage to human health or the environment.

Containers will be moved using a forklift. Ordinarily they will be moved on pallets, with each pallet holding a maximum of four 55-gallon drums. No more than four 55-gallon drums will ever be moved in a single forklift trip. If single containers need to be moved, they will be moved using appropriate drum-handling apparatus, unless they are small enough to be safely handled on a hand truck.

All containers placed on the floor, whether or not they contain free liquids, will be stored on pallets that are approximately four feet square. When containers are stacked, each level will be separated from the containers below by a pallet or by a sheet of 3/4 inch plywood. No containers will ever be stacked more than ten feet (three 55-gallon drums) high. Containers of RCRA ignitable or Uniform Fire Code flammable and combustible waste will be stored in compliance with Article 79, Division II of the Uniform Fire Code, 1988 Edition; or equivalent part of subsequent editions. In particular, the maximum stack heights and maximum container pile quantities given in Table 79.200-A of the Uniform Fire Code (and by the "Flammable and Combustible Liquids Code" published by the National Fire Protection Association), will not be exceeded.

Containers will be arranged for storage in such a way that each container is readily visible and accessible. 55-gallon drums will be stored in rows of single pallets with four drums to a pallet (resulting in two-drum rows). Aisles at least two feet wide will separate each row of pallets. Unobstructed aisles at least three feet wide will be provided between the main central aisle and all storage bay exit doors.

The maximum capacity of the liquid-storage bays of this facility is 506,000 gallons, or 9200 55-gallon drums. The maximum capacity of the non-liquid storage bay may vary depending on the kinds of containers present. Containers there, as in the rest of the facility, may be stored no more than ten feet above the floor; must be stored in such a way that every container is visible; and must be arranged so that there are at least two foot aisles between groups of containers and three foot aisles leading to exit doors.

No container of waste will be left overnight anywhere in the facility except in the appropriate storage bay for its chemical type.

Containers of waste will never be stored so as to block easy access to emergency exits (as discussed above), or to fire extinguishers, fire alarms, gas monitoring equipment, ventilating equipment, fire suppression equipment, spill containment or other emergency response equipment, or to emergency showers or eyewashes.

Containment System

The floor of the building is concrete with an applied coating impervious to the chemicals that will be stored in the building. All joints in the floor will be made with chemical-resistant water stops to insure that they are liquid-tight against any chemical that will be stored in the building. If any cracks develop in the floor, they will be kept sealed liquid-tight. If this cannot be accomplished by the chemical-resistant coating of the floor, the crack will be routed out at the surface of the floor to sufficient depth and width. An elastomeric sealer appropriate to the chemicals it will be required to resist will be applied.

The building is divided into eight bays for the storage of waste containing free liquids, and two bays for the storage of waste that do not contain free liquids. Each containment bay for liquid waste measures approximately 80' by 37.5' with a 14' aisle. Each bay will be self-contained with a 6" curbing around the perimeter. Approximate liquid storage capacity is 63,360 gallons. Our containment in each bay is 11,270 gallons.

The entire floor of the storage building is flat. There will be a 6" concrete curb (with applied coating impervious to chemicals stored) surrounding each of the eight containment bays.

The floor of the two bays for storage of waste containing no free liquids is, like the rest of the building, level with 6" concrete berms.

Removal of Spilled or Leaked Waste

Spilled or leaked material contained within the containment system described above, will be waste that has been accepted by the facility and as such will already be identified. Thus the spilled waste will normally be quickly identified based on label information on the container from which it leaked or spilled. Whether the spilled liquid is water, non-hazardous material, or hazardous waste, it will be completely and immediately removed so there will be no possibility of tracking these liquids to other areas. Following the spill or leak of any material, the material will be immediately removed from the secondary containment system and recontainerized in an appropriate container. Dry material will be replaced in its original container or into a new like container. Liquid materials will be removed utilizing an explosion-proof wet/dry vacuum machine, with the exception of ignitable wastes or wastes that give off toxic vapors, which will be absorbed and shoveled into containers. The recovered material will be transferred into new or reconditioned containers of the same DOT class and compatibility type as the damaged container. The surface of the spill area will be scrubbed with clean water (and detergent unless it would be chemically incompatible with the spilled waste) to remove possible residual waste material from the spill. The affected area will be cleaned until decontaminated, and the resulting contaminated wash water will be handled, as described on page E-13 of Permit Attachment E (the Decontamination and Maintenance section of the Contingency Plan).

Assuming leakage from a single drum within an area, the repackaged drum will be labeled the same as the original drum. If leakage from multiple drums containing compatible materials from different sources will be redrummed, the emptied drums from which the leak or spill occurred will be noted in the operating log and the newly generated waste will be handled per the requirements for any hazardous waste generator (i.e., sample, analyze, label, manifest, etc.). These drums will be stored until all proper procedures have been complied with for the generator of a waste and they are removed to ultimate disposal.

Prevention of Runon and Runoff

The floors of the facility will be elevated one foot above the surrounding land surface, and the building has been certified by a registered Professional Engineer to be capable of withstanding the effects of a 25-year, 24-hour precipitation event with no entry of stormwater or damage to the building or its contents. This prevents the entry of any run-on water into the containment system. In addition, the containment system is inside the warehouse, preventing any rain from entering the storage area.

Inspections

All incoming shipments are inspected using the Pre-Acceptance Inspection Sheet described on page A-9 of Permit Attachment A (the Waste Analysis Plan). This procedure ensures that all containers accepted into the facility meet all applicable regulations. The waste storage area and facility safety equipment is inspected according to the inspection schedules described in Permit Attachment C (pages C-9 through C-11).

Ignitable or Reactive Wastes

All ignitable and reactive wastes will be stored at least 50 feet away from the facility property line. Resource Protection, Inc. will comply with the most current edition of the Uniform Fire Code pertaining to flammable and combustible liquids storage.

Incompatible Wastes

No incompatible wastes will ever be placed in the same container. In addition, no wastes will ever be placed in an unwashed container unless the container held an identical waste immediately before the waste to be placed in it. The procedures that will be followed to segregate incompatible wastes during storage are described on the following pages of this Attachment.

FIGURE 6-4 (continued)
GUIDE TO COMPATIBILITY OF CHEMICALS

The Guide is based in part upon information provided to the Coast Guard by the National Academy of Sciences – U.S. Coast Guard Advisory Committee on Hazardous Materials and represents the latest information available to the Coast Guard on chemical compatibility.

The accidental mixing of one chemical cargo with another can in some cases be expected to result in a vigorous and hazardous chemical reaction. The generation of toxic gases, the heating, overflow, and rupture of cargo tanks, and fire and explosion are possible consequences of such reactions.

The purpose of the Compatibility Chart is to show chemical combinations believed to be dangerously reactive in the case of accidental mixing. It should be recognized, however, that the Chart provides a broad grouping of chemicals with an extensive variety of possible binary combinations. Although one group, generally speaking, can be considered dangerously reactive with another group where an "X" appears on the Chart, there may exist between the groups some combinations which would not dangerously react. The Chart should therefore not be used as an infallible guide. It is offered as an aid in the safe loading of bulk chemical cargoes, with the recommendation that proper safeguards be taken to avoid accidental mixing of binary mixtures for which an "X" appears on the Chart. Proper safeguards would include consideration of such factors as avoidance of the use of common cargo and vent lines and carriage in adjacent tanks having a common bulkhead.

The following procedure explains how the Guide should be used in determining compatibility information:

- (1) Determine the reactivity group of a particular product by referring to the alphabetical list in Table 7.1.
- (2) Enter the Chart with the reactivity group. Proceed across the page. An "X" indicates a reactivity group that forms an unsafe combination with the product in question.

For example, crotonaldehyde is listed in Table 7.1 as belonging in Group 19 (Aldehydes). The Chart shows that chemicals in this group should be segregated from sulfuric and nitric acids, caustics, ammonia, and all types of amines (aliphatic, alkanol, and aromatic). According to note A, crotonaldehyde is also incompatible with non-oxidizing mineral acids.

FIGURE 6-4 (continued)

It is recognized there are wide variations in the reaction rates of individual chemicals within the broad groupings shown reactive by the Compatibility Chart. Some individual materials in one group will react violently with some of the materials in another group and cause great hazard; others will react slowly, or not at all. Accordingly, a useful addition to the Guide would be the identification of specific binary combinations which are found *not* to be dangerously reactive, even though an "X" appears on the chart for those two chemicals. A few such combinations are listed in Table 7.3; other safe combinations will be listed in subsequent revisions.

FIGURE 6-4 (continued)

COMPATIBILITY CHART

CARGO GROUPS	REACTIVE GROUPS																						
	1. NON OXIDIZING MINERAL ACIDS	2. SULFURIC ACID	3. NITRIC ACID	4. ORGANIC ACIDS	5. CAUSTICS	6. AMMONIA	7. ALIPHATIC AMINES	8. ALKANOLAMINES	9. AROMATIC AMINES	10. AMIDES	11. ORGANIC ANHYDRIDES	12. ISOCYANATES	13. VINYL ACETATE	14. ACRYLATES	15. SUBSTITUTED ALLYLS	16. ALKYLENE OXIDES	17. EPICHLOROHYDRIN	18. KETONES	19. ALDEHYDES	20. ALCOHOLS, GLYCOLS	21. PHENOLS, CRESOLS	22. CAPROLACTAM SOLUTION	
1. NON OXIDIZING MINERAL ACIDS		X			X	X	X	X	X	X	X	X	A			X	X		A	R			1
2. SULFURIC ACID	X		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	2
3. NITRIC ACID		X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	3
4. ORGANIC ACIDS		X			X	X	X	X	C			X				X	X			F			4
5. CAUSTICS	X	X	X	X							X	X				X	X		X	X	X	X	5
6. AMMONIA	X	X	X	X						X	X	X	X			X	X		X	X	X	X	6
7. ALIPHATIC AMINES	X	X	X	X							X	X	X	X	X	X	X	X	X	X	X	X	7
8. ALKANOLAMINES	X	X	X	X							X	X	X	X	X	X	X	B	X				8
9. AROMATIC AMINES	X	X	X	C							X	X							X				9
10. AMIDES	X	X	X			X						X									X		10
11. ORGANIC ANHYDRIDES	X	X	X		X	X	X	X	X														11
12. ISOCYANATES	X	X	X	X	X	X	X	X	X	X												X	12
13. VINYL ACETATE	X	X	X			X	X	X							U						X	X	13
14. ACRYLATES		X	X			X	X																14
15. SUBSTITUTED ALLYLS		X	X			X	X					D											15
16. ALKYLENE OXIDES	X	X	X	X	X	X	X	X															16
17. EPICHLOROHYDRIN	X	X		X	X	X	X	X															17
18. KETONES		X	X			X	X	B															18
19. ALDEHYDES	A	X	X		X	X	X	X	X														19
20. ALCOHOLS, GLYCOLS	E	X	X	F	X	X	X	X			X												20
21. PHENOLS, CRESOLS		X	X		X	X			X														21
22. CAPROLACTAM SOLUTION		X			X	X					X												22
30. OLEFINS		X	X																				30
31. PARAFFINS																							31
32. AROMATIC HYDROCARBONS			X																				32
33. MISCELLANEOUS HYDROCARBON MIXTURES			X																				33
34. ESTERS		X	X																				34
35. VINYL HALIDES			X																				35
36. HALOGENATED HYDROCARBONS		G			H		I															X	36
37. NITRILES		X																					37
38. CARBON DISULFIDE						X	X																38
39. SULFOLANE																							39
40. GLYCOL ETHERS		X									X												40
41. ETHERS		X	X																				41
42. NITROCOMPOUNDS					X	X	X	X	X														42
43. MISCELLANEOUS WATER SOLUTIONS		X									X												43

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FIGURE 6-4 (continued)
ALPHABETICAL LISTING OF COMPOUNDS

<u>Name</u>	<u>Group No.</u>	<u>Name</u>	<u>Group No.</u>
Acetaldehyde	19	Butyl Benzyl Phthalate	34
Acetic Acid	4	Butylene	30
Acetic Anhydride	11	1,3-Butylene Glycol	20
Acetone	18	Butylene Oxide	16
Acetonitrile	37	Butyl Ether	41
Acrolein (inhibited)	19	Butyl Methacrylate	
Acrylic Acid (inhibited)	4	(inhibited)	14
Acrylonitrile		Butyraldehyde	19
(inhibited)	15	Butyric Acid	4
Adiponitrile	37		
Allyl Alcohol	15	Camphor Oil (light)	18
Allyl Chloride	15	Caprolactam Solution	22
Aminoethylethanolamine	8	Carbolic Oil	21
Ammonia, Anhydrous	6	Carbon Disulfide	38
Ammonium Hydroxide		Carbon Tetrachloride	36
(28% or less)	6	Caustic Potash Solution	5
Ammonium Nitrate, Urea,		Caustic Soda Solution	5
Water Solutions		Chlorine	*
(containing Ammonia)	6	Chlorobenzene	36
Ammonium Nitrate, Urea,		Chloroform	36
Water Solutions (not		Chlorosulfonic Acid	*
containing Ammonia)	43	Corn Syrup	43
Amyl Acetate	34	Creosote, Coal Tar	21
Amyl Alcohol	20	Cresols	21
Amyl Tallate	34	Cresylate Spent Caustic	
Aniline	9	Solution	5
Asphalt	33	Crotonaldehyde	19
Asphalt Blending Stocks:		Cumene	32
Roofers Flux	33	Cycloaliphatic Resins	31
Straight Run Residue	33	Cyclohexane	31
		Cyclohexanol	20
Benzene	32	Cyclohexanone	18
Benzene, Toluene		Cyclohexylamine	7
Xylene (crude)	32	Cymene	32
Butadiene (inhibited)	30		
Butane	31	Decaldehyde	19
Butyl Acrylate		Decane	31
(inhibited)	14	Decene	30
Butyl Acetate	34	Decyl Alcohol	20
Butyl Alcohol	20	Decyl Acrylate	
Butylamine	7	(inhibited)	14

FIGURE 6-4 (continued)

**NOTES TO COMPATIBILITY CHART:
REACTIVITY DIFFERENCES (DEVIATIONS) WITHIN CHEMICAL GROUPS**

- A Acrolein (19), Crotonaldehyde (19), and 2-Ethyl-3-propyl acrolein (19) are not compatible with Group 1, Non-Oxidizing Mineral Acids.
- B Isophorone (18), and Mesityl Oxide (18) are not compatible with Group 8, Alkanolamines.
- C Acrylic Acid (4) is not compatible with Group 9, Aromatic Amines.
- D Allyl Alcohol (15) is not compatible with Group 12, Iso-cyanates.
- E Furfuryl Alcohol (20) is not compatible with Group 1, Non-oxidizing Mineral Acids.
- F Furfuryl Alcohol (20) is not compatible with Group 4, Organic Acids.
- G Dichloroethyl Ether (36) is not compatible with Group 2, Sulfuric Acid.
- H Trichloroethylene (36) is not compatible with Group 5, Caustics.
- I Ethylenediamine (7) is not compatible with Ethylene Dichloride (36).

FIGURE 6-4 (continued)

ALPHABETICAL LISTING OF COMPOUNDS (Continued)

Decylbenzene	32	Distillates:	
Dextrose Solution	43	Straight Run	33
Diacetone Alcohol	20	Flashed Feed Stocks	33
Dibutylamine	7	Diundecyl Phthalate	34
Dibutyl Phthalate	34	Dodecane	31
Dichlorobenzene	36	Dodecanol	20
Dichlorodifluoromethane	36	Dodecene	30
1,1-Dichloroethane	36	Dodecylbenzene	32
Dichloroethyl Ether	41		
Dichloromethane	36	Epichlorohydrin	17
1,1-Dichloropropane	36	Ethane	31
1,2-Dichloropropane	36	Ethanolamine	8
1,3-Dichloropropene	15	Ethoxylated Alcohols	
Dicyclopentadiene	30	C ₁₁ -C ₁₅	40
Diethanolamine	8	Ethoxy Triglycol	40
Diethylamine	7	Ethyl Acetate	34
Diethylbenzene	32	Ethyl Alcohol	20
Diethylene Glycol	40	Ethyl Acrylate	
Diethylene Glycol Mono-		(inhibited)	14
butyl Ether	40	Ethylamine	7
Diethylene Glycol Mono-		Ethyl Benzene	32
butyl Ether Acetate	34	Ethyl Butanol	20
Diethylene Glycol Mono-		Ethyl Chloride	36
ethyl Ether	40	Ethylene	30
Diethylene Glycol Mono-		Ethylene Chlorohydrin	20
methyl Ether	40	Ethylene Cyanohydrin	20
Diethylenetriamine	7	Ethylenediamine	7
Diethylethanolamine	8	Ethylene Dibromide	36
Diheptyl Phthalate	34	Ethylene Dichloride	36
Diisobutylene	30	Ethylene Glycol	20
Diisobutyl Carbinol	20	Ethylene Glycol Mono-	
Diisobutyl Ketone	18	butyl Ether	40
Diisodecyl Phthalate	34	Ethylene Glycol Mono-	
Diisopropanolamine	8	butyl Ether Acetate	34
Diisopropylamine	7	Ethylene Glycol Mono-	
Dimethylamine	7	ethyl Ether	40
Dimethylethanolamine	8	Ethylene Glycol Mono-	
Dimethylformamide	10	ethyl Ether Acetate	34
Dinonyl Phthalate	34	Ethylene Glycol Mono-	
Diocetyl Phthalate	34	methyl Ether	40
1,4-Dioxane	41	Ethylene Oxide	*
Diphenyl-Diphenyl Oxide	33	Ethyl Ether	41
Diphenylmethane Diiso-		Ethylhexaldehyde	19
cyanate	12	2-Ethyl Hexanol	20
Di-n-propylamine	7	2-Ethylhexyl Acrylate	
Dipropylene Glycol	40	(inhibited)	14

FIGURE 6-4 (continued)

ALPHABETICAL LISTING OF COMPOUNDS (Continued)

Ethyl Hexyl Tallate	34	Jet Fuels:	
Ethyl Methacrylate (inhibited)	14	JP-1 (Kerosene)	33
2-Ethyl-3-Propyl		JP-3	33
Acrolein	19	JP-4	33
Formaldehyde Solution (37-50%)	19	JP-5 (Kerosene, Heavy)	33
Formic Acid	4		
Furfural	19	Kerosene	33
Furfuryl Alcohol	20		
		Latex, Liquid Synthetic	43
Gas Oil:			
Cracked	33	Mesityl Oxide	18
Gasoline Blending Stocks:		Methane	31
Alkylates	33	Methyl Acetate	34
Reformats	33	Methyl Acetylene, Pro- padiene Mixture (Stabilized)	30
Gasolines:		Methyl Acrylate (inhibited)	14
Casinghead (natural)	33	Methyl Alcohol	20
Automotive (containing over 4.23 grams lead per gallon)	33	Methyl Amyl Acetate	34
Aviation (containing not over 4.86 grams lead per gallon)	33	Methyl Amyl Alcohol	20
Polymer	33	Methyl Bromide	36
Straight Run	33	3-Methyl Butyraldehyde	19
Glutaraldehyde Solution	19	Methyl Chloride	36
Glycerine	20	Methyl Ethyl Ketone	18
Glycol Diacetate	34	2-Methyl-5-Ethyl Pyridine	9
Glyoxal Solution	19	Methyl Formal (Dimethyl Formal)	41
		Methyl Isobutyl Ketone	18
Heptane	31	Methyl Isobutyl Carbinol	20
Hexamethyleneimine	7	Methyl Methacrylate (inhibited)	14
Hexane	31	(alpha-) Methyl Styrene (inhibited)	30
Hexanol	20	Mineral Spirits	33
Hexene	30	Monochlorodifluoro- methane	36
Hexylene Glycol	20	Morpholine	7
Hydrochloric Acid	1	Motor Fuel Antiknock Com- pounds Containing Lead	*
Hydrofluoric Acid	1	Alkyls	*
Isophorone	18		
Isoprene (inhibited)	30		

FIGURE 6-4 (continued)

ALPHABETICAL LISTING OF COMPOUNDS (Continued)

Naphtha:			
Coal Tar	33	Lard	34
Solvent	33	Olive	34
Stoddard Solvent	33	Palm	34
Varnish Markers' and Painters' (75%)	33	Peanut	34
Naphthalene (molten)	32	Safflower	34
Nitric Acid (70% or less)	3	Soya Bean	34
Nitric Acid (95%)	*	Tucum	34
Nitrobenzene	43	Vegetable	34
1- or 2-Nitropropane	43	Miscellaneous Oils, including:	
Nitrotoluene	43	Absorption	33
Nonane	31	Aromatic	33
Nonene	30	Coal Tar	33
Nonyl Alcohol	20	Heartcut Distillate	33
Nonyl Phenol	21	Linseed	33
Nonyl Phenol (ethoxylated)	40	Lubricating	33
		Mineral	33
		Mineral Seal	33
		Motor	33
		Neatsfoot	33
Octane	31	Penetrating	33
Octene	30	Range	33
Octyl Alcohol	20	Resin	33
Octyl Aldehyde	19	Resinous Petroleum	33
Octyl Epoxytallate	34	Rosin	33
Oils:		Sperm	33
Clarified	33	Spindle	33
Coal Oil	33	Spray	33
Crude Oil	33	Tall	34
Diesel Oil	33	Tanner's	33
Fuel Oils:		Turbine	33
No. 1 (Kerosene)	33	Oleum	*
No. 1-D	33		
No. 2	33	Pentadecanol	22
No. 2-D	33	Pentane	31
No. 4	33	Pentene	30
No. 5	33	Pentyl Aldehyde	19
No. 6	33	Perchloroethylene	36
Residual	33	Petrolatum	33
Road	33	Petroleum Naphtha	33
Transformer	33	Phenol	21
Edible Oils, including:		Pentachloroethane	36
Castor	34	Phosphoric Acid	1
Coconut	34	Phosphorus	*
Cotton Seed	34	Phthalic Anhydride (molten)	11
Fish	34		

FIGURE 6-4 (continued)

ALPHABETICAL LISTING OF COMPOUNDS (Continued)

Polybutene	30	Tetradecanol	20
Polyethylene Glycols	40	Tetradecene	30
Polymethylene Polyphenyl- isocyanate	12	Tetradecylbenzene	32
Polypropylene	30	Tetraethylene Glycol	40
Polypropylene Glycol		Tetraethylenepentamine	7
Methyl Ether	40	Tetrahydrofuran	41
Polypropylene Glycols	40	Tetrahydronaphthalene	32
Propane	31	Tetrasodium Salt of EDTA Solution	43
Propanolamine	8	Toluene	32
Propionaldehyde	19	Toluene Diisocyanate	12
Propionic Acid	4	1,2,4-Trichlorobenzene	36
Propionic Anhydride	11	Trichloroethylene	36
Propyl Acetate	34	Tridecanol	20
Propyl Alcohol	20	Tridecene	30
Propylamine	7	Tridecylbenzene	32
Propylene	30	Triethanolamine	8
Propylene Butylene Polymer	30	Triethylamine	7
Propylene Glycol	20	Triethyl Benzene	32
Propylene Oxide	16	Triethylene Glycol	40
Propylene Tetramer	30	Triethylenetetramine	7
Propyl Ether	41	Trippropylene Glycol	40
Pyridine	9	Turpentine	30
		Undecanol	20
Sodium Hydrosulfide Solution (45% or less)	5	Undecene	30
Sorbitol	20	Undecylbenzene	32
Styrene (inhibited)	30		
Sulfolane	39	Valeraldehyde	19
Sulfur (molten)	*	Vinyl Acetate (inhibited)	13
Sulfuric Acid	2	Vinyl Chloride (inhibited)	35
Sulfuric Acid, Spent	2	Vinylidene Chloride (inhibited)	35
Tallow	34	Vinyl Toluene (inhibited)	30
Tallow Fatty Alcohol	20		
1,1,2,2-Tetrachloro- ethane	36	Xylene	32

* Because of very high reactivity or unusual conditions of carriage, this product is not included in the Compatibility Chart. If compatibility information is needed for a shipment, contact Commandant (G-MHM-1/83), U.S. Coast Guard, 400 Seventh Street, S.W., Washington, D. C. 20590.

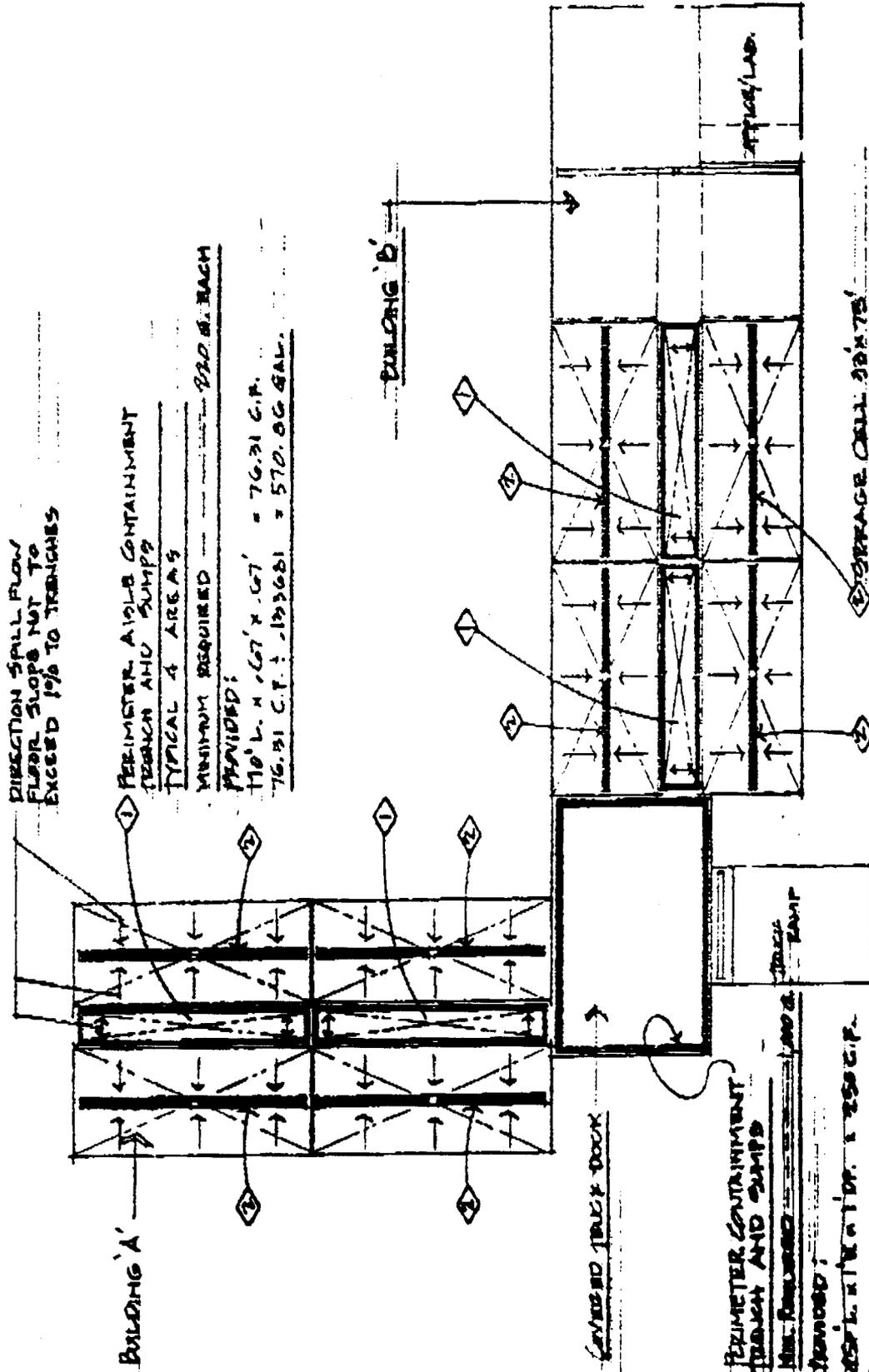
DIRECTION SPILL FLOW
FLOOR SLOPS NOT TO
EXCEED 1% TO TRENCHES

PERIMETER AROUND CONTAINMENT
TRENCH AND SUMP
TYPICAL AREA'S

MINIMUM REQUIRED 920 G. EACH

PROVIDED:

110' L. x 167' x .07' = 76.31 C.F.
76.31 C.F. x 1000 G.P. = 76,310 GAL.



PERIMETER CONTAINMENT
TRENCH AND SUMP

MIN. REQUIRED 1000 G.
PROVIDED:
257' L. x 167' x .07' = 1255 C.F.
1255 C.F. x 1000 G.P. = 1,255,000 GAL.

STORAGE CELL 20' x 75'
CONTAINMENT TRENCH AND SUMP

MIN. REQUIRED 9,000 GAL. EACH

BASE SLOPE AT 1% S
G.P. 1000 G.P. x 1000 G.P.
TRENCH'S
75' L. x 20' W. x 2' D. = 1000 G.P.
SUMP
3' x 5' x 1' = 15 C.F.
TOTAL C.F. = 1000 C.F. + 15 C.F. = 1015 C.F.

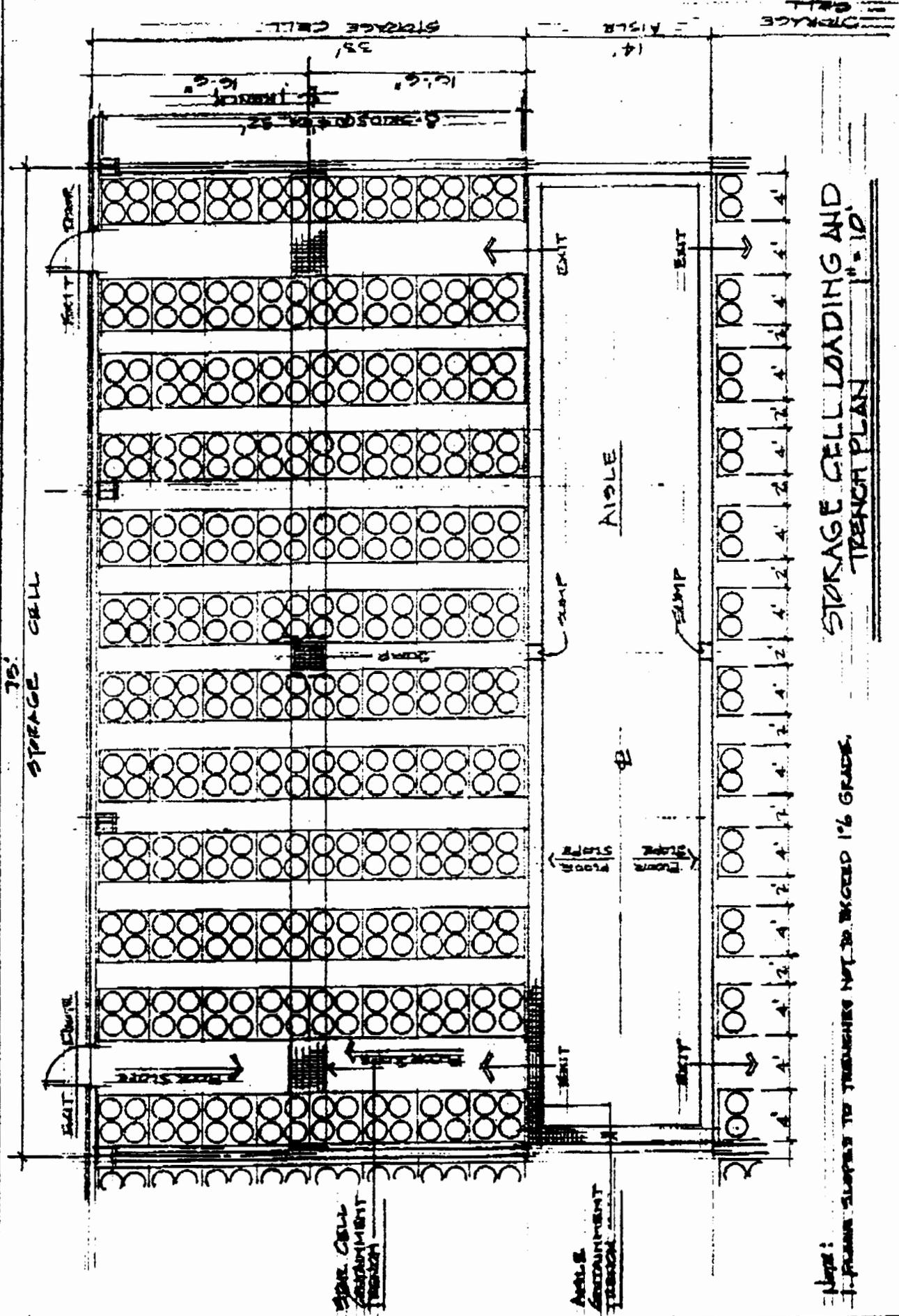
CONTAINMENT DATA

DGC 100 SEPULVEDA BLVD #114
SERRANCE, CA 90505
(213) 539-7144

Industrial - Commercial
Environmental - Hazardous
Restoration - Leaking
and Plating Facilities

PROJECT: STORAGE FACILITY
RESOURCE PROTECTION, INC.
LILA COUNTY, NEW MEXICO

75' STORAGE CELL



STORAGE CELL LOADING AND TRENCH PLAN 1" = 10'

Note: 1' FLOOR SLAB TO TRENCHES NOT TO EXCEED 1% GRADE.

PROJECT: STORAGE FACILITY
 DESIGNER: PROTECTION, INC.
 S.A. COUNTY, NEW MEXICO

Industrial
 Environmental
 Restoration
 and Plating

1000 PULVEDA BLVD-114
 TORRANCE, CA 90505
 (310) 539-7144

DGC

PERMIT ATTACHMENT C

PREVENTION OF HAZARDS

PERMIT ATTACHMENT C

PREVENTION OF HAZARDS

SECURITY

The entire facility is surrounded by a six-foot-high chain link fence. Warning signs, in both English and Spanish, are posted in at least nine locations on the fence. They are easily legible from a distance of more than 25 feet, and read "DANGER - Unauthorized Persons Keep Out / PELIGRO - Personas Sin Autorizacion No Entran". Normal access to the facility is through a single 20-foot chain link gate, with emergency access possible through a second gate that is normally locked.

During non-working hours, the gate is padlocked shut. During working hours, the gate is open but access to the facility is blocked by a barrier with a stop sign. The entrance is under constant surveillance by office personnel, who raise the barrier to allow entry, and ensure that all truck drivers and other facility visitors check in and identify themselves at the office. Non-employees are not allowed in the warehouse area without a company escort.

Security lighting is installed throughout the facility. Security personnel are present at the building at all times.

The fence and gates are inspected at the intervals shown on the inspection log forms described on pages C-9 through C-11 below.

FACILITY OPERATIONS

Precautions During Loading and Unloading

Loading and unloading are carried out only at the loading dock, which is equipped with secondary containment that would prevent the escape of spilled waste. No more than four 55-gallon drums (or equivalent load) are moved at any one time with a forklift. In the event of a spilled container on the loading dock, the Contingency Plan (Permit Attachment E) procedures for waste spills will be followed.

Storage and Handling Procedures

The aspects of normal container management that are intended to prevent hazards are described elsewhere in this Permit. Container handling, storage arrangements, compatibility determinations, prevention of runoff, and cleanup of minor leaks and spills are described in Permit Attachment B. Procedures for sampling the contents of containers and analyzing them for verification are described in Permit Attachment A. Personnel training for safe facility operation is described in Permit Attachment D; and emergency procedures are described in Permit Attachment E.

Prevention of Undue Personnel Exposure to Hazardous Waste

Contact With Waste

The most important element in Resource Protection, Inc.'s procedures for preventing the exposure of personnel to hazardous waste is the training of employees to recognize the dangers of such exposure, the situations to be avoided, and the proper use of personal protective equipment to prevent exposure. This area of concern is addressed in several of the training lessons outlined in Permit Attachment D.

The specific equipment available to employees is listed beginning below on page C-6 of this Attachment. Eye protection must be worn by everyone in all parts of the building, except for the office. Eye protection, chemical resistant gloves, and chemical resistant aprons must be worn by all personnel involved in sampling a container. Personal protective equipment to be used in emergency situations will be prescribed by the Emergency Coordinator based on the requirements contained in 29 CFR 1910.120.

In the event of accidental contact with hazardous wastes, five safety showers and emergency eyewash units are located throughout the facility. They are equipped with electrical heat tape or equivalent means of preventing their freezing during cold weather, and will be tested daily in freezing weather. No waste will be handled in the facility if the emergency showers and eyewashes are not fully functional.

Gas Monitoring System

The chances of respiratory exposure to harmful levels of wastes are minimized by the automatic, facility-wide gas monitoring system. It monitors for toxic and explosive gases in

all areas of the building and provides a central readout in the office area. It incorporates an automatic alarm (easily distinguished from the fire alarm) which goes off automatically if a dangerous situation is detected by the monitoring system. As described in the Contingency Plan, all facility personnel will evacuate the building if the dangerous gas alarm goes off. They will not reenter until told to do so by the Emergency Coordinator.

The gas monitoring system has been designed under the supervision of a qualified registered Professional Engineer. In addition, it has been certified to be adequate for the facility and to have been properly installed, by a registered Professional Engineer with experience in the design and operation of similar systems.

Ventilation System

The gas monitoring system controls the operation of an automatic contingent ventilation system designed to safely clear the building of dangerous levels of toxic or explosive gases. If the gas monitor detects dangerous gas levels, an exhaust fan automatically extracts air from the building through a carbon filtration system, while fresh air is admitted to the building through a floor-level vent.

The ventilation system has been designed under the supervision of a qualified registered Professional Engineer. In addition, it has been certified to be adequate for the facility and to have been properly installed, by a registered Professional Engineer with experience in the design and operation of similar systems.

Alarms

At least two alarm systems are present at the facility. As mentioned above, a distinctive alarm is activated by the gas monitoring system, which sounds throughout the building and requires immediate evacuation by all personnel. Similarly, the fire suppression system activates an alarm with a different tone to the gas alarm, but which also requires immediate evacuation. The fire alarm can be activated manually by facility personnel at alarm pull stations.

Prevention of Ignition of Wastes

All ignitable waste (and any waste that may be classified as a combustible liquid, even if it is not a RCRA ignitable waste) is stored only in the part of the building designated for flammable liquid storage. In that part of the building there is no electrical wiring, except for explosion-proof wiring for lights and emergency ventilation. No cutting or welding operations, or other activities that might generate sparks or flame, will be conducted in the flammable storage area.

Smoking is not allowed in either the flammable or non-flammable waste storage parts of the building. It is allowed only in the office, or outside. It is not allowed on or near the loading dock.

"No Smoking" signs are posted outside every door to the building (so that it is impossible to enter the building without seeing one), and in such locations that they are visible from any point on the main aisles in the building.

No heaters are present in the storage areas of the building.

Only non-sparking bung wrenches are kept at the facility.

Pyrophoric wastes, or any other wastes or materials that might react violently, or generate heat or combustible gases in the presence of air or water, will not be stored in the part of the building used for flammable storage.

Prevention of Reaction of Wastes

The principal defense against chemical reaction is the conscientious segregation of wastes by compatibility types, as described in Permit Attachment B. By storing only compatible chemicals in the same containment bay, simultaneous spills of multiple containers will cause no dangerous situations. The main containment in the bays is separated from the central aisles by smaller containment trenches along the edge of the aisles, thus preventing anything spilled in the aisle from mingling with anything that might be in the main containment bay trench.

Incompatible wastes are not handled together on the loading dock.

Water Supplies

Adequacy

As discussed below, the fire suppression system at the facility is an automatic inert gas system, and makes no use of water. Portable fire extinguishers are also present for use on small fires, and they too operate without external water. Accordingly, the only water supply needed by the facility is for laboratory operation, routine sanitation and drinking, and operation of the emergency showers/eyewashes. The adequacy of the quality, pressure, and available quantity of water has been certified as part of the certification procedure for construction of the facility.

Prevention of Contamination

As described at length in Permit Attachment B, the secondary containment system of the building has been designed to prevent the escape from the building of even catastrophic spills. Since the building is entirely covered and engineered to withstand possible floods, there is no reasonable chance of contaminated runoff from the facility. The loading dock is equipped with secondary containment and covered. The driveway and turnaround area of the facility is paved. Containers are not handled, opened, moved, or stored anywhere but inside the building or on the loading dock, so the possibility of their spilling onto unprotected ground is remote.

Since there is no shallow groundwater beneath the site, chances of contaminating a usable water supply are further diminished. The only usable water supply in the area is a large pipeline to the south of the facility, which was located prior to construction and is far enough from the facility that even a catastrophic spill (for instance, from a major truck accident) in front of the facility would not contaminate the soil around the pipeline.

Arrangements with Authorities

Details of arrangements with authorities that might be involved in emergency response at the facility are discussed on pages E-16 and E-17 of Permit Attachment E, the Contingency Plan. The Lea County Sheriff's Department has been designated the primary emergency response authority.

FIRE SUPPRESSION

The fire suppression system operates automatically if a fire is detected by its sensors. In the event of a fire, the fire alarm is automatically sounded (signalling immediate evacuation), the system automatically closes all ventilation openings and fire doors, and immediately floods the affected part of the building (flammable or non-flammable) with the inert fire-suppression gas.

The fire suppression system has been designed under the supervision of a qualified registered Professional Engineer. In addition, it has been certified to be adequate for the facility and to have been properly installed, by a registered Professional Engineer with experience in the design and operation of similar systems.

EQUIPMENT LIST

At least the following kinds and quantities of equipment will be maintained at the facility in proper operating condition at all times.

<u>Quantity & Description</u>	<u>Capability/Capacity</u>	<u>Location</u>
Personal Protection:		
SCBA apparatus (2)	2 persons	Office
Spare air tanks (4)	One hour total time for 2 people	Office
First Aid Kit (1)	Scott product #70471-01 ("large") or equivalent	Office
Air-purifying respirators (6)	6 persons	Office
Respirator Cartridges	Enough for 2 hours respirator use by 6 people in any atmosphere that could be present	Office
Chemical-resistant Aprons (12)	12 persons	Emergency equipment area

Chem-resist. gloves (25 pr.)	25 persons/uses	Emer. equip. area
Tyvek suits (12)	12 persons	"
Chem-resist. overboots (12 pr.)	12 person/uses	"
Safety glasses/face shields (mix to be determined by employee preference) (25 total)	25 person/uses	"
Spill Control:		
Absorbent (various types; mix to be determined by wastes stored at facility) (2000 lbs)	Typically 8-15 times weight of absorbent	"
Soda Ash (200 lbs.)	Neutralization of acids	"
Clean, empty 55-gallon drums (25)	1375 gallons	"
Clean, empty 85-gallon overpack drums (10)	Contents of 10 leaking 55-gallon drums	"
Chemical-resistant diaphragm pumps (2)	Transferring contents of containers; cleaning up spills	"
Explosion-proof wet or dry industrial vacuum unit (1)	"	"
6-mil or thicker polyethylene (1000 sq. ft.)	Containing spills or contamination	"
Duct tape (2 rolls)	Misc. adhesive uses	"
Shovels (6)	Cleanup of solid or absorbed waste	"
Brooms (6)	"	"

Other Equipment:

Alarms

	As described in text	As described in text
Automatic gas monitoring system	"	"
Hand-held gas monitoring equipment	As required to monitor for levels of toxic gases, explosive gases, and oxygen deficiency	Office
Automatic fire suppression equipment	As described in text	As described in text
Fire extinguishers (9)	10 lb.	1 each in office, laboratory, and non-liquid storage; 2 in non-flammable area; 4 in flammable area
Fire alarm pull stations (4)	Activation of fire alarm for evacuation	2 in flammable area; one in non-flammable area; one in office.
Intercom	Internal communication with entire facility	At all phones
Emergency showers (5)	Emergency decontamination	2 in each major storage area; 1 near office
Emergency eyewashes (5)	"	"
Emergency ventilation system	As described in text	As described in text
Forklift (1)	at least 3000 lb. payload	Storage area
Non-sparking bung wrenches (6)	Drum access with minimum fire risk	Storage areas

Inspection

Inspections will be made of all incoming shipments of waste for storage. The procedure and information on the checklist are described in Permit Attachment A, the Waste Analysis Plan.

The facility and all waste-handling and emergency response equipment will also be inspected on a regular schedule. The frequency of inspection, the items that will be inspected, and the kinds of problems to be looked for are described below. An inspection checklist incorporating the information in the lists below, as well as space for the date and time of inspection, inspector's name, and notation of all action undertaken to remedy problems discovered during inspection, will be maintained. At least the specific items mentioned below will be inspected at least as often as indicated; extra items and/or more frequent inspections may be undertaken at any time.

A record of the inspections required by this Attachment will be kept in the facility operating record for at least three years from the date of inspection. This record will include all relevant information concerning the remedy of any problems discovered.

Daily Inspection:

- Loading Dock
- No containers left outside overnight
 - No containers left open and unattended
 - No evidence of spilled material
 - No precipitation in secondary containment
 - No debris or refuse
 - No other safety hazards
- Storage areas
- No open containers
 - No evidence of spills or leaks on floor or containment
 - No debris or refuse
 - Aisle space between container stacks adequate and unobstructed; no container stacks over ten feet high
 - Main aisles, aisles to exit doors, and access to emergency equipment unobstructed
 - Doors securely locked; can be opened properly from inside
 - Main outside gate and lock working properly

Safety Equip't - No evidence of trouble with fire suppression, gas monitoring, ventilation, or alarm systems
- Emergency showers and eyewashes checked for proper operation daily in potentially freezing weather

Weekly Inspections

Storage areas - No evidence of leaking, bulging, or otherwise stressed containers
- Stacking arrangement of flammable/combustible liquids do not exceed stack height/pile size requirements of fire code
- Eyewashes and emergency showers working properly
- At least the minimum quantities (given in Emergency Equipment list above in this Attachment) of empty containers and absorbents are on hand
- All fire extinguishers in place
- Emergency phone numbers in place by all phones
- No cracks or abraded areas in floor or coating (Applies also to loading dock floor)

Quarterly Inspections

Safety and emergency equipment

- Check that required quantities of all equipment listed in the "Equipment List" above in this Attachment are present and in good condition in the appropriate locations
- Check that the First Aid Kit contains all items present in a new kit, and any additional items considered necessary
- Check that all fire extinguishers are properly charged and otherwise fully operational
- Check that SCBA tanks are properly charged and otherwise fully operational
- Check proper operation of all emergency lights

Security

- Check fence for integrity and proper location and visibility of warning signs

In addition to the program outlined above, the equipment listed below will be inspected and maintained in strict accordance with its manufacturer's recommendations. The inspection and maintenance will be documented in the facility operating record as required for the general facility inspections.

- Forklift
- Fire suppression system
- Gas monitoring system
- Automatic ventilation system
- Hand-held gas monitoring equipment

PERMIT ATTACHMENT D

PERSONNEL TRAINING

PERMIT ATTACHMENT D
EMPLOYEE TRAINING PROGRAM

SUMMARY

This section includes descriptions of the jobs that the employees will be trained for as well as an outline of the actual training program provided by Resource Protection, Inc. The training program outlined in this section will be used as an introductory training program as well as an annual review training program. New employees filling a position at the facility and who will be involved in hazardous waste management and/or handling activities shall be trained in all necessary facets of hazardous waste management within six months after their employment or assignment to the facility and will not work unsupervised before the training is complete.

Adequate additional training beyond the minimum described in the lesson summaries on pages D-7 through D-27 will be given to all personnel who may be required wear air-purifying respirators or self-contained breathing apparatus to ensure that the respirators fit properly and the personnel who may use them are entirely competent and comfortable with their use. Training will be repeated as often as necessary to ensure continuing competence in respirator or SCBA use. Additional training will also be provided if necessary to any individual who may be called upon to serve as facility Emergency Coordinator (as described in Permit Attachment E, the Contingency Plan), to ensure that any potential Emergency Coordinator is fully qualified to handle the responsibility.

All on-site employees of Resource Protection, Inc. will be trained in Red Cross Basic First Aid and Cardio-Pulmonary Resuscitation within six months of beginning work at the facility.

JOB DESCRIPTIONS

A basic ingredient in an employee's ability to be trained properly for a job handling hazardous waste is his ability to realize his responsibilities in his position. The following job descriptions which include the handling of hazardous waste are included in this training section as an intergral part of the training program.

President'

I. Qualifications: 1. Education - 4 year degree from accredited college or university 2. Experience - 10 year minimum

II. Requirements: 1. Must complete company training program 2. Knowledge of Waste Analysis Plan 3. Knowledge of Waste Management Procedure 4. Knowledge of products including safety data sheets 5. Knowledge of company's policy and procedures 6. Knowledge of accounting procedures 7. Familiarization with E.P.A., D.O.T., and other regulations 8. Knowledge of Emergency Contingency Plans 9. Attendance at outside training workshop and seminars to keep employees and customers informed

III. Duties: 1. Oversees safety program for work force and customers 2. Oversees Emergency Response Plans 3. Sets all company policy 4. Approve all of company rules and regulations 5. Oversees training programs for all employees 6. Oversees general operations of company 7. Oversees all capital expenditures 8. Sets marketing policies 9. Sets financing policies 10. Oversees: a. Budget development; b. Employee relations; c. Laboratory; d. Maintenance; e. Warehousing; f. Transportation contractors; g. Sales; h. Engineering; i. Community participation and involvement; j. Compliance with all government regulations

' Specific qualifications may be waived at the option of Management if in their judgement a particular individual has experience equivalent to the stated requirements.

Hazardous Waste Management Coordinator'

I. Qualifications: 1. Education - 4 year degree from accredited college or university 2. Experience - 3 year minimum, including some training experience

Hazardous Waste Management Coordinator, continued

II. Requirements: 1. Must complete company training program 2. Knowledge of Emergency Contingency Plan 3. Knowledge of Waste Analysis Plan 4. Knowledge of Waste Management Procedure 5. Must be familiar with Material Safety Data sheets 6. Demonstrated familiarity with E.P.A., D.O.T., O.S.H.A., and all other regulations affecting facility operations 7. Some form of academic credential demonstrating training in adult education techniques 8. Field experience in environmental cleanup activities

III. Duties: 1. Train personnel in company training program with respect to hazardous waste management and handling 2. Will be the Chief Emergency Coordinator 3. Responsible for the management of hazardous waste including analysis, sampling, storage, and handling 4. Assures that necessary reports, records, notifications, etc., are prepared to comply with RCRA, as well as all other government regulations. This includes routine activities as well as non-routine occurrences, such as the implementation of the Contingency Plan. 5. Reports to the Resource Protection, Inc. President

¹ Specific qualifications may be waived at the option of Management if in their judgement a particular individual has experience equivalent to the stated requirements.

Customer Service Supervisor¹

I. Qualifications: 1. Education - High School graduate 2. Experience - 1-2 years of experience or training in transportation and warehousing activities. Supervisory experience desirable.

II. Requirements: 1. Must complete company training program. 2. Knowledge of Emergency Contingency Plan 3. Knowledge of all products including Material Safety Data sheets 4. Familiarity with E.P.A., D.O.T., O.S.H.A., and all other regulations affecting facility operations 5. Academic training in adult education techniques 6. Experience in environmental cleanup site work

III. Duties: 1. Maintains operational logs, maintenance records, and inspection records 2. Supervises loading/unloading of all materials, placement of materials, and required paperwork as required by Company procedures 3. Involved in the training of new personnel at the facility. 4. Schedules all maintenance and repair of equipment and facility structure of both a routine and non-routine nature 5. Oversees transportation contractors' activities to assure compliance with all appropriate procedures

for transporting of materials, accepting waste materials, response to emergency situations, and equipment maintenance. 6. Conducts inspections of the facility, waste containers, and emergency equipment and implements any necessary remedial activities if inspection reports warrant. 7. Functions as Emergency Coordinator in the absence of the Resource Protection, Inc. President or the Hazardous Waste Management Coordinator. 8. Reports to the Resource Protection, Inc. President

¹ Specific qualifications may be waived at the option of Management if in their judgement a particular individual has experience equivalent to the stated requirements.

Warehouseman¹

I. Qualifications: 1. Education - High School Education 2. Experience - Two years minimum in the type of equipment used

II. Requirements: 1. Knowledge of Emergency Contingency Plan 2. Familiar with material safety data sheets for all products 3. Familiar with E.P.A., D.O.T. and other regulations 4. Knowledge in operation of fork lift 5. Familiarization with safety and transportation of all types of products shipped by the company

III. Duties: 1. Load and unload trucks 2. Responsible for safety and maintenance of equipment in warehouse area 3. Insure that all applicable D.O.T. regulations are complied with 4. Sample incoming hazardous waste shipments for use in fingerprint analysis 5. Properly complete Pre-Acceptance Inspection Sheets 6. Store incoming drums in proper area 7. Complete facility inspections as assigned.

¹ Specific qualifications may be waived at the option of Management if in their judgement a particular individual has experience equivalent to the stated requirements.

TRAINING PROGRAM

Introductory Training

In order to teach the facility personnel as required under RCRA, Resource Protection Inc. has developed a series of lessons which will be taught by one or more qualified instructors. Each lesson will be taught as a 1 hour classroom session. In addition to the classroom sessions, each employee will be a probationary employee working under close supervision during the first 90 days of employment. During this period he will be receiving on-the-job training which will include every RCRA related procedure which is relevant to his duties. At the completion of

each training session and/or at the completion of the introductory training program, each trainee must successfully pass an examination which is designed to indicate a reasonable understanding and capability of performing his/her duties in keeping with the requirements found in the regulations. Resource Protection, Inc. unequivocally states that all employees will complete the required training course within the first six months and will not work unsupervised before the training is complete. Training records will be kept for each person throughout his/her employment and for three years after termination. These records will include the examinations that will be taken during the introductory training program. Each new employee of Resource Protection, Inc. will be given at date of employment the following training aids and information: (1) A copy of the Emergency Contingency Plan; (2) Information relating to working hours, sick pay, vacation schedule, etc.; (3) Shipping and receiving employees will receive labeling and placarding guides with E.P.A. and D.O.T. regulations for shipping and receiving hazardous waste. Each new employee will be expected to familiarize him/herself with the information (as listed) for a better understanding of forthcoming classroom instruction. Each new employee is issued all necessary safety gear, including for instance safety glasses, chemical gloves, etc. He is also taken on a plant tour showing him/her the location of all emergency equipment, first aid station, emergency showers, fire prevention equipment, alarm systems, and the emergency telephone lists which are posted conspicuously by each phone. The training program is divided into twelve sessions. Each session lasts about 1 hour. The classroom instruction lasts about 30 minutes. A 15 minute question and answer session is followed by 15 minutes that is allocated to take a test over the materials discussed in that training session. Outlines to briefly describe the type of material that is covered in the individual training sessions is appended below as pages D-7 through D-27. These outlines will be modified if necessary to stay current and to incorporate operational experience to better protect human health and the environment. The training program outlines are a description of the minimum content of the Resource Protection, Inc. training program. Additional material may be covered if considered necessary by the instructors so long as it does not prevent adequate coverage of the topics listed specifically in this Attachment. A formal modification of this Permit will be obtained before any material is deleted from the training program.

Annual Continuing Training

Review of the introductory training program is done on a monthly basis. Resource Protection, Inc. policy requires monthly training and safety sessions at its facility. These monthly

meetings review one of the twelve sessions of the introductory training program in each monthly meeting. In addition, other safety concerns are also discussed. Attendance to this meeting is mandatory for all employees that are in any way involved with the handling of hazardous waste. The classroom instruction review lasts about 1/2 hour. A 30 minute discussion period follows. The classroom outlines which briefly describe the material that is covered in the individual training review sessions are included below on pages D-7 through D-27, as previously mentioned.

Differentiated Training Programs

Because of the size of the Resource Protection, Inc. facility at this time, all waste handlers and their supervisors will be given the same training program, except that the Hazardous Waste Management Coordinator and the Customer Service Supervisor will have had additional training because of their roles as instructors for all the other employees. The additional training they will be required to have is discussed in the paragraph below. All employees involved with handling hazardous waste must be familiar with all aspects of waste-handling operations because, depending on their qualifications, they will either be working in or supervising other employees in all facets of facility operation at one time or another. For this reason, all of these employees need to complete the entire training program in order to know all the information needed to handle hazardous waste. Specific training programs will be implemented for different jobs, and this Permit will be formally modified to incorporate such a training program, if and when the need arises.

TRAINING INSTRUCTORS

The training instruction will be divided between the Hazardous Waste Management Coordinator, and the Customer Service Supervisor. Qualifications for these positions are described on pages D-2 and D-3 above. Documentation which demonstrates that these qualifications are met will be maintained in the respective personnel files of the individuals in these positions. The Hazardous Waste Management Coordinator must have a working knowledge of all the characteristics and hazards of the different waste streams, of governmental regulations regarding the handling of hazardous waste, and of the Resource Protection, Inc. Waste Analysis Plan and the sampling and laboratory techniques that are used in this plan. The Customer Service Supervisor is the actual person in charge of the physical handling of the hazardous waste, and is responsible for the safety and inspection of the Resource Protection, Inc. facility. The Hazardous Waste Management Coordinator and the Customer Service Supervisor will have current

training complying with the requirements of 29 CFR 1910.120 (relating to occupational health and safety), as well as the requirements of 40 CFR 264.16 (a) (2). These two individuals serve as instructors for the training program in the areas of their respective expertise.

(Training outlines begin next page)

GENERAL OVERVIEW

Lesson #1

Purpose: To introduce the trainee to an overview of the hazards inherent in the handling of hazardous wastes and/or hazardous chemicals.

Topics Discussed:

I. Labeling

- A. Requirements
- B. Exceptions

II. Health Hazards

- A. Chemical Entry into Body
- B. Chemical Classifications
- C. Toxicity Testing

III. Physical Hazards

- A. Flammable Solids
- B. Flammable Liquids
- C. Flammable Gasses
- D. Combustible Liquids
- E. Explosives
- G. Oxidizers
- H. Organic Peroxides
- I. Pyrophoric Materials
- J. Unstable Materials
- K. Water Reactive Material

(Lesson #1, continued)

IV. Material Safety Data Sheets

- A. Hazardous Ingredients
- B. Physical Characteristics
 - 1. Boiling Point
 - 2. Vapor Pressure
 - 3. Vapor Density
 - 4. Solubility
 - 5. Appearance and Odor
 - 6. Specific Gravity
 - 7. Percent Volatility
 - 8. Evaporation Rate
- C. Fire and Explosion Hazards
 - 1. Flashpoint
 - 2. Fire Hazards
- D. Health Hazards
 - 1. Kinds of Health Hazards
 - 2. Time-Weighted Average
 - 3. Ceiling Levels
 - 4. Maximum Peaks
 - 5. First Aid
- E. Spill and Leak Procedures
 - 1. Monitoring Equipment
 - 2. Protective Equipment
- F. Special Precautions

TOUR OF FACILITY

Lesson #2

Purpose: To introduce the trainee to the safety features of the facility as well as the location of important emergency equipment. (Note: During the tour of the facility, all the features listed below will be mentioned but not necessarily in the order that they are listed in this outline.)

Topics Discussed:

I. Safety Features in Building Construction

A. Fire Protection Features

1. Construction Material
2. Roll-up Fire Resistive Doors
3. Use of Skylights in Warehouse
4. Division of Building into Flammable and Nonflammable areas
5. Four-Hour Fire Wall
6. Electrical Equipment Rated Explosion Proof
7. Designated Smoking Area
8. Sprinkler System

B. Emergency Exits

1. Two Exits from Each Room in Facility
2. No Area in Facility is More Than 75 Feet From an Exit

C. Spill Protection Features

1. Floors Recessed four inches Below Stemwall
2. Aisle Space Adequacy
3. Marked Line on Western Half of Facility

(Lesson #2, continued)

4. Secondary Containment System

- a. Floors covered with sealant
- b. Containment trenches/sumps

II. Emergency Equipment Locations

- A. Five Emergency Shower and Eye Wash Stations (keep access clear)
- B. Nine Fire Extinguishers (keep access clear)
- C. One First Aid Station (keep access clear)
- D. One Hazardous Waste Spill Pack (keep access clear)
- E. Two Pull Stations for Internal Alarm (keep access clear)
- F. Pump for Dry Pipe Sprinkler System (keep access clear)

REVIEW OF SAFETY EQUIPMENT

Lesson #3

Purpose: To acquaint the trainee with the existence and use of the different items of safety equipment found at the Resource Protection, Inc. facility.

Topics Discussed:

I. Hazards That Can be Faced

- A. Toxic Substances
- B. Cancer-Causing Agents
- C. Flammable Agents
- D. Corrosive Materials
- E. Accidents Resulting in Physical Harm

II. Exposure

- A. Ways to be Exposed
 - 1. Inhalation
 - 2. Skin
 - 3. Ingestion
- B. Health Problems Caused by Exposure
 - 1. Asphyxiation
 - 2. Cancer
 - 3. Poisoning
 - 4. Eye Injuries
 - 5. Skin Diseases
 - 6. Loss of Limbs, etc.

(Lesson #3, continued)

III. Personal Protective Equipment

A. Know Advantages and Disadvantages of Equipment

B. Use Equipment as Instructed

C. Protective Clothing

- 1) Gloves; 2) Boots; 3) Aprons; 4) Goggles; 5) Jackets;
- 6) Leggings; 7) Hoods; 8) Coveralls

D. Respirators

1. Air-Purifying Respirators (Include a physical demonstration, and fit test for all employees who may wear a respirator)

a. Filtering purifiers to remove dusts, mists, and fumes.

b. Sorbent purifiers to remove gases and vapors.

c. Color-coordinated canisters for respirators.

2. Air-Supplying Respirators (SCBA) (Include a physical demonstration, and extra training for all employees who may use SCBAs to ensure that they are fully competent and comfortable in their use)

IV. Mechanical Equipment Safety

A. Never Walk Under Suspended Loads

B. Be Sure all Machine Guards are in Place

C. Always Keep Loose Clothing Away From Moving Parts

D. Always Use Equipment at Their Recommended Speeds and for Jobs They Were Designed to do.

CHEMICAL AND HAZARDOUS WASTE CHARACTERISTICS

Lesson #4

Purpose: To understand terminology and how our exposures compare with regulatory limits, as well as having a good working knowledge of the basic hazards associated with the different classes of chemicals in use.

Topics Discussed:

I. Threshold Limit Values

A. Definition

B. Basis

1. Industrial Experience
2. Experimental Human and Animal Studies

C. Sample Calculation of Time-Weighted Average

II. General Classification of Hazardous Wastes and/or Chemicals

A. Corrosive

1. Definition of Corrosive
2. Definition of Acid (with examples)
3. Definition of Base (with examples)
4. Acids and Bases May React Violently When Mixed
5. pH
 - a. Definition
 - b. Test Method for pH
 - c. pH Values for Common Substances
6. Physical Dangers
 - a. Primary Concern
 - b. Secondary Concern
7. First Aid Treatment

(Lesson #4, continued)

8. Special Characteristics of Certain Corrosives

- a. Hydrogen fluoride
- b. Sulfuric acid
- c. Nitric acid
- d. Phosphorous oxychloride
- e. Boron tribromide

B. Solvents

- 1. Definition
- 2. Physical Dangers
 - a. Volatility
 - b. Odor; odor detection and danger levels
 - c. Absorption through skin
 - d. Inhalation danger (incl. narcotic effects)
 - e. Sensitizer and Dermatitis (defatting)
 - f. Splashing hazard to eyes
- 3. Corrosives and Solvents React Violently when Mixed
- 4. Flammability
 - a. Vapors often heavier than air
 - b. Upper and lower explosive limit concept
- 5. Flashpoint
- 6. First-Aid Treatment
- 7. Special Characteristics of Selected Solvents

EMERGENCY RESPONSE IN EVENT OF FIRE OR EXPLOSION

Lesson #5

Purpose: To introduce the trainee to the procedures found in the Contingency Plan that should be followed in the event of a fire and/or explosion.

Topics Discussed:

I. Three types of fire

- A. Wood fire is classified as combustible
 - 1. Water is used to quench fire or dry powder chemical
- B. A chemical fire results (for instance) from the ignition of vapor-air mixtures from flammable liquids.
 - 1. Dry chemical powder is used to control fire.
 - 2. Water is used only to cool containers to prevent explosion.
 - 3. Chemical foam keeps oxygen out to smother fire.
- C. Electrical fires usually start through short-circuiting or overload on line, etc.
 - 1. Only non-conductive dry chemicals or inert gases are used to control fire.

II. Flammable Liquids: The Four Characteristics

- A. Fire Point - lowest temperature that a vapor will ignite
- B. Flash Point - lowest temperature that a liquid gives off enough vapors to ignite, with an ignition source
- C. Ignition Temperature - temperature that a flammable vapor-air mix will burn without any other source of ignition.
- D. Flammable or Explosive Range - range between the smallest and largest concentration of vapor in air that will burn when ignited.

(Lesson #5, continued)

III. Elements for Fire

- A. Heat
- B. Fuel
- C. Oxygen

IV. Effective Fire Prevention

- A. Knowledgeable Personnel
- B. Correct and sufficient Fire Fighting Equipment

V. Instructions

- A. Show the proper way to use the dry powder extinguishers.
- B. Take action as described in Contingency Plan in the event of a fire.
- C. Show how and when to use intercom and alarm system for emergency.
- D. Discuss who to call. Coordinator, Fire Department?
- E. Discuss how to identify characteristics of fire and type and danger involved.
- F. Discuss how to tell what is involved in the fire. Drums?
- G. Discuss how to tell whether fire is controllable or not.
- H. Discuss evacuation plan in the case of fire.
- I. Discuss what to do if you have a victim.

VI. Emergency Coordinator

- A. Explain who is the coordinator.
- B. Discuss the coordinator's responsibilities.

EMERGENCY RESPONSE IN EVENT OF HAZARDOUS WASTE SPILL

Lesson #6

Purpose: To introduce the trainees to procedures in the Contingency Plan that must be followed in the event of a spill.

Topics Discussed:

I. SPILPAC

A. Location

B. Contents

1. Tyvek suits
2. Goggles
3. Face Shields
4. Boot shields
5. Absorbents and containment booms
6. Plastic
7. Shovel
8. Broom
9. Soda Ash
10. Over Pack Drum
11. Duct Tape
12. Labels and manifests

II. Emergency Procedures

- A. Identification of the Character of the Spill
- B. Identification of the Source and Amount
- C. Notification of Emergency Coordinator
- D. Fire Protection for Possible Ignition
- E. No Vehicle Near Spill
- F. Necessary Reporting of Spill

(Lesson #6, continued)

III. Hazardous Waste in Transit

A. Required Actions

1. Actions Needed to Protect Human Health and Environment
(Stay on scene with vehicle)
2. Necessary Warning Signs for Traffic
(Use of smoke and/or flares is not advisable)
3. Notification of Local Authorities
4. Notification of National Response Center
5. Dike Area if Necessary to Prevent Run-Off
6. Cooperation with Local Authorities
7. Chem Trec
8. Reporting of Hazardous Waste Spill

FEDERAL AND STATE RULES AND REGULATIONS FOR THE GENERATION,
TRANSPORTATION, TREATMENT, STORAGE, OR DISPOSAL OF HAZARDOUS
WASTE

Lesson #7

Purpose: To introduce the trainee to all the regulations that govern the generation and overall handling of hazardous waste.

Topics Discussed:

I. Government Agencies and Laws

A. E.P.A.

- Reason for Existence

B. R.C.R.A.

1. Reason for Existence

2. Cradle-to-Grave System

- a. Generator (i) Amount necessary to be considered a generator
- b. Transporter
- c. Storage facility (i) Time requirement (ii) Part A permit application (iii) Part B permit application
- d. Treating or disposal facility
- e. Identification numbers
- f. Manifesting
- g. Record keeping
- h. Regulations

3. Characteristics of Hazardous Waste

- a. Definition
- b. List of hazardous wastes
- c. Hazardous waste numbers
- d. Toxicity (i) Definition (ii) Acutely toxic

(Lesson #7, continued)

e. Ignitability

f. Corrosivity

g. Reactivity

4. Possible Fines

C. D.O.T.

1. Reason for Existence

2. Container Regulations

D. E.I.D.

1. Reason for Existence

2. Added State Regulations

MANIFESTING OF A HAZARDOUS WASTE

Lesson #8

Purpose: To acquaint the trainee with the reason and procedures used in manifesting hazardous waste. (Note: Have an example manifest that can be filled out during this training section)

Topics Discussed:

I. Cradle-to-Grave System in Detail

A. All Shipments Must Have a Manifest

1. Small Quantity Generators Must have I.D. Number and Use Manifest Forms unless Conditionally Exempt
2. Time Limit for Storage by Generators

B. Manifest

1. Demonstration of How A Manifest Should be Completed
2. Person Who Fills Out Manifest
 - a. Entire manifest completed
 - b. Writing should be legible
3. Person Who Signs Manifest
 - a. Signature should be full name not initials
4. Copies
 - a. One copy to T.S.D. facility
 - b. One copy to transporter from T.S.D.F.
 - c. One copy to generator from T.S.D.F.
 - d. One copy generator keeps
5. Manifest is a Shipping Document
6. Manifest is Needed for Each Waste Stream
7. Empty Drums are not Shipped With a Manifest

(Lesson #8, continued)

II. Procedures for Waste Drums

- A. Hazardous Waste Labels that Must be on Each Drum.
- B. Previous Existing D.O.T. Rules and Regulations Regarding Specified Containers and Correct Labeling.
- C. Hazardous Waste Drums Filled to not More than 97% of Capacity to Allow for Expansion.

III. Problems with Shipment

A. Reasons for Rejection of Shipment

- 1. Wrong Count
- 2. Wrong Label
- 3. Leakers
- 4. Bulged Tops or Bottoms
- 5. Contains Other Material

B. Do not Change Manifest

- 1. Manifest Only Changed by Responsible Party Who Signed it.
- 2. Changes are Initialed.

LABELING AND PREPARATION OF HAZARDOUS WASTE FOR TRANSPORTATION

Lesson #9

Purpose: To introduce the trainee to the proper procedures needed to label waste drums as well as the procedures used to prepare waste drums for transport.

Topics Discussed:

I. E.P.A. and D.O.T. Pretransportation Regulations (Note: The actual sections found in the federal regulations are covered as well as state regulations which may be more stringent than federal regulations.

- A. Packaging
- B. Labeling
- C. Marking
- D. Placarding
- E. Accumulation time
- F. Leaking containers
- G. Compatibility
- H. Hazardous waste labeling

SPECIFIC PERMIT REQUIREMENTS

Lesson #10

Topics Discussed:

I. Modules

- A. General Permit Conditions
- B. General Facility Conditions
- C. Container storage requirements
- D. HSWA requirements

II. Attachments

- A. Waste analysis plan
- B. Management of containers
- C. Prevention of hazards
- D. Personnel training
- E. Contingency plan
- F. Closure plan
- G. Part A of application; quantity limits

III. Self-Implementing Regulations

HANDLING PROCEDURES: INSPECTION OF HAZARDOUS WASTE

Lesson #11

Purpose: To introduce the trainee to the procedures used in safe handling of hazardous waste as well as the inspection procedures to insure that the hazardous waste is stored properly and safely.

Topics Discussed:

I. Pre-Acceptance Inspection

- A. Manifest is in Order
- B. Labels on Drums Match Information on Manifest
- C. Discrepancy in Number of Drums
- D. Condition of Drums
 - 1. Severe Corrosion
 - 2. Bulging Drums
 - 3. Leaks
 - 4. Open Drums

II. Facility Inspections

- A. Daily Inspections
- B. Weekly Inspections
- C. Quarterly Inspections
- D. Semiannual Inspections

RESOURCE PROTECTION, INC. WASTE ANALYSIS PLAN

Lesson #12

Purpose: To introduce the trainee to the analysis that is described in the Resource Protection, Inc. Waste Analysis Plan and to the procedures that are used at Resource Protection, Inc. to sample incoming waste shipments.

Topics Discussed:

I. Waste Analysis Plan

A. Pre-acceptance Procedures

1. Generator Requirements
 - a. Waste profile sheet
 - b. Representative sample
 - c. Certificate of representative sample
2. Frequency of Analysis
 - a. Routine basis
 - b. Contingency basis
3. Waste Analysis Parameters and Rationale for selection
 - a. Physical description
 - b. pH screening
 - c. Specific gravity
 - d. Ignitability screen
 - e. Gas-chromatographic assay
4. Test Methods for Analyzing Parameters
5. Procedures for Collecting Representative Sampling
 - a. Description of sampling device
 - b. Personnel safety precautions
 - c. Sampling procedures for drums

(Lesson #12, continued)

6. Waste Analysis Procedures for Determining Ignitability, Reactivity, or Incompatibility

B. Incoming Load Procedures

1. Consistency Between Waste and Manifest
2. Fingerprint Waste Analysis Parameters
 - a. pH screening
 - b. Specific gravity
 - c. Physical description
 - d. Flash point
3. Tolerance Levels for Fingerprint Analysis
 - a. Quantitative
 - b. Qualitative
4. Procedures for Collecting Representative Samples
 - a. Cube Root Equation
 - b. Random Sampling
5. Procedures for Rejecting Shipments of Waste
 - a. Mandatory rejection
 - b. Reevaluation

C. Storage

1. Compatibility; proper location
2. Procedures for analysis and clean-up of spills

D. Quality Control

1. Purpose
2. Sampling
3. Analysis

PERMIT ATTACHMENT E

CONTINGENCY PLAN

PERMIT ATTACHMENT E

CONTINGENCY PLAN

INTRODUCTION

Purpose

The purpose of the Contingency Plan is to minimize hazards to human life and the natural environment that may arise in an emergency situation at the Resource Protection, Inc. facility. The provisions of the Contingency Plan are to be carried out by facility personnel immediately when a fire, explosion, or release of hazardous waste happens or appears imminent. Any releases of hazardous waste constituents to air, soil or water will be considered an emergency situation requiring implementation of the Contingency Plan.

Types of Potential Emergencies

The potential for an emergency exists at this facility due to its activities and the types of materials handled. Additionally, natural events could create emergency situations which must be managed appropriately and effectively. Implementation of the Contingency Plan could be required by either kind of event.

Emergencies Resulting From Facility Operations

Potential emergencies that may result from facility operation include:

(1) Fire

- (a) could cause the release of toxic fumes,
- (b) could spread and possibly ignite materials at other locations onsite, or cause heat-induced explosions, or
- (c) could produce contaminated runoff from controlling fire with water or chemical suppressants.

(2) Explosion

- (a) could cause a safety hazard from flying fragments or shock waves,
- (b) could ignite other hazardous wastes stored at the facility, or
- (c) could result in a release of waste
- (d) is a danger to be taken seriously if a bomb threat is received.

(3) Hazardous Waste Spill

- (a) could release toxic fumes
- (b) could ignite itself and/or other onsite wastes, or
- (c) could contaminate the environment.

Natural Events

Certain natural events could cause emergencies at the facility which would necessitate the implementation of the Contingency Plan. A flood could cause the contamination of the surface water, soil, and/or ground water with hazardous waste; or the comingling of incompatible wastes. A tornado could cause contamination of the environment and possibly fire involving ignitable waste.

IMPLEMENTATION PROCEDURES

Incident Assessment and Decision Process

In case of an imminent or actual emergency situation, the individual observing the incident will use the intercom system (or make contact in person) to notify the person serving as Emergency Coordinator of the location, nature, and extent of the incident. The Emergency Coordinator will set up a command post and take control of the affected area until the emergency has been eliminated and warranted clean-up or restoration is completed. The Emergency Coordinator has express authority to commit any needed Resource Protection, Inc. resources to the implementation of this Contingency Plan. The Emergency Coordinator will direct the following activities:

(1) Where applicable, see that operations are stopped and that any released waste is contained.

(2) See that any materials spilled in the incident area are isolated from incompatible materials/wastes and from any possible ignition sources.

(3) Determine the source and extent of the spilled materials, and assess the primary and secondary hazards. The Emergency Coordinator will determine whether the Contingency Plan, in its entirety or in part, should be implemented.

Implementation of the Contingency Plan

When a decision has been made to implement the Contingency Plan, the Emergency Coordinator will direct the following procedures:

(1) Give the alarm signal or otherwise notify everyone in the facility; evacuate facility

(2) Coordinate first aid activities, as described in the First Aid section below, if casualties are involved

(3) Account for all facility personnel/visitors by head count

(4) Initiate the appropriate specific emergency response procedures, as described in detail below

(5) Notify authorities, including requesting assistance, as necessary

(6) Initiate community evacuation as described in the Evacuation section below, if necessary

DETAILED EMERGENCY PROCEDURES

The potential incidents which are of highest priority for emergency planning at this facility are (1) fire and/or explosion, and (2) spills or material releases. Facility response to other disasters such as tornados, earthquakes, or floods, would be similar to the responses outlined in detail below for fires and releases.

Fire and/or Explosion

The kind of emergency with the greatest chance of causing serious injury to employees, and the most probable cause for evacuation of this facility, is fire and/or explosion. It is important that all employees never forget that fire fighting requires professional action, and that their own personal safety must be their first concern. The facility will follow this procedure in the event of a fire or explosion:

(1) Immediately upon discovery, supervisory personnel must be alerted and given the following information: (a) Name of reporting person; (b) Location of fire; (c) Necessity for fire truck, ambulance, police, or any other emergency assistance. These will be called immediately.

(2) If the automatic inert-gas fire suppression system sensors detect a fire, three things will happen essentially simultaneously: 1) the fire alarm will sound; 2) the system will flood the affected area of the building with fire-suppression gas; and 3) any automatic fire doors and ventilation openings will close. All employees will evacuate the building immediately upon hearing the fire alarm, as described in the Facility Evacuation section on page E-8 below, using the exit doors leading directly outside the building from the storage bays. Personnel will be trained NOT to attempt an exit through fire doors that close automatically.

(3) If in the judgement of the Emergency Coordinator, the situation calls for the implementation of the facility Evacuation Plan even though the automatic fire-suppression system has not been activated, he will immediately sound the fire alarm or notify the occupants of the facility by voice communication.

(4) Upon hearing the fire alarm, all personnel will leave the premises by the nearest safe exit (Refer to the Evacuation Plan below). Vehicle and forklift operators will clear their equipment from aisles and exits, if possible, and will make sure all engines and motors are turned off.

(5) The Emergency Coordinator will determine if action on the part of facility personnel is needed to control the fire or explosion, or to control any secondary damage or threat of damage. All personnel will stay well clear of the affected area unless specifically instructed otherwise by the Emergency Coordinator.

(6) The Emergency Coordinator must make an assessment as to the potential problems or situations which might present themselves in an emergency, and how to deal with them. Consideration must

be given to items such as: (a) Release of fumes and possible necessity for neighbor evacuation; (b) Materials which when exposed to fire could explode and result in flying debris, further spread of fire, or release of waste from containers; (c) A safe area for facility personnel to assemble, (d) Residues from firefighting activities which may have to be contained and dealt with as hazardous wastes; (e) Possible contact of incompatible chemicals.

(7) All employees will familiarize themselves with the content of this plan, the primary and secondary exits within their work areas, and the location of all fire alarms, fire extinguishers, and first aid kits. Personnel operating electrical equipment at the time an evacuation notice is given will, if possible, turn the machine off and unplug it.

Chemical Spills

The Emergency Coordinator must make an assessment and take action where necessary to alleviate risk in spill situations. Consideration must be given to potential threats involving hazardous materials and the following procedure must be followed:

(1) Attend to anyone injured, remove them to a safe area if necessary for their safety, and administer first aid; unless the victim(s) cannot be reached without placing rescuers in unacceptable danger.

(2) If necessary, implement the facility Evacuation Plan.

(3) Deal with the spilled chemical as the situation dictates.

(a) Assess the potential hazards to responding personnel and assure that they are fully protected from those hazards.

(b) If the spill is liquid, make sure the secondary containment area will hold all the waste that seems likely to be released from containers involved in the spill. If there is any chance that the secondary containment will be inadequate, take steps immediately to contain or slow the spread of the released waste. Samples of released materials will be taken if there are any questions as to its composition or the hazards it may pose.

- (c) If the spill is a corrosive liquid such as a strong acid or base, or other waste that may require neutralization for safe handling, absorbent will be used if practical to dike/contain the spill and absorb the material. The waste will not be neutralized in the building unless an imminent danger to human health or the environment exists and could be alleviated safely by neutralizing the waste.
 - (d) If the spill is solid, the potential dangers such as reactivity or airborne hazards will be assessed. If the procedure is safe, the waste will be cleaned up with shovels and brooms and placed in a container. Other appropriate cleanup methods will be used in cases where possible hazards warrant.
 - (e) Liquids collected as a result of a spill and cleanup activities (and not collected with absorbents) will be pumped from the secondary containment system using pumps and hoses compatible with the liquids involved.
 - (f) Liquids collected will be containerized immediately, labeled, and prepared for storage pending shipment.
- (4) Keep four things in mind:
- (a) control,
 - (b) contain,
 - (c) communicate, and
 - (d) clean.
- (5) Keep spectators away from spill.
- (6) Do not allow smoking anywhere in the area.
- (7) Be alert for possible ignition sources.
- (8) Whenever possible, transform small liquid spill into a solid state with absorbents and then proceed as if it were a solid.
- (9) State and Federal agencies must be notified as described in the Reporting Requirements section on page below.
- (10) Local officials and emergency response or cleanup contractors must be notified as applicable.

Bomb Threats

The Threat

In the event of a bomb threat phone call: Have another employee call the phone company on another line, explaining the situation as quickly as possible and asking the phone company to trace the call and alert the police. Make certain the person calling in the threat does not overhear these arrangements being made. Meanwhile, obtain answers to as many of the questions on the Bomb Threat Check List as possible. The answers may be useful to law enforcement personnel, and the longer you can keep talking with the person making the threat, the greater the chance the call can be traced.

(See bomb threat checklist on next page)

Bomb Search Technique

Do not touch, handle or move any suspicious object. Make a search for suspicious packages, boxes, or objects. Halls and toilets head the list of likely places. Make the search while waiting for the police to arrive. Have each supervisor responsible for a certain area. A systematic search will eliminate valuable time loss, awaiting police arrival. Report the findings of anything suspicious to the police. If anything suspicious is found, set up a "Danger Zone" and evacuate all personnel from the facility using the Evacuation Plan. Remove flammable materials from the immediate area of the suspicious object if it can be done quickly and easily with no danger of disturbing the possible bomb.

Bomb Threat Checklist

Date

Time

Your Name

Listen for background noises. Indicate if any of noises below were heard and describe any other noises heard under "other".

Music

Other:

People talking

Cars or trucks

Airplane

Children/babies

Machine noise

Typing

Ask:

Where is the bomb?

What time is it set to go off?

What kind of bomb is it?

What kind of package or box is it in?

When did you plant the bomb?

What is your name?

Where do you live?

How old are you?

Why did you put the bomb here?

Judge the voice: Man? _____ Woman? _____ Child? _____ Age? _____

Speech slurred? _____ Otherwise impaired? _____

Storm or Flood

In the event of a severe storm (e.g., tornado), all personnel should take shelter in an interior hallway or room, away from windows. No one should remain in the yard or exposed area of the warehouse. In the case of floods or high water due to rain, the major precaution is to shut off the main power panel. If time permits, stored containers should be arranged to minimize potential damage. In any kind of severe weather situations, a battery-powered radio should be kept on hand for weather advisories.

Evacuation Plan

Everyone in the building will immediately leave the building if either the fire alarm or the gas monitoring alarm sounds. The Emergency Coordinator is the only person authorized to call for complete evacuation of the site in other circumstances. Evacuation of the facility will be ordered in response to any situation that threatens the health and safety of personnel at the facility; evacuation of neighboring areas will be carried out in cooperation with the Lea County Sheriff's Department in the event that an emergency at the facility threatens the health and safety of people off-site. The Emergency Coordinator will make evacuation decisions based on his analysis of the situation.

Facility Evacuation

The following actions will be taken when the alarm(s) sound, or the Emergency Coordinator orders a site evacuation:

- (1) Each individual will determine which route he or she will take (primary or secondary) depending on the location of the incident, wind direction, and his or her location.
- (2) The Emergency Coordinator will broadcast the evacuation alarm with six or more short blasts on claxton horn or via voice communication.
- (3) All personnel and visitors will immediately leave following the evacuation route closest to them. Customer service or administrative employees will calmly but firmly guide visitors off-site.
- (4) In general, evacuation should proceed as follows:
 - (a) If downwind of incident, evacuate perpendicularly to wind direction over the most accessible route.

(b) If upwind of incident, evacuate in the upwind direction.

(5) Personnel will regroup at the upwind assembly area designated by the Emergency Coordinator.

(6) A person designated by the Emergency Coordinator will initiate a head count of all the people at the regrouping area. This information will be given to the Emergency Coordinator, who will decide on appropriate search methods if anyone is unaccounted for.

Community Evacuation

In anticipation of the remote possibility that areas adjacent to or near the site may be endangered, the following items must be considered by the Emergency Coordinator:

(1) The Emergency Coordinator will notify the Lea County Sheriff's Office and any other appropriate local authorities of the possible need to evacuate off-site areas. He will indicate the nature, extent, and rate of spread (including direction) of potential hazards to the community.

(2) Prior to arrival of local emergency response officers, facility personnel will initiate roadblocks (if necessary) and evacuation procedures for areas adjacent to the site, as coordinated with the Sheriff or other appropriate authority.

(3) The Emergency Coordinator will maintain communications with local authorities and assist in the coordination of the community evacuation, emergency response, and casualty control activities.

(4) The Lea County Sheriff's Office will implement its procedures for the evacuation of endangered areas.

(5) The Lea County Sheriff's Office is the prime local authority to be notified. The Eddy County Sheriff would also be notified, along with the State of New Mexico Highway Patrol and any other local emergency response organizations potentially affected.

Re-Occupancy of Facility

The determination of when the facility may be re-occupied safely will be made by the Emergency Coordinator in consultation with responding emergency services agency personnel. Normal facility activities will resume only after the Emergency Coordinator has given an "all clear" notification, and all the

actions listed in the Post-Emergency Procedures section of this Contingency Plan have been completed.

Emergency Press Relations

The following is included only as a quick reference for dealing with the press in an emergency situation:

- (1) If the emergency involves a fire, police, or hospital authorities and is likely to be reported in the press, it is usually to the advantage of the company for a single knowledgeable representative (usually the senior manager present) to give the press a brief statement of the facts, in order to prevent rumor, distortion, or confusion.
- (2) Spokesmen are cautioned not to speculate or give opinions on cause, cost, or other information relating to the emergency.
- (3) In time of disaster, reporters and photographers desiring admittance to an emergency site should be assisted to the extent that it does not conflict with their safety and our response to the emergency.
- (4) Allow news and TV photographers to take pictures unless it hampers safety, security, or emergency response.
- (5) If reporters cannot get facts from a Resource Protection, Inc. representative, they can get at least some of them readily from police, coroner, hospitals and the fire department, agencies they contact constantly. If reporters have to try to pry "facts" from some bystander who more than likely does not know the facts (but is usually delighted to talk anyway), the story could be highly colored and inaccurate.
- (6) The wrong answer, or a too-hasty, curt, evasive, or off-the-cuff answer, could do harm to the company and its good reputation with the public.
- (7) No answer at all, or a blunt "No Comment" is often the worst possible response. There is a general impression that behind the statement "No Comment" hide the guilty, the frightened, or the intimidated. Politely direct questions to the official company spokesperson.
- (8) Experienced reporters know that occasionally there are developments which must be kept confidential for a time. If that is the situation, explain fully and clearly the reason why the answer cannot be given, and assure reporters that they will be informed as soon as information is available.

(9) If reporters want to quote you by name, there is usually no reason why they should not do so.

FIRST AID

All on-site employees of Resource Protection, Inc. will be trained in Red Cross Basic First Aid and Cardio-Pulmonary Resuscitation within the first six months of their employment. During the course of any emergency, injured individuals will be provided first aid as appropriate. For more serious injuries, outside medical assistance will be called in. During an emergency situation, the Emergency Coordinator will accomplish the following:

- (1) Designate, organize and direct available first-aid personnel.
- (2) Assess the situation and summon emergency medical assistance from the Lea County Fire Dept. as well as Lea Regional Hospital. The Emergency Coordinator will meet incoming emergency/medical services and guide them to the first-aid station or location of emergency.
- (3) Access information regarding injury-causing agents, including toxicity and decontamination requirements. If needed, Chemtrec and the National Poison Control Center may be called on for emergency information.
- (4) Injured personnel will be placed in the care of qualified medical personnel. The Emergency Coordinator will provide first aid resources to the medical service person in charge.
- (5) Assist the medical service in charge by providing notification of the appropriate hospital or emergency room of the arrival of the injured, the nature of the injury, information on toxicity and decontamination, and any other pertinent information. Such information shall be transmitted promptly to those with a need to know.

POST-EMERGENCY PROCEDURES

Post-emergency procedures are designed to prevent recurrence of problems, to clean up and dispose of residuals, to decontaminate equipment, and to debrief personnel. The company will notify the Director of the Environmental Improvement Division and appropriate local authorities that the facility has completed all the items listed below in the "Post-Emergency

Procedures" section before operations are resumed in the affected area(s) of the facility.

Prevention of Recurrence

The Emergency Coordinator will take all necessary steps to ensure that a secondary release, fire, or explosion does not occur after an initial incident. Procedures that will be carried out in the affected area include:

- (1) Inspection for any leaks or cracks in pipes, valves, and/or containers.
- (2) Inspection for gas generation and dangerous gases or fumes in the air in the facility.
- (3) Ventilation of building if necessary.
- (4) Isolation of residual waste materials.

Operations that initially were shut down in response to the incident will not be reactivated until the Emergency Coordinator gives an "all clear" signal.

Containerization and Storage of Released Materials and Clean-Up Residues

Once the emergency situation is under control, the Emergency Coordinator will initiate additional clean-up activities, including preparation of any residues for storage or shipment off-site for treatment/disposal. This will occur as soon as possible to avoid further contamination. All such residues will be handled as hazardous waste unless verified as nonhazardous. Liquid spills occurring within a containment area will be removed, analyzed, recontainerized, and stored securely. Spilled liquids cleaned up with absorbents will be placed in drums and sealed. Leaking containers will be segregated immediately and repackaged. No waste that may be incompatible with the released material will be accepted for storage until the decontamination procedures described in the next paragraph are completed. All waste generated in the course of contingency plan implementation will be handled in compliance with Part III of HWMR-5 as it applies to generators of hazardous waste.

Decontamination and Maintenance

All equipment used during the cleanup will be examined and made ready for future use. All equipment used in cleanup or containment, and all building surfaces contacted by the released material, will be scrubbed using water (and detergent, unless chemically inappropriate). The rinsate from this cleaning procedure will be collected in a drum or drums suitable for shipment of hazardous wastes. A sample will be collected from each drum of rinsate in accordance with procedures outlined in Permit Attachment A, the Waste Analysis Plan. The samples will be analyzed in sufficient detail to detect the presence of any hazardous waste constituent that may have been present in the spilled waste. If any hazardous constituents are present in the rinsate at concentrations greater than the "Practical Quantitation Limits" (PQLs) specified in Appendix IX of HWMR-6, Pt. V, 40 CFR part 264, the equipment and/or part of the building cleaned by the contaminated rinsate will be recleaned until constituent levels are less than the relevant PQL's. Alternative hazardous constituent concentrations in the rinsate, or other decontamination standards, may be used if agreed to in writing by the Director.

All affected personnel will remove contaminated clothing and shower. Fire extinguishers will be recharged, personnel protection equipment replaced, and absorbent, neutralizing, and recontainerization materials restocked. The operability of pumps and generators will be checked; all other affected equipment (e.g. ladders, shovels, forklift, ropes, crane, etc.) will be checked and confirmed to be fully cleaned, fully operational, and in their designated areas. Before operations are resumed, an inspection of all safety and emergency equipment will be conducted and any deficiencies remedied.

REPORTING REQUIREMENTS

If the Contingency Plan is implemented, the Emergency Coordinator must immediately notify either the government official designated as the on-scene coordinator for Resource Protection, Inc.'s geographical area, or the National Response Center. The report must include:

- (1) Name and telephone number of reporter;
- (2) Name and address of facility;
- (3) Time and type of incident (e.g., release, fire);

(4) Name and quantity of material(s) involved, to the extent known;

(5) The extent of injuries, if any; and

(6) The possible hazards to human health or the environment outside the facility.

The time, date, and full details of any incident that requires the implementation of the Contingency Plan will be noted in the facility operating record. Within 15 days after the incident, a written report on the incident will be submitted to the Director of EID. The report must include:

(1) Name and telephone number of reporter;

(2) Name and address of facility;

(3) Time and type of incident(e.g., release, fire);

(4) Name and quantity of material(s) involved, to the extent known;

(5) The extent of injuries, if any;

(6) An assessment of actual or potential hazards to human health or the environment, and

(7) Estimated quantity and disposition of recovered material that resulted from the incident.

Before normal operations are resumed in any part of the facility affected by an emergency or by Contingency Plan activities, the Director will be notified that the Post-Emergency Procedures have been completed, as described above.

EMERGENCY COORDINATORS

The Emergency Coordinator or his alternate will always be "on-call" if he is not on site and can be reached via telephone. The Emergency Coordinator or his alternate will make every effort to arrange their schedules such that one of them can be reached any day of the year, 24 hours per day. In the event both of them will be out of reach on the same day, another alternate will be designated for the period of absence. The following table shows the Emergency Coordinator and his alternates, and their addresses and telephone numbers. The alternates are shown in order of priority.

Emergency Coordinators

Principal Coordinator

Address and Telephone Number

Alternate Coordinators

Emergency Coordinator Qualifications

The Hazardous Waste Management Coordinator is the normal Emergency Coordinator at the Resource Protection, Inc. facility. He has the authority to take any necessary actions in an emergency. He will have a thorough knowledge of the Contingency Plan and emergency procedures that are found in the plan. He will know about the safety equipment and communication devices that are found in the facility. He will have a thorough knowledge of all the wastes and any other chemicals that are stored at the facility and the hazards that accompany each of them. The Emergency Coordinator will have all the qualifications necessary to be in charge in the event of an emergency.

Alternate coordinators will be designated from among the employees of Resource Protection, Inc. based on the combination of training and experience candidates have had in areas relevant to emergency response activities and decisionmaking under pressure. They will have the same relevant qualifications for serving as Emergency Coordinator that the primary coordinator has. Special training will be provided to emergency coordinator candidates if necessary to ensure that a properly qualified coordinator is always available.

EMERGENCY TELEPHONE NUMBERS

The necessary telephone numbers that would be needed in an emergency are included in the table below. They will be posted plainly at all times near every telephone in the facility. The Emergency Coordinator will be responsible for the following notifications if necessary.

Emergency Telephone Numbers

<u>Agency</u>	<u>Phone Number</u>
Lea County Fire Department	911
Hobbs Ambulance Service	911
Lea Regional Hospital	392-6581
Lea County Sheriff's Office	393-2515
Chemtrec	800-424-9300
Poison Control Center	800-432-6866
State of N.M. Emergency Notification	827-9329

ARRANGEMENTS WITH LOCAL AUTHORITIES AND OTHER RESOURCES

Appropriate authorities have toured the facility and noted hazards and layout. A copy of the Contingency Plan is maintained at the facility. Copies of the Plan and any subsequent changes will be distributed to:

- (1) Lea County Sheriff Department
- (2) Lea County Fire Department
- (3) State of New Mexico: Environmental Improvement Division
- (4) U.S. EPA Region VI
- (5) Lea Regional Hospital

AMENDMENTS TO THE CONTINGENCY PLAN

Personnel Debriefing and Retraining

Following any implementation of the Contingency Plan, the Emergency Coordinator will conduct debriefings of site supervisors, operating personnel, and local authorities to assess preparedness and prevention, response, casualty control, and evacuation procedures, as appropriate. Based on this review, suggestions for revisions to the Contingency Plan will be made to facility management.

The Emergency Coordinator upon discussion with management will be responsible for changing the Emergency Contingency Plan. This Contingency Plan is subject to review and amendment, if:

- (1) The plan fails in an emergency;
- (2) The facility's permit is revised;
- (3) The facility changes in design, construction, operation, or maintenance; if other circumstances develop that materially increase the potential for fires, explosions, or releases of hazardous waste or hazardous waste constituents; or if changes are necessary in the response to an expected emergency;
- (4) The list of Emergency Coordinators changes; or
- (5) The list of emergency equipment changes.

When the Contingency Plan is amended for any reason, each major change will be reviewed with appropriate agencies and/or emergency response authorities. Modified Contingency Plan copies will be distributed to local, State and Federal agencies, and to the facility personnel responsible for its implementation.

PERMIT ATTACHMENT F

CLOSURE PLAN

PERMIT ATTACHMENT F

CLOSURE PLAN

Introduction

This closure plan is intended to satisfy the requirements of HWMR-6, Pt. V, 40 CFR section 264.111 for minimizing maintenance and preventing the escape of hazardous waste, constituents, or contaminated environmental media, by removing all hazardous waste and all hazardous waste residues from the facility during closure.

This facility consists of only one hazardous waste management unit and accordingly will be either fully operational or fully closed. Partial closure will not occur at this facility.

The maximum permitted inventory of the liquid-storage part of the facility is 506,000 gallons (9200 55-gallon drums or equivalent volume in other containers). The non-liquid part of the facility has a maximum capacity defined in terms of storage methods rather than numbers of particular containers. The functional maximum capacity of the facility is actually determined by the precise fire code classification of the ignitable waste.

The Director of the Environmental Improvement Division will be notified at least 45 days before the date on which closure activities are expected to begin. Resource Protection, Inc. will comply fully with the requirements of HWMR-6, Pt. V, sec. 264.112(d)(2) that closure activities begin within 30 days of the receipt of the known last volume of hazardous waste; or within one year of receipt of the most recent volume of hazardous waste if the demonstrations required by sec. 264.112(d)(2) are made to the Director.

All waste generated in the course of closure activities will be managed as hazardous waste unless it is analyzed as thoroughly as necessary to clearly determine whether or not it is hazardous. In addition, all waste generated during closure activities will be analyzed with sufficient accuracy to determine its treatment level or other pertinent data needed to comply with the provisions of the Land Disposal Restrictions administered by the US Environmental Protection Agency. All hazardous waste generated during closure will be managed in compliance with the requirements of HWMR-6, Pt. III, as they apply to generators of hazardous waste.

Health and Safety

A site Safety and Health Plan, satisfying the requirements contained in 29 CFR 1910.120, will be prepared in advance of any closure activities. All personnel connected with the closure operation will be required to be familiar with the Plan, and to adhere to it. Access to the site will be restricted to authorized personnel at all times during closure.

Removal of Inventory

It is anticipated that all containers of waste would have been removed from the facility before any planned closure, in the course of normal business. If any containers remain in the facility when closure activities begin, they will be stored, handled, and shipped in accordance with all the procedures described elsewhere in this Permit (in particular, with those described in Permit Attachments B and C, covering the management of containers and the procedures for prevention of hazards). All containers of waste accepted for storage will be shipped off-site within 90 days of receipt of the last volume of waste, unless the demonstrations required by Pt. V, sec. 264.113 are made to the Director within the deadlines specified.

Decontamination of Equipment

All facility equipment that will not be used during building decontamination or other closure activities (for instance, forklifts, any parts of the crane system that have ever been in contact with hazardous wastes, and hand tools) will be moved to one of the storage bays in the building. They will be thoroughly cleaned on all surfaces by high-pressure hot water wash or steam cleaning, using an appropriate surfactant, and then rinsed with plain water.

The water to be used for rinsing will be analyzed for background levels of the hazardous waste constituents for which the rinsate will be analyzed, and for any other chemical characteristics that might interfere with proper rinsate analysis. Water will be used for rinsing which does not contain detectable levels of the hazardous waste constituents which might be present in rinsate, and will not interfere in any other way with the needed analyses. Rinsate analysis will be described in detail below. All rinsate will be collected in the containment system of the bay in which the cleaning is done. It will be transferred to DOT-approved 55-gallon drums with a portable sump pump.

The pump and associated hose will be decontaminated prior to use by pumping 50 gallons of clean water through them. The sump pump and hose will be similarly decontaminated whenever it is used for collecting rinsate from different cleaning sessions or from different containment bays, to prevent cross-contamination. Water used for cleaning the pump will be retained and managed as hazardous waste unless proven non-hazardous. Alternatively, dedicated sump pumps may be used for each containment bay and for equipment decontamination and cleaned as appropriate between cleaning events. All material used in cleaning the pumps must in any event be retained and managed as hazardous unless proven otherwise, and the pump(s) must be demonstrated, by rinsate analysis, to be decontaminated at the end of closure activities.

A sample of rinsate will be taken from the final cleaning and sampled as described in the "Rinsate Analysis" section below. If the equipment is decontaminated (as defined in the "Rinsate Analysis" section), the equipment will be removed from the premises to avoid any possibility of recontamination. If the equipment is not completely decontaminated, the cleaning process will be repeated until the rinsate does demonstrate decontamination.

Building Decontamination

The procedure to be used for building decontamination is essentially the same as the one used for equipment decontamination. The floor and the wall surfaces of each bay to the maximum height at which containers were ever stored in that bay, will be cleaned with a high-pressure hot water wash or steam cleaning with appropriate surfactant, and then rinsed with plain water which has been analyzed and found to be satisfactory as described under "Equipment Decontamination" above. Each containment bay (including the storage area for wastes containing no free liquids), the central aisles in each half of the building, and the laboratory, will be cleaned individually and the rinsate from each area will be collected and analyzed separately.

The rinsate will be collected in the containment trench and transferred to appropriate 55-gallon drums with a decontaminated sump pump apparatus as described in the "Equipment Decontamination" section above. At least one sample from each area will be analyzed as described in the "Rinsate Analysis" section. If the concentrations of hazardous waste constituents in the sample are below the levels prescribed in the "Rinsate Analysis" section, the area will be considered successfully decontaminated. If higher levels of any constituent are present in the rinsate, the area will be cleaned again and the analysis

procedure repeated until rinsate constituent levels confirm decontamination. When this has been achieved, the area will be cordoned off to prevent entry and cross-contamination. If the area should become contaminated with runoff from cleaning operations elsewhere (or by other means), it will be re-cleaned and re-analyzed as described above.

Rinsate Analysis and Decontamination Standards

Containers of rinsate from closure cleaning operations will be analyzed to provide three kinds of information: determination of whether the rinsate is a hazardous waste; determination of the concentrations it contains of wastes regulated by the Land Disposal Restrictions; and the concentration of any hazardous waste constituents present on the surfaces that were cleaned by the rinsate, as a means of demonstrating successful decontamination of the building and equipment.

Several containers of cleaning rinsate, from both surfactant-containing cleaning solutions and plain water rinses, will be generated during closure. These containers of rinsate may, at the discretion of Resource Protection, Inc., be managed as hazardous waste without further analysis (except such analysis as may be required for the eventual treatment or disposal of the waste, and for compliance with the Land Disposal Restrictions). At least one drum, however, containing rinsate from the last cleaning cycle performed on each building area or batch of equipment, must be sampled and analyzed to demonstrate that the area or items being cleaned are adequately decontaminated.

The area or equipment will be considered successfully decontaminated if the sample from the last rinsing contains no constituent of any hazardous waste ever stored in the building at a level greater than the lowest "Practical Quantitation Limit" (PQL) given for that constituent in HWMR-6, Pt. V, 40 CFR section 264, Appendix IX. A higher concentration level may be considered an appropriate indicator of decontamination if agreed to in writing by the Director.

All cleaning residues, unless they are to be automatically managed as hazardous wastes, must also be analyzed for detectable quantities of any constituents that would have been in any of the hazardous wastes that have ever been stored in the facility. If a constituent clearly indicative of the presence of a listed hazardous waste is present in the rinsate at a level greater than the Appendix IX PQL discussed in the paragraph above, or if any constituent regulated by the Toxicity Characteristic Leaching Procedure is present at greater than the regulatory level, that container of rinsate will be considered a hazardous waste.

The rinsate analysis regimen will also accurately measure all constituent concentrations that must be known to ensure compliance with the provisions of the Land Disposal Restrictions, administered as self-implementing regulations by the US Environmental Protection Agency.

Rinsate and all other analyses required by this Closure Plan will be performed only by a laboratory that meets all the requirements delineated on page A-2 of Permit Attachment A (the Waste Analysis Plan) for outside laboratories.

Soil Sampling

A soil sample will be taken from any location on Resource Protection, Inc, property that shows (by stressed vegetation, soil discoloration, odor, or other indication) any evidence of waste contamination. In addition, soil samples will be taken around the perimeter of the building, within two feet of the outer wall. At least one sample will be taken from the area outside each individual outer wall of a containment bay, including the area for storage of waste containing no free liquids. This will result in at least 12 soil sampling locations.

Soil cores will be taken to a depth of two feet at each sampling location. The cores will be composited at one-foot intervals, to yield two samples per sampling location. These samples will be analyzed for constituents of any hazardous waste that has been stored at the building, as described above. If any of these constituents is present at greater than background levels, a work plan will be prepared for determination of the nature and extent of the contamination. The work plan will be submitted to the Director in advance of performing the work and will be subject to review. It will be modified as the Director deems necessary.

Final Decontamination

The Site Safety and Health Plan to be prepared in advance of closure will designate an area to be used for personnel decontamination during closure. The ground surface will be protected from contamination by impermeable plastic (or equivalent liquid-proof covering) while the area is in use. When all closure activities have been completed, the tools and supplies that have been used in closure activities will be cleaned by steam or water and the rinsate from that cleaning will be analyzed to demonstrate decontamination. Finally, the material used to protect the ground will be collected, with care

to prevent any escape of contamination, and disposed of as hazardous waste, along with all discarded protective clothing or other solid debris that has been in contact with hazardous waste.

Certification

Closure will be certified, within 60 days of the end of closure activities, by Resource Protection, Inc. and by a professional engineer registered in the State of New Mexico, as required by HWMR-6, 40 CFR section 264.115. Documentation to support the certification will include a report to the Director describing the closure activities, procedures used for decontamination, problems encountered and methods used to solve them, and final disposition of closure residues.

Closure Schedule:

Activity	Day on which completed (Beginning of closure = day 0)
Notification of Closure	(-45)
Last Receipt of Waste	(-30)
Beginning of Closure	0
All Waste Removed from Facility	90
Building and Equipment Decontaminated and Soil Sampling Completed	120
All Analyses Completed	150
All Hazardous Wastes Generated in Closure Removed to Permitted TSDFs	150
Facility Inspected by Certifying Engineer	170
Work Plan Submitted for Determining Extent of Contamination (if required)	180
Closure Complete	180
Certification Submitted	240

Closure Cost Estimate

The maximum permitted inventory of the liquid-storage part of the facility is 506,000 gallons (9200 55-gallon drums or equivalent volume in other containers). Because the kind of container or waste that may be present in the non-liquid storage bays is impossible to predict, this area has a maximum capacity defined in terms of storage methods rather than numbers of particular containers. The functional maximum capacity of the facility is determined by the precise fire code classification of the ignitable waste, and is virtually certain to be less than the RCRA-permitted maximum of 9200 liquid-containing drums. For these reasons, 10,000 drums has been selected as an appropriate equivalent figure to use for closure cost estimating purposes.

<u>Activity</u>	<u>Cost Estimate</u>
Load maximum inventory on trucks for shipment to treatment/disposal facility (10,000 drums @ \$0.50 ea.)	\$5,000.00
Ship inventory to destination(s) (10,000 drums @ \$15.00 ea.)	\$150,000.00
Treatment/Disposal costs (10,000 drums @ 45.00 ea.)	\$450,000.00
Labor costs for equipment and building decontamination	\$3,000.00
Equipment costs for decontamination	\$2,000.00
Analysis costs for demonstrating decontamination and hazardousness determination	\$10,000.00
Soil sampling and analysis costs	\$10,000.00
Shipping and disposal of hazardous waste generated during closure	\$10,000.00
Professional Engineer certification	\$5,000.00
Contingency Allowance	<u>\$20,000.00</u>
 TOTAL ESTIMATED CLOSURE COST (1991)	 \$ _____ _____

38'-9"

CURB ENLARGEMENT FOR HALON CYLINDER, SEE DTL. THIS SHT.



1'-3"

2'-0" CONT. FTG. W/3 - #4 CONT.

1'-6"

4'-6"

I.O.C. ELEV. 100.50

F.F. ELEV. 100.00

@ 6' = 18'-0"

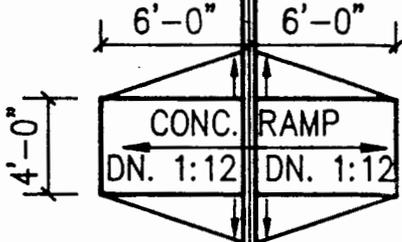
6" CONC. SLAB W/WWF 6 X 6 - W2.9 X W2.9

6'-0" x 6'-0" x 1'-0" CONC. FTG. W/6 - #6 EACH WAY

B.O.F. ELEV. 97.00

T.O.C. ELEV. 100.00

ER SIDES OF RAMP 12 DN. TO FIN. FLR. (.)



F.F. ELEV. 100.00

W/6" HT. W/1 - #4 IN EA.)

x 1/4 STL. TUBING COLUMN SEE DTL. 2, SHT. S6 FOR BASE)

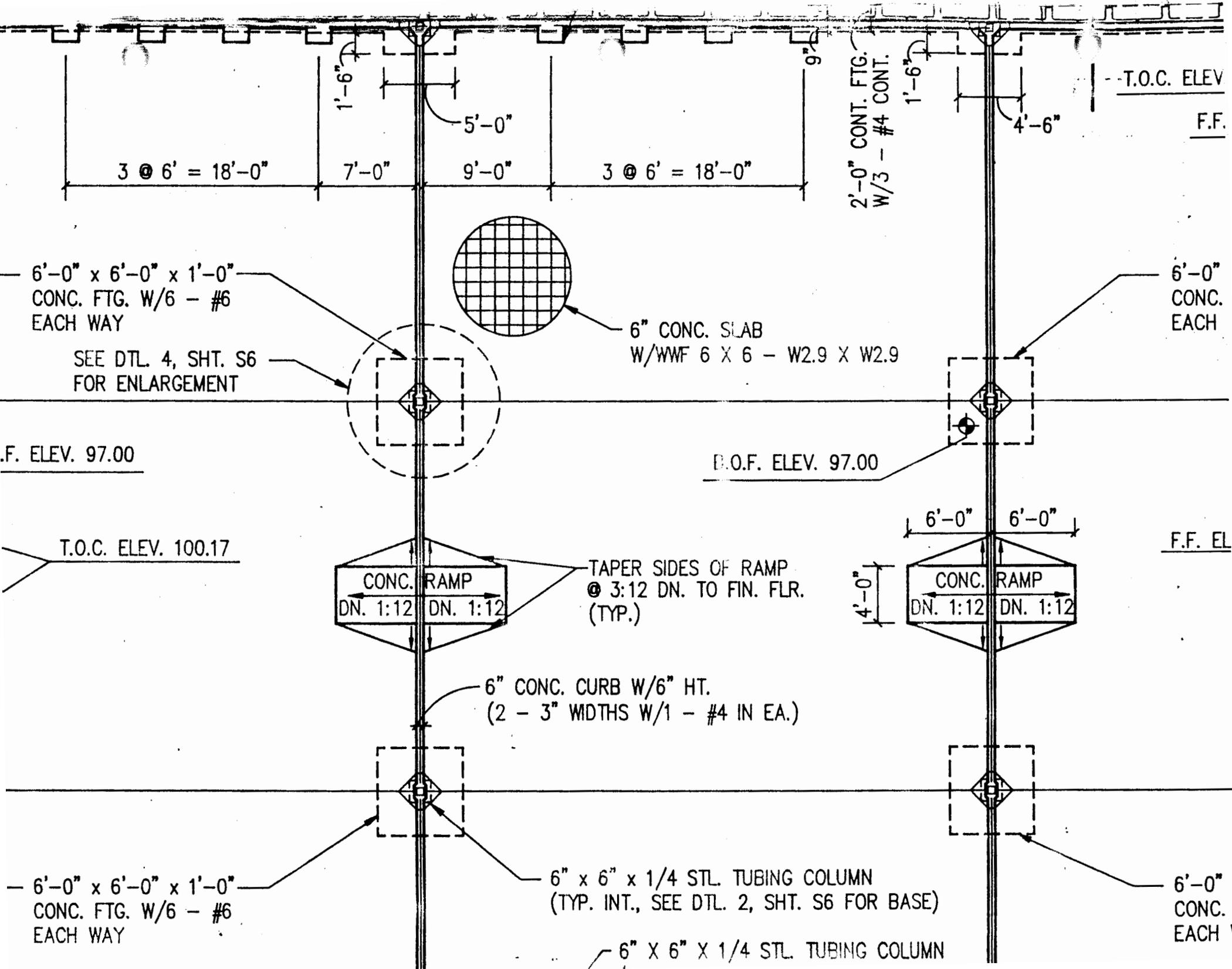
6'-0" x 6'-0" x 1'-0" CONC. FTG. W/6 - #6 EACH WAY

" x 1/4 STL. TUBING COLUMN TYP. EXT., SEE DTL. 1, SHT. S6 OR BASE).

@ 6' = 18'-0"

F.F. ELEV. 100.00

CONT. FTG.



3 @ 6' = 18'-0"

1'-6"

5'-0"

7'-0"

9'-0"

3 @ 6' = 18'-0"

2'-0" CONT. FTG.
W/3 - #4 CONT.

1'-6"

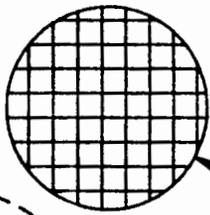
4'-6"

T.O.C. ELEV

F.F.

6'-0" x 6'-0" x 1'-0"
CONC. FTG. W/6 - #6
EACH WAY

SEE DTL. 4, SHT. S6
FOR ENLARGEMENT



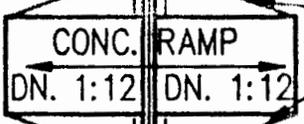
6" CONC. SLAB
W/WWF 6 X 6 - W2.9 X W2.9

6'-0" CONC.
EACH

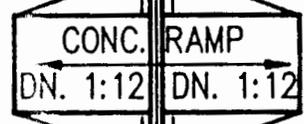
F. ELEV. 97.00

B.O.F. ELEV. 97.00

T.O.C. ELEV. 100.17



TAPER SIDES OF RAMP
@ 3:12 DN. TO FIN. FLR.
(TYP.)



F.F. EL

6" CONC. CURB W/6" HT.
(2 - 3" WIDTHS W/1 - #4 IN EA.)

6'-0" x 6'-0" x 1'-0"
CONC. FTG. W/6 - #6
EACH WAY

6" x 6" x 1/4 STL. TUBING COLUMN
(TYP. INT., SEE DTL. 2, SHT. S6 FOR BASE)

6'-0" CONC.
EACH

6" X 6" X 1/4 STL. TUBING COLUMN

PERMIT ATTACHMENT G

PERMIT APPLICATION PART A

III. PROCESSES (continued)

C. SPACE FOR ADDITIONAL PROCESS CODES OR FOR DESCRIBING OTHER PROCESSES (code "T04"). FOR EACH PROCESS ENTERED HERE INCLUDE DESIGN CAPACITY.

NO ADDITIONAL CODES

IV. DESCRIPTION OF HAZARDOUS WASTES

A. EPA HAZARDOUS WASTE NUMBER - Enter the four-digit number from 40 CFR, Subpart D for each listed hazardous waste you will handle. If you handle hazardous wastes which are not listed in 40 CFR, Subpart D, enter the four-digit number(s) from 40 CFR, Subpart C that describes the characteristics and/or the toxic contaminants of those hazardous wastes.

B. ESTIMATED ANNUAL QUANTITY - For each listed waste entered in column A estimate the quantity of that waste that will be handled on an annual basis. For each characteristic or toxic contaminant entered in column A estimate the total annual quantity of all the non-listed waste(s) that will be handled which possess that characteristic or contaminant.

C. UNIT OF MEASURE - For each quantity entered in column B enter the unit of measure code. Units of measure which must be used and the appropriate codes are:

ENGLISH UNIT OF MEASURE	CODE	METRIC UNIT OF MEASURE	CODE
POUNDS	P	KILOGRAMS	K
TONS	T	METRIC TONS	M

If facility records use any other unit of measure for quantity, the units of measure must be converted into one of the required units of measure taking into account the appropriate density or specific gravity of the waste.

D. PROCESSES

1. PROCESS CODES:

For listed hazardous waste: For each listed hazardous waste entered in column A, select the code(s) from the list of process codes contained in Item III to indicate how the waste will be stored, treated, and/or disposed of at the facility.

For non-listed hazardous waste: For each characteristic or toxic contaminant entered in column A, select the code(s) from the list of process codes contained in Item III to indicate all the processes that will be used to store, treat, and/or dispose of all the non-listed hazardous wastes that possess that characteristic or toxic contaminant.

Note: Four spaces are provided for entering process codes. If more are needed: (1) Enter the first three as described above; (2) Enter "000" in the extreme right box of Item IV-D(1); and (3) Enter in the space provided on page 4, the line number and the additional code(s).

2. PROCESS DESCRIPTION: If a code is not listed for a process that will be used, describe the process in the space provided on the form.

NOTE: HAZARDOUS WASTES DESCRIBED BY MORE THAN ONE EPA HAZARDOUS WASTE NUMBER - Hazardous wastes that can be described by more than one EPA Hazardous Waste Number shall be described on the form as follows:

1. Select one of the EPA Hazardous Waste Numbers and enter it in column A. On the same line complete columns B, C, and D by estimating the total annual quantity of the waste and describing all the processes to be used to treat, store, and/or dispose of the waste.

2. In column A of the next line enter the other EPA Hazardous Waste Number that can be used to describe the waste. In column D(2) on that line enter "included with above" and make no other entries on that line.

3. Repeat step 2 for each other EPA Hazardous Waste Number that can be used to describe the hazardous waste.

EXAMPLE FOR COMPLETING ITEM IV (shown in line numbers X-1, X-2, X-3, and X-4 below) - A facility will treat and dispose of an estimated 900 pounds per year of chrome shavings from leather tanning and finishing operation. In addition, the facility will treat and dispose of three non-listed wastes. Two wastes are corrosive only and there will be an estimated 200 pounds per year of each waste. The other waste is corrosive and ignitable and there will be an estimated 100 pounds per year of that waste. Treatment will be in an incinerator and disposal will be in a landfill.

LINE NUMBER	A. EPA HAZARDOUS WASTE NO. (enter code)	B. ESTIMATED ANNUAL QUANTITY OF WASTE	C. UNIT OF MEASURE (enter code)	D. PROCESSES	
				1. PROCESS CODES (enter)	2. PROCESS DESCRIPTION (if a code is not entered in D(1))
X-1	K 0 5 4	900	P	T 0 3 D 8 0	
X-2	D 0 0 2	400	P	T 0 3 D 8 0	
X-3	D 0 0 1	100	P	T 0 3 D 8 0	
X-4	D 0 0 2				included with above

(fill-in areas are spaced for wide type, i.e., 12 characters/inch)

Form Approved OMB No. 152-00175

U.S. ENVIRONMENTAL PROTECTION AGENCY
EPA
GENERAL INFORMATION
 Consolidated Permit Program
 (Read the "General Instructions" before starting)

GENERAL INSTRUCTIONS	
If a preprinted label has been provided, affix it in the designated space. Review the information carefully; if any of it is incorrect, cross through it and enter the correct data in the appropriate fill-in area below. Also, if any of the preprinted data is absent (the area to the left of the label space lists the information that should appear), please provide it in the proper fill-in areas below. If the label is complete and correct, you need not complete items 1, 11, 12, and 13 (items 14-16 which need not be completed, regardless). Complete all items if no label has been provided. Refer to the instructions for details. Bear descriptions and for the legal authorizations under which this data is collected.	
I. FACILITY INFORMATION	PLEASE PLACE LABEL IN THIS SPACE
1. FACILITY NUMBER	
2. FACILITY NAME	
3. FACILITY MAILING ADDRESS	
4. FACILITY LOCATION	

II. POLLUTANT CHARACTERISTICS

Complete 5 through 12 to determine whether you need to submit any permit application forms to the EPA. If you answer "yes" to any question, you must submit this form and the supplemental forms listed in the parentheses following the question. Mark "X" in the box in the third column if the supplemental form is attached. If you answer "no" to each question, you need not submit any of these forms. You may answer "no" if your activity is exempt from permit requirements, see Section C of the instructions. See also, Section D of the instructions for definitions of bold-faced terms.

SPECIFIC QUESTIONS	MARK 'X'		SPECIFIC QUESTIONS	MARK 'X'	
	YES	NO		YES	NO
A. Does this facility (or publicly owned treatment works) discharge pollutants to waters of the U.S.? (FORM 201)	X		B. Does this facility (other than existing or proposed) include a concentrated animal feeding operation or slaughter animal production facility which results in a discharge to waters of the U.S.? (FORM 285)	X	
C. Is this a process which currently reports or discharges pollutants to the U.S. other than those described in A or B above? (FORM 201)	X		D. Is this a process facility (other than those described in A or B above) which will result in a discharge to waters of the U.S.? (FORM 201)		X
E. Does or will this facility treat, store, or dispose of hazardous wastes? (FORM 31)	X	X	F. Do you or will you inject at this facility industrial or municipal effluents below the lowest stream containing, within one-quarter mile of the well bore, undivided layers of drinkable water? (FORM 41)	X	
G. Do you or will you inject at this facility any produced water or other fluids which are brought to the surface in connection with conventional or natural gas production or other operations? (FORM 41)	X		H. Do you or will you inject at this facility fluids for special purposes such as mining or water by the fracture process, including mining of minerals or the extraction of geothermal energy? (FORM 41)		X
I. Is this facility a proposed stationary source which is listed in the 28 industrial categories listed in the instructions and which will potentially emit 250 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be designed to affect ambient air? (FORM 51)	X		J. Is this facility a proposed stationary source which is NOT one of the 28 industrial categories listed in the instructions and which will potentially emit 250 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be designed to affect ambient air? (FORM 51)		X

III. THE NAME OF FACILITY

1. RESOURCE PROTECTION INC.

IV. FACILITY CONTACT

2. COPE JOHNNY PRESIDENT 505 292 1079

V. FACILITY MAILING ADDRESS

3. PO BOX 369

4. HOBBS NM 88241

VI. FACILITY LOCATION

5. US 62-180 AT LEA COUNTY RD 009

6. LEA

CONTINUED FROM THE FRONT

(specify) **5.1.6.1** **CHEMICAL AND ALLIED PRODUCTS** (specify) **7** (specify)

(specify) **7** (specify)

VII. OPERATOR INFORMATION

A. NAME **RESOURCE PROTECTION INC** B. Is the name listed in Item VIII-A also the name of the operator? YES NO

C. TYPE OF OPERATOR (Enter the appropriate letter into the answer box; if "Other", specify): **P** (specify) **PRIVATE**

D. PHONE (area code in first box) **505 393 1079**

F. CITY OR TOWN **PO BOX 369**

G. STATE **NM** H. ZIP CODE **88241** I. INDIAN LAND YES NO

EXISTING ENVIRONMENTAL PERMITS

1. **STATE** **STATE** **STATE** (specify) **STATE**

2. **STATE** **STATE** **STATE** (specify) **STATE**

3. **STATE** **STATE** **STATE** (specify) **STATE**

The prime purpose of this facility is to serve the oil, chemical and waste generating companies. Resource Protection, Inc. will receive drums of industrial waste from different generators and will store this waste for eventual transfer to disposal sites, recycling facilities or other waste transfer facilities.

VI. NATURE OF BUSINESS (provide a brief description)

The prime purpose of this facility is to serve the oil, chemical and waste generating companies. Resource Protection, Inc. will receive drums of industrial waste from different generators and will store this waste for eventual transfer to disposal sites, recycling facilities or other waste transfer facilities.

DECLARATION AND VERIFICATION

I, **Johnny Cope**, being duly sworn, depose and say that I am personally acquainted and am familiar with the information contained in this application and all the information contained therein, and I am duly authorized to execute this application on behalf of the operator of the above-named facility.

A. NAME & OFFICIAL TITLE (type or print) **JOHNNY COPE, PRESIDENT** B. SIGNATURE *Johnny Cope* C. DATE SIGNED **6-5-90**

WORKING COPY - USE ONLY

Continued from page 2.

NOTE: Photocopy this page before completion if you have more than 26 wastes to list.

Form Approved OMB No. 158-S80004

EPA I.D. NUMBER (enter from page 1)										FOR OFFICIAL USE ONLY										
WASTE										WASTE										
IV. DESCRIPTION OF HAZARDOUS WASTES (continued)										DUP										
LINE NO.	A. EPA HAZARD. WASTENO. (enter code)			B. ESTIMATED ANNUAL QUANTITY OF WASTE			C. UNIT OF MEASURE (enter code)			D. PROCESSES			E. PROCESS DESCRIPTION (if a code is not entered in D(1))							
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
1	D	00	1	650,000			P	S	0	1										
2	D	00	2	500,000			P	S	0	1										
3	D	00	3	400,000			P	S	0	1										
4	D	00	4	100,000			P	S	0	1										
5	D	00	5	100,000			P	S	0	1										
6	D	00	6	200,000			P	S	0	1										
7	D	00	7	200,000			P	S	0	1										
8	D	00	8	400,000			P	S	0	1										
9	D	00	9	100,000			P	S	0	1										
10	D	01	0	100,000			P	S	0	1										
11	D	01	1	50,000			P	S	0	1										
12	D	01	2	100,000			P	S	0	1										
13	D	01	3	100,000			P	S	0	1										
14	D	01	4	100,000			P	S	0	1										
15	D	01	5	100,000			P	S	0	1										
16	D	01	6	100,000			P	S	0	1										
17	D	01	7	100,000			P	S	0	1										
18	F	00	01	600,000			P	S	0	1										
19	F	00	02	300,000			P	S	0	1										
20	F	00	03	300,000			P	S	0	1										
21	F	00	04	50,000			P	S	0	1										
22	F	00	05	300,000			P	S	0	1										
23	F	00	06	100,000			P	S	0	1										
24	F	00	07	100,000			P	S	0	1										
25	F	00	08	50,000			P	S	0	1										
26	F	00	09	50,000			P	S	0	1										

CONTINUE ON REVERSE

Continued from page 2.

NOTE: Photocopy this page before completing if you have more than 25 wastes to list.

Form Approved OMB No. 1550-004

EPA I.D. NUMBER (enter from page 1)										FOR OFFICIAL USE ONLY									
STATE										DUP									
W										2 DUP									

IV. DESCRIPTION OF HAZARDOUS WASTES (continued)

LINE NO.	A. EPA HAZARD. WASTE NO. (enter code)	B. ESTIMATED ANNUAL QUANTITY OF WASTE	C. UNIT OF MEASURE (enter code)	D. PROCESSES	
				1. PROCESS CODES (enter)	2. PROCESS DESCRIPTION (if a code is not entered in D(1))
1	K10117	25,000	PI	S 0 1	
2	K10118	50,000	PI	S 0 1	
3	K10119	50,000	PI	S 0 1	
4	K1020	50,000	PI	S 0 1	
5	K1021	25,000	PI	S 0 1	
6	K1022	25,000	PI	S 0 1	
7	K1023	25,000	PI	S 0 1	
8	K1034	25,000	PI	S 0 1	
9	K1093	25,000	PI	S 0 1	
10	K1094	25,000	PI	S 0 1	
11	125	25,000	PI	S 0 1	
12	126	25,000	PI	S 0 1	
13	K1027	25,000	PI	S 0 1	
14	K1028	25,000	PI	S 0 1	
15	K1029	25,000	PI	S 0 1	
16	K1095	25,000	PI	S 0 1	
17	K1096	25,000	PI	S 0 1	
18	K1030	25,000	PI	S 0 1	
19	K1083	25,000	PI	S 0 1	
20	K1103	25,000	PI	S 0 1	
21	K1104	25,000	PI	S 0 1	
22	K1085	25,000	PI	S 0 1	
23	K1105	25,000	PI	S 0 1	
24	K1111	25,000	PI	S 0 1	
25	K1112	25,000	PI	S 0 1	
26	K1113	25,000	PI	S 0 1	

Continued from page 2.

NOTE: Photocopy this page before completing if you have more than 26 wastes to list.

Form Approved OMB No. 2550-004

EPA I.D. NUMBER (enter from page 1)										FOR OFFICIAL USE ONLY									
WASTE										WASTE									
										DUP									

IV. DESCRIPTION OF HAZARDOUS WASTES (continued)

WASTE NO.	A. EPA HAZARD. WASTE NO. (enter code)	B. ESTIMATED ANNUAL QUANTITY OF WASTE	C. UNIT OF MEASURE (enter code)	D. PROCESSES	
				1. PROCESS CODES (enter)	2. PROCESS DESCRIPTION (if a code is not entered in D(1))
1	K1114	25,000	P	S 0 1	
2	K1115	25,000	P	S 0 1	
3	K1116	25,000	P	S 0 1	
4	K1117	25,000	P	S 0 1	
5	K1118	25,000	P	S 0 1	
6	K1136	25,000	P	S 0 1	
7	K0711	25,000	P	S 0 1	
8	K0713	25,000	P	S 0 1	
9	K1106	25,000	P	S 0 1	
10	K0311	25,000	P	S 0 1	
11	K0312	25,000	P	S 0 1	
12	K0313	25,000	P	S 0 1	
13	K0314	25,000	P	S 0 1	
14	K0917	25,000	P	S 0 1	
15	K0315	25,000	P	S 0 1	
16	K0316	25,000	P	S 0 1	
17	K0317	25,000	P	S 0 1	
18	K0318	25,000	P	S 0 1	
19	K0319	25,000	P	S 0 1	
20	K0410	25,000	P	S 0 1	
21	K0411	25,000	P	S 0 1	
22	K0918	25,000	P	S 0 1	
23	K0412	25,000	P	S 0 1	
24	K0413	25,000	P	S 0 1	
25	K0919	25,000	P	S 0 1	
26	K1121	25,000	P	S 0 1	

Continued from page 2.

NOTE: Photocopy this page before completing if you have more than 25 wastes to list.

Form Approved OMB No. 2550-004

EPA I.D. NUMBER (enter from page 1)										FOR OFFICIAL USE ONLY									
W										W									
										DUP									
										2 DUP									

IV. DESCRIPTION OF HAZARDOUS WASTES (continued)

LINE NO.	A. EPA HAZARD. WASTE NO. (enter code)	B. ESTIMATED ANNUAL QUANTITY OF WASTE	C. UNIT OF MEASURE (enter code)	D. PROCESSES	
				1. PROCESS CODES (enter)	2. PROCESS DESCRIPTION (if a code is not entered in D(1))
1	K1 2 4	25,000	P	S 0 1	
2	K1 2 5	25,000	P	S 0 1	
3	K1 2 6	25,000	P	S 0 1	
4	K10 4 8	200,000	P	S 0 1	
5	K10 4 9	200,000	P	S 0 1	
6	K10 5 0	200,000	P	S 0 1	
7	K10 5 2	200,000	P	S 0 1	
8	K10 6 1	25,000	P	S 0 1	
9	K10 6 2	50,000	P	S 0 1	
10	K10 6 4	50,000	P	S 0 1	
11	K10 6 5	100,000	P	S 0 1	
12	K10 6 6	50,000	P	S 0 1	
13	K10 8 8	50,000	P	S 0 1	
14	K10 9 0	25,000	P	S 0 1	
15	K10 9 1	25,000	P	S 0 1	
16	K10 6 9	50,000	P	S 0 1	
17	K1 0 0	50,000	P	S 0 1	
18	K10 8 4	25,000	P	S 0 1	
19	K1 0 1	25,000	P	S 0 1	
20	K1 0 2	25,000	P	S 0 1	
21	K10 8 6	200,000	P	S 0 1	
22	K10 6 0	150,000	P	S 0 1	
23	K10 8 7	150,000	P	S 0 1	
24	P10 0 5	15,000	P	S 0 1	
25	P10 2 2	15,000	P	S 0 1	
26	U10 0 1	15,000	P	S 0 1	

Continued from page 2.

NOTE: Photocopy this page before completing if you have more than 26 wastes to list.

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EPA I.D. NUMBER (enter from page 1)										FOR OFFICIAL USE ONLY									
W										W									
11 12 13 14 15 16 17 18 19 20										21 22 23 24 25 26 27 28 29 30									

LINE NO.	A. EPA HAZARD. WASTENO. (enter code)	B. ESTIMATED ANNUAL QUANTITY OF WASTE	C. UNIT OF MEASURE (enter code)	D. PROCESSES	
				1. PROCESS CODES (enter)	2. PROCESS DESCRIPTION (if a code is not entered in D(1))
1	U003	15,000	P	S 0 1	
2	U008	15,000	P	S 0 1	
3	U012	15,000	P	S 0 1	
4	U019	15,000	P	S 0 1	
5	U031	15,000	P	S 0 1	
6	U037	15,000	P	S 0 1	
7	U044	15,000	P	S 0 1	
8	U052	15,000	P	S 0 1	
9	U057	15,000	P	S 0 1	
10	U069	15,000	P	S 0 1	
11	U070	15,000	P	S 0 1	
12	U071	15,000	P	S 0 1	
13	U072	15,000	P	S 0 1	
14	U025	15,000	P	S 0 1	
15	U051	15,000	P	S 0 1	
16	U088	15,000	P	S 0 1	
17	U092	15,000	P	S 0 1	
18	U102	15,000	P	S 0 1	
19	U107	15,000	P	S 0 1	
20	U112	15,000	P	S 0 1	
21	U113	15,000	P	S 0 1	
22	U117	15,000	P	S 0 1	
23	U118	15,000	P	S 0 1	
24	U124	15,000	P	S 0 1	
25	U125	15,000	P	S 0 1	
26	U127	15,000	P	S 0 1	

Continued from page 2.

NOTE: Photocopy this page before completing if you have more than 25 wastes to list.

Form Approved OMB No. 158-S80004

EPA I.D. NUMBER (enter from page 1)		UNIT		MULTIPLIER		UNIT		MULTIPLIER	
W								2	DUP
IV. DESCRIPTION OF HAZARDOUS WASTES (continued)									
LINE NO.	A. EPA HAZARD. WASTE NO. (enter code)	B. ESTIMATED ANNUAL QUANTITY OF WASTE	C. UNIT OF MEASURE (enter code)		D. PROCESSES		E. PROCESS DESCRIPTION (if a code is not entered in D(1))		
			UNIT	MEASURE	1. PROCESS CODES	2. PROCESS DESCRIPTION			
1	U 14 0	15,000	P	S 0 1					
2	U 15 4	15,000	P	S 0 1					
3	U 15 9	15,000	P	S 0 1					
4	U 16 1	15,000	P	S 0 1					
5	U 16 2	15,000	P	S 0 1					
6	U 16 3	15,000	P	S 0 1					
7	U 16 9	15,000	P	S 0 1					
8	U 17 1	15,000	P	S 0 1					
9	U 18 8	15,000	P	S 0 1					
10	U 19 1	15,000	P	S 0 1					
11	U 19 6	15,000	P	S 0 1					
12	U 21 0	15,000	P	S 0 1					
13	U 21 1	15,000	P	S 0 1					
14	U 21 3	15,000	P	S 0 1					
15	U 22 0	15,000	P	S 0 1					
16	U 22 6	15,000	P	S 0 1					
17	U 22 7	15,000	P	S 0 1					
18	U 22 8	15,000	P	S 0 1					
19	U 23 9	15,000	P	S 0 1					
20	U 08 0	15,000	P	S 0 1					
21	U 12 1	15,000	P	S 0 1					
22	D 01 8	200,000	P	S 0 1					
23	D 01 9	50,000	P	S 0 1					
24	D 02 0	25,000	P	S 0 1					
25	D 02 1	100,000	P	S 0 1					

PERMIT ATTACHMENT H

NEW MEXICO HAZARDOUS WASTE MANAGEMENT REGULATIONS

ENVIRONMENTAL IMPROVEMENT BOARD
1190 ST. FRANCIS DRIVE
SANTA FE, NEW MEXICO 87503

EIB/HWMMR-6

HAZARDOUS WASTE MANAGEMENT REGULATIONS

PART I-HAZARDOUS WASTE
MANAGEMENT SYSTEM - GENERAL

101. ADOPTION OF 40 CFR PART 260. Except as otherwise provided, the regulations of the United States Environmental Protection Agency set forth in 40 CFR Part 260, through July 1, 1990, are hereby incorporated as Part I of the New Mexico Hazardous Waste Management Regulations.

102. MODIFICATIONS AND EXCEPTIONS. The following modifications and exceptions are made to the incorporated federal regulations:

A. The following terms defined in 40 CFR Section 260.10 have the meanings set forth herein, in lieu of the meanings set forth in 40 CFR Section 260.10:

1. "Administrator" or "Regional Administrator" means the Director of the Environmental Improvement Division of the New Mexico Health and Environment Department, or his designee.

B. The following terms not defined in 40 CFR Section 260.10 have the meanings set forth herein:

1. "Act" or "RCRA" ("Resource Conservation Recovery Act" as amended) means the Hazardous Waste Act, Sections 74-4-1 through 74-4-13 NMSA 1978;

2. "Appropriate act or regulation" means the Hazardous Waste Act or the New Mexico Hazardous Waste Management Regulations, HWMMR-6;

3. "Board" means the Environmental Improvement Board;

4. "CFR" means the Code of Federal Regulations;

5. "Division" means the Environmental Improvement Division of the New Mexico Health and Environment Department;

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6. "Environmental Protection Agency" or "EPA" shall be construed to mean the Environmental Improvement Division of the Health and Environmental Department except when used in the phrases "EPA hazardous waste number" and "EPA identification number", and in the definitions set forth in 40 CFR Section 260.10;

7. "Freedom of Information Act" or "FOIA" means Sections 14-2-1 through 14-2-3, 14-3A-1 through 14-3A-2, and 74-4-4.3.D NMSA 1978;

8. "Hazardous substance incident" means any emergency incident involving a chemical or chemicals, including but not limited to transportation wrecks, accidental spills or leaks, fires, or explosions, which incident creates the reasonable probability of injury to human health or property; and

9. "Subtitle C of RCRA" means the New Mexico Hazardous Waste Act, Sections 74-4-1 to 74-4-13 NMSA 1978.

C. The following provisions of 40 CFR Part 260 are omitted from Part 1 of these regulations:

1. Section 260.1(b)(6);
2. Section 260.22;
3. Section 260.30;
4. Section 260.31;
5. Section 260.32; and
6. Section 260.33.

D. Wherever there is any requirement in any of the federal regulations incorporated into these regulations to report an emergency situation, the requirement shall be construed to mean that the party required to report shall report the incident to the Division via the New Mexico 24-hour emergency response number, (505) 827-9329.

PART II - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

201. ADOPTION OF 40 CFR PART 261. The regulations of the United States Environmental Protection Agency set forth in 40 CFR Part 261, through July 1, 1990, are hereby incorporated as Part II of the New Mexico Hazardous Waste Management Regulations.

PART III - STANDARDS APPLICABLE
TO GENERATORS OF HAZARDOUS WASTE

301. ADOPTION OF 40 CFR PART 262. The regulations of the United States Environmental Protection Agency set forth in 40 CFR Part 262, through July 1, 1990, are hereby incorporated as Part III of the New Mexico Hazardous Waste Management Regulations.

PART IV - STANDARDS APPLICABLE
TO TRANSPORTERS OF HAZARDOUS WASTE

401. ADOPTION OF 40 CFR PART 263. Except as otherwise provided, the regulations of the United States Environmental Protection Agency set forth in 40 CFR Part 263, through July 1, 1990, are hereby incorporated as Part IV of the New Mexico Hazardous Waste Management Regulations.

402. OMISSIONS. The following provisions of 40 CFR Part 263 are omitted from Part III of these regulations:

- A. Section 263.20(e).

PART V - STANDARDS FOR
OWNERS AND OPERATORS OF
HAZARDOUS WASTE TREATMENT
STORAGE, AND DISPOSAL FACILITIES

501. ADOPTION OF 40 CFR PART 264. Except as otherwise provided, the regulations of the United States Environmental Protection Agency set forth in 40 CFR Part 264, through July 1, 1990, are hereby incorporated as Part V of the New Mexico Hazardous Waste Management Regulations.

502. OMISSIONS. The following provisions of 40 CFR Part 264 are omitted from Part V of these regulations:

- A. Section 264.149; and
- B. Section 264.150.

PART VI - INTERIM STATUS STANDARDS
FOR OWNERS AND OPERATORS OF
HAZARDOUS WASTE TREATMENT
STORAGE, and DISPOSAL FACILITIES

601. ADOPTION OF 40 CFR PART 265. Except as otherwise provided, the regulations of the United States Environmental Protection Agency set forth in 40 CFR Part 265 through July 1, 1990 are hereby

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incorporated as Part VI of the New Mexico Hazardous Waste Regulations.

602. OMISSIONS. The following provisions of 40 CFR Part 265 are omitted from Part VI of these regulations.

- A. Section 265.149; and
- B. Section 265.150.

**PART VII - STANDARDS FOR THE
MANAGEMENT OF SPECIFIC HAZARDOUS
WASTES AND SPECIFIC TYPES OF
HAZARDOUS WASTE MANAGEMENT FACILITIES**

701. ADOPTION OF 40 CFR PART 266. The regulations of the United States Environmental Protection Agency set forth in 40 CFR Part 266, through July 1, 1990, are hereby incorporated as Part VII of the New Mexico Hazardous Waste Management Regulations.

**PART VIII - LAND DISPOSAL
RESTRICTIONS**

801. ADOPTION OF 40 CFR PART 268. The regulations of the United States Environmental Protection Agency set forth in 40 CFR Part 268 through July 1, 1990, are hereby incorporated as Part VIII of the New Mexico Hazardous Waste Management Regulations.

**PART IX - THE HAZARDOUS
WASTE PERMIT PROGRAM**

901. ADOPTION OF 40 CFR PART 270. The regulations of the United States Environmental Protection Agency set forth in 40 CFR Part 270, through July 1, 1990, are hereby incorporated in Part IX of the New Mexico Hazardous Waste Management Regulations.

902. PERMITTING PROCEDURES.

A. Permit Issuance or Denial.

1. Once an application is complete, the Director shall prepare and issue either a Draft Permit or a Notice of Intent to Deny.

a. A Draft Permit shall contain all conditions, compliance schedules, monitoring requirements and technical standards for treatment, storage, and/or disposal provided for in 40 CFR Part 270.

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b. A Notice of Intent to Deny shall state the Director's reasons for the intended denial.

2. Any Draft Permit or Notice of Intent to Deny prepared by the Division under Section 902.A.1 of these regulations shall be accompanied by a fact sheet and shall be based on the administrative file. Copies of the fact sheet shall be sent to the applicant; to any state or federal agency, as applicable; and, on request, to any other person.

3. The Director shall give public notice that a Draft Permit or a Notice of Intent to Deny has been prepared, and shall allow forty-five (45) days for review and public comment, including requests for public hearing.

4. If the Director issues a Draft Permit, and a timely written notice of opposition to the Draft Permit and a request for a public hearing is received, the Division, acting in conjunction with the applicant, will respond to the request in an attempt to resolve the issues giving rise to the opposition. If such issues are resolved to the satisfaction of the opponent, the opponent may withdraw the request for a public hearing.

5. No ruling shall be made on permit issuance or denial without an opportunity for a public hearing, at which all interested persons shall be given a reasonable chance to submit significant data, views or arguments orally or in writing and to examine witnesses testifying at the public hearing. A public hearing shall be scheduled if:

a. the Director issues a Notice of Intent to Deny, and a timely request for public hearing is received from the applicant;

b. the Director issues a Draft Permit, a timely request for public hearing is received from any person opposed to the granting of a permit, and such person does not subsequently withdraw the request pursuant to Section 902.A.4 of these regulations; or

c. the Director determines, no later than five (5) days following the end of the comment period specified in Section 902.A.3, that a public hearing should be held notwithstanding the absence of a timely request for a public hearing.

6. The comment period specified in Section 902.A.3 shall automatically be extended to the close of any public hearing.

7. The Director shall give due consideration and the weight he deems appropriate to all comments received during a public comment period and to all relevant facts and circumstances presented at any public hearing.

8. When ruling on permit issuance or denial, the Director may disapprove in whole or in part, or make reasonable conditions to any permit, if it appears that the permit applied for will not meet the requirements of these regulations.

9. At the time that any final permit decision is issued, the Director shall issue a response to comments. This response shall:

a. specify which provisions, if any, of the draft permit have been changed in the final permit decision, and the reasons for the change;

b. briefly describe and respond to all significant comments on the draft permit or the permit application raised during the public comment period, or during any hearing; and

c. be available to the public.

10. A final permit decision shall become effective thirty (30) days after notice of the decision has been served on the applicant, or such later time as the Director may specify. This provision shall not be construed to extend the time for appeal of a permit decision as provided by the Hazardous Waste Act.

11. The approval of a permit does not relieve any person from the responsibility of complying with applicable state or federal laws and regulations.

12. The Director shall notify the applicant by certified mail of any impending permit action and of any scheduled public hearing date.

B. Permit Modification, Suspension and Revocation.

1. The Director may modify, suspend, or revoke a permit issued pursuant to Section 902.B of these regulations for cause set forth in 40 CFR Part 270.

2. The Director may modify, suspend, revoke or terminate a permit upon his initiative, or if, after the Division's investigation of the facts and circumstances, pursuant to the request of any interested person, such permit action is deemed warranted.

3. All requests for permit modification, suspension, revocation or termination shall be in writing and shall contain facts or reasons supporting the request.

4. If the Director decides that the request is not justified, the permittee will be notified in writing explaining the reason for denial. Denials of request for modification, revocation and reissuance, or termination are not subject to public notice, comment, or hearings.

5. If the Director tentatively decides to modify or revoke and reissue a permit under 40 CFR Section 270.41 or 40 CFR Section 270.42, a draft permit shall be prepared incorporating the proposed changes. The Director may request additional information and, in the case of a modified permit, may require the submission of an updated application. In the case of a revoked and reissued permit the Director shall require the submission of a new application.

6. In a permit modification under this section, only those conditions to be modified shall be considered when a new draft permit is prepared. All other aspects of the existing permit shall remain in effect for the duration of the unmodified permit. When a permit is revoked and reissued under this section, the entire permit is reopened just as if the permit had expired and were being reissued. During any revocation and reissuance proceeding the permittee shall comply with all conditions of the existing permit until a new final permit is reissued.

7. If the Director tentatively decides to terminate a permit under 40 CFR Section 270.43, a notice of intent to terminate shall be issued. A notice of intent to terminate is a type of draft permit which follows the same procedures as any draft permit under Section 902.A.

C. Public Notices.

1. Public notice of issuance of a Draft Permit or a Notice of Intent to Deny, and of any public hearing scheduled, shall be given by publication of a notice in a newspaper of general circulation in the area affected, broadcasts over local radio stations and by mailing a copy of the notice to the permit applicant, those individuals on the Division's mailing list of persons interested in hazardous waste permit actions, and to any units of local, state and federal government as may be applicable.

2. All public notices issued shall contain the following minimum information:

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a. The subject, the time and place of any scheduled hearing and the manner in which interested persons may present their views;

b. A brief description of the procedures by which requests for hearings may be made, unless already scheduled;

c. The name and address of the office processing the permit action for which notice is being given;

d. The name and address of the permittee or permit applicant, and, if different, of the facility or activity regulated by the permit;

e. A brief description of the business conducted at the facility or activity described in the permit application or the draft permit;

f. The name, address and telephone number of a person from whom interested persons may obtain further information; and

g. In addition, public notice of a scheduled public hearing shall also contain references to the dates of previous public notices relating to the permit.

D. Fact Sheet.

1. A fact sheet shall be prepared for every draft permit for a Hazardous Waste Management facility or activity. The fact sheet shall briefly set forth the principal facts and the significant factual legal, methodological and policy questions considered in preparing the draft permit.

2. The fact sheet shall include, when applicable:

a. A brief description of the type of facility or activity which is the subject of the draft permit;

b. The type and quantity of wastes which are proposed to be or are being treated, stored, disposed of, injected, emitted, or discharged.

c. A brief summary of the basis for the draft permit conditions including references to applicable statutory or regulatory provisions.

d. Reasons why any requested variance or alternative to require standards do or do not appear justified.

e. A description of the procedures for reaching a final decision on the draft permit including:

(1) The beginning and ending dates of the comment period and the address where comments will be received;

(2) Procedures for requesting a hearing and the nature of that hearing; and

(3) Any other procedures by which the public may participate in the final decision.

f. Name and telephone number of a person to contact for additional information.

3. The fact sheet shall be available at the time the public notice is published.

E. Hearings.

1. Public notice of any public hearing shall be given at least thirty (30) days prior to the scheduled date of the hearing.

2. Hearings shall be held in Santa Fe or within any area of the state substantially affected by the proceedings as specified by the Director.

3. The Director may designate a hearing officer to take evidence at the hearing.

4. All hearings shall be recorded by a certified court reporter. A transcript will be furnished to all persons for review at the Division's main office. Costs of a copy of a transcript will be borne by those requesting such copies.

5. In hearings, the rules of civil procedures and the technical rules of evidence shall not apply, but the hearings shall be conducted so that all relevant views, arguments, and testimony are amply and fairly received without undue repetition.

a. Testimony for hearings on permit issuance or modification shall be presented in the following order:

(1) testimony by the applicant (such testimony is a prerequisite to the granting of the requested permit or modification);

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(2) testimony by other persons (except the Division) supporting issuance or modification of the permit, in any reasonable order;

(3) testimony by persons (except the Division) opposed to issuance or modification of the permit, in any reasonable order;

(4) testimony by the Division; and

(5) rebuttal testimony, as appropriate.

b. Testimony for hearings on permit suspension or revocation shall be as follows:

(1) testimony by the Division;

(2) testimony by other persons supporting suspension or revocation of the permit, in any reasonable order;

(3) testimony by the permittee;

(4) testimony by other persons opposed to suspension or revocation of the permit, in any reasonable order; and

(5) rebuttal testimony, as appropriate.

c. In all hearings, cross examination of each witness shall be conducted by interested persons, in any reasonable order, immediately after that witness has testified.

6. The burden of proof at hearings shall be as follows:

a. For hearings on permit issuance or modification, the burden of proof shall be on the applicant or permittee.

b. For hearings on permit suspension or revocation, the burden of proof shall be on the Division.

F. Director's Decision.

1. Any person heard or represented at the hearing shall be given written notice of the action of the Director.

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2. The Director shall notify the applicant or permittee of his decision and the reasons therefor by certified mail.

G. Appeals. Appeal of the Director's decision shall be as provided by the Hazardous Waste Act.

1. The filing of an appeal does not act as a stay of any action required by the Director's decision.

2. The record on appeal shall include the transcript of the hearing, all related correspondence, any responses to comments, and all other information relied upon by the Director in deciding upon the permit action.

PART X - MISCELLANEOUS

1001. COMPLIANCE WITH OTHER REGULATIONS. Compliance with the Hazardous Waste Management Regulations does not relieve a person of the obligation to comply with other applicable state and federal regulations. If the United States Environmental Protection Agency should suspend any federal hazardous waste regulation having a direct counterpart in these regulations, the counterpart in these regulations shall be deemed suspended without any further action being taken.

1002. CONSTRUCTION. The Hazardous Waste Management Regulations shall be liberally construed to effectuate the purpose of the Act.

1003. REFERENCE TO 40 CFR PART 124. References to any provisions of 40 CFR Part 124 within the text of any other provision of 40 CFR as adopted by these regulations shall be construed to mean the corresponding provision of Section 902 of these regulations.

1004. SEVERABILITY. If any part or application of the Hazardous Waste Management Regulations is held invalid, the remainder, or its application to other situations or persons, shall not be affected.

1005. EFFECT OF STAY OR INVALIDATION OF INCORPORATED FEDERAL REGULATIONS. If any federal regulation incorporated by reference in the Hazardous Waste Management Regulations is stayed, invalidated, or otherwise rendered unenforceable by EPA, in whole or in part, by action of a federal court, such incorporated federal regulation shall be enforceable by the Division only to the extent it is enforceable by EPA.

1006. AMENDMENT OF PRIOR REGULATIONS. These regulations shall be construed as amendments to the Hazardous Waste Management Regulations, EIB/HWMR-5, filed September 30, 1988, as amended.

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1007. SAVINGS CLAUSE. Amendment of EIB/HWMR-5 shall not affect any administrative or judicial enforcement action pending on the effective date of such amendment nor the validity of any permit issued pursuant to EIB/HWMR-5.

Revised
Jan 10, 92

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container or cause it to leak. Containers will not be opened for sampling or repackaging in a storage area. They will be transferred to the dock area to provide maximum ventilation.

No treatment or disposal of hazardous wastes of any kind will be undertaken at this facility, unless emergency response activities require the neutralization of released wastes to minimize damage to human health or the environment.

Containers will be moved using a forklift. Ordinarily they will be moved on pallets, with each pallet holding a maximum of four 55-gallon drums. No more than four 55-gallon drums will ever be moved in a single forklift trip. If single containers need to be moved, they will be moved using appropriate drum-handling apparatus, unless they are small enough to be safely handled on a hand truck.

All containers placed on the floor, whether or not they contain free liquids, will be stored on pallets that are approximately four feet square. When containers are stacked, each level will be separated from the containers below by a pallet or by a sheet of 3/4 inch plywood. No containers will ever be stacked more than ten feet (three 55-gallon drums) high. Containers of RCRA ignitable or Uniform Fire Code flammable and combustible waste will be stored in compliance with Article 79, Division II of the the Uniform Fire Code, 1988 Edition; or equivalent part of subsequent editions. In particular, the maximum stack heights and maximum container pile quantities given in Table 79.200-A of the Uniform Fire Code (and by the "Flammable and Combustible Liquids Code" published by the National Fire Protection Association), will not be exceeded.

Containers will be arranged for storage in such a way that each container is readily visible and accessible. 55-gallon drums will be stored in rows of single pallets with four drums to a pallet (resulting in two-drum rows). Aisles at least two feet wide will separate each row of pallets. Unobstructed aisles at least three feet wide will be provided between the main central aisle and all storage bay exit doors.

The maximum capacity of the liquid-storage bays of this facility is 506,000 gallons, or 9200 55-gallon drums. The maximum capacity of the non-liquid storage bay may vary depending on the kinds of containers present. Containers there, as in the rest of the facility, may be stored no more than ten feet above the floor; must be stored in such a way that every container is visible; and must be arranged so that there are at least two foot aisles between groups of containers and three foot aisles leading to exit doors. Containers may not be stored so as to cover the containment trench that separates the non-liquid storage area from the main aisle.

no free liquids is, like the rest of the building, four inches below the top of the stemwall. It has no central containment trench and the floor in these bays is not sloped. It is set off from the central aisle of the building by the same containment trench that protects the liquid-storage bays from the entry of any spills that might occur in the main aisle.

Removal of Spilled or Leaked Waste

Spilled or leaked material contained within the containment system described above, will be waste that has been accepted by the facility and as such will already be identified. Thus the spilled waste will normally be quickly identified based on label information on the container from which it leaked or spilled. Following the spill or leak of any material, the material will be immediately removed from the secondary containment system and recontainerized in an appropriate container. Dry material will be replaced in its original container or into a new like container. Liquid materials will be removed utilizing an explosion-proof wet/dry vacuum machine, with the exception of ignitable wastes or wastes that give off toxic vapors, which will be absorbed and shoveled into containers. The recovered material will be transferred into new or reconditioned containers of the same DOT class and compatibility type as the damaged container. The surface of the spill area will be scrubbed with clean water (and detergent unless it would be chemically incompatible with the spilled waste) to remove possible residual waste material from the spill. The affected area will be cleaned until decontaminated, and the resulting contaminated wash water will be handled, as described on page E-13 of Permit Attachment E (the Decontamination and Maintenance section of the Contingency Plan).

Assuming leakage from a single drum within an area, the repackaged drum will be labeled the same as the original drum. If leakage from multiple drums containing compatible materials from different sources will be redrummed, the emptied drums from which the leak or spill occurred will be noted in the operating log and the newly generated waste will be handled per the requirements for any hazardous waste generator (i.e., sample, analyze, label, manifest, etc.). These drums will be stored until all proper procedures have been complied with for the generator of a waste and they are removed to ultimate disposal.

No container of waste will be left overnight anywhere in the facility except in the appropriate storage bay for its chemical type.

Containers of waste will never be stored so as to block easy access to emergency exits (as discussed above), or to fire extinguishers, fire alarms, gas monitoring equipment, ventilating equipment, fire suppression equipment, spill containment or other emergency response equipment, or to emergency showers or eyewashes.

Containment System

The floor of the building is concrete, with an applied coating impervious to the chemicals that will be stored in the building. All joints in the floor will be made with chemical-resistant water stops to ensure that they are liquid-tight against any chemical that will be stored in the building. If any cracks develop in the floor, they will be kept sealed liquid-tight. If this cannot be accomplished by the chemical-resistant coating of the floor, the crack will be routed out at the surface of the floor to sufficient depth and width for an elastomeric sealer appropriate to the chemicals it will be required to resist.

The building is divided into eight bays for the storage of waste containing free liquids, and two bays for the storage of wastes that do not contain free liquids. Each containment bay for liquid waste measures approximately 33 by 75 feet and has two containment trenches: one at the outer edge of the bay (at the edge of the central aisle) and one at the center of the bay. The one at the outer edge will hold approximately 570 gallons, and the central trench will contain approximately 7,400 gallons. Both trenches run the entire length of the containment bay. The floor of the bay slopes down from the edges towards the central containment trench, at a slope not to exceed one percent. The trenches are covered with metal grates adequate to support a fully loaded forklift. They are coated with the same impervious coating as the rest of the floor, and the condition of the coating will be inspected at the same time the floor coating is inspected.

The entire floor of the storage building is depressed four inches below the stemwall at the outer perimeter of the building. At the main entrance, the four inch curb resulting from this depression of the floor is interrupted by a secondary containment trench extending all the way across the door opening.

The floor of the two bays for storage of wastes containing

Safety Equip't - No evidence of trouble with fire suppression, gas monitoring, ventilation, or alarm systems
- Emergency showers and eyewashes checked for proper operation daily in potentially freezing weather

Weekly Inspections

Storage areas - No evidence of leaking, bulging, or otherwise stressed containers
- Stacking arrangement of flammable/combustible liquids do not exceed stack height/pile size requirements of fire code
- Eyewashes and emergency showers working properly
- At least the minimum quantities (given in Emergency Equipment list above in this Attachment) of empty containers and absorbents are on hand
- All fire extinguishers in place
- Emergency phone numbers in place by all phones
- No cracks or abraded areas in floor or containment trench coating (Applies also to loading dock floor/containment)

Quarterly Inspections

Safety and emergency equipment

- Check that required quantities of all equipment listed in the "Equipment List" above in this Attachment are present and in good condition in the appropriate locations
- Check that the First Aid Kit contains all items present in a new kit, and any additional items considered necessary
- Check that all fire extinguishers are properly charged and otherwise fully operational
- Check that SCBA tanks are properly charged and otherwise fully operational
- Check proper operation of all emergency lights

Security

- Check fence for integrity and proper location and visibility of warning signs

The pump and associated hose will be decontaminated prior to use by pumping 50 gallons of clean water through them. The sump pump and hose will be similarly decontaminated whenever it is used for collecting rinsate from different cleaning sessions or from different containment bays, to prevent cross-contamination. Water used for cleaning the pump will be retained and managed as hazardous waste unless proven non-hazardous. Alternatively, dedicated sump pumps may be used for each containment bay and for equipment decontamination and cleaned as appropriate between cleaning events. All material used in cleaning the pumps must in any event be retained and managed as hazardous unless proven otherwise, and the pump(s) must be demonstrated, by rinsate analysis, to be decontaminated at the end of closure activities.

A sample of rinsate will be taken from the final cleaning and sampled as described in the "Rinsate Analysis" section below. If the equipment is decontaminated (as defined in the "Rinsate Analysis" section), the equipment will be removed from the premises to avoid any possibility of recontamination. If the equipment is not completely decontaminated, the cleaning process will be repeated until the rinsate does demonstrate decontamination.

Building Decontamination

The procedure to be used for building decontamination is essentially the same as the one used for equipment decontamination. The floor and containment trenches, and the wall surfaces of each bay to the maximum height at which containers were ever stored in that bay, will be cleaned with a high-pressure hot water wash or steam cleaning with appropriate surfactant, and then rinsed with plain water which has been analyzed and found to be satisfactory as described under "Equipment Decontamination" above. Each containment bay (including the storage area for wastes containing no free liquids), the central aisles in each half of the building, and the laboratory, will be cleaned individually and the rinsate from each area will be collected and analyzed separately.

The rinsate will be collected in the containment trench and transferred to appropriate 55-gallon drums with a decontaminated sump pump apparatus as described in the "Equipment Decontamination" section above. At least one sample from each area will be analyzed as described in the "Rinsate Analysis" section. If the concentrations of hazardous waste constituents in the sample are below the levels prescribed in the "Rinsate Analysis" section, the area will be considered successfully decontaminated. If higher levels of any constituent are present in the rinsate, the area will be cleaned again and the analysis

Ed/Herb



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200

DALLAS, TEXAS 75202-2733

August 21, 1991

EP

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Mr. Benito Garcia, Chief
Hazardous and Radioactive Waste Bureau
New Mexico Environment Department
P.O. Box 26110
Santa Fe, New Mexico 87502

RE: Transmittal of Hazardous Waste Permit for
Resource Protection, Inc. NMD986670354

Dear Mr. Garcia:

I have enclosed the Hazardous and Solid Waste Amendments (HSWA) permit for Resource Protection, Inc., in Carlsbad, New Mexico. If you have any questions, please contact Mr. Bill Gallagher of my staff at (214) 655-6775.

Sincerely yours,

Allyn M. Davis

Allyn M. Davis
Director
Hazardous Waste Management Division

Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 6

HAZARDOUS WASTE PERMIT
(HAZARDOUS AND SOLID WASTE AMENDMENTS, 1984)

PERMITTEE: Resource Protection, Inc.
OWNER: Same as Permittee

LOCATION: Near the Intersection of Lea Co, Rd C-29
and U.S. Highway 62-180, Lea County, New Mexico

I.D. NUMBER: NMD986670354

EFFECTIVE DATE: September 25, 1991

EXPIRATION DATE: June 7, 2001

Pursuant to the Solid Waste Disposal Act, as amended by the Resource Conservation Recovery Act (RCRA), as amended by the RCRA statute (42 U.S.C. 6901, et seq.) as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), a permit is issued to Resource Protection, Inc., (hereafter called the Permittee) to operate a hazardous waste disposal facility at the location stated above.

The Permittee must comply with all the terms and conditions of this permit. This permit consists of the conditions contained herein (including the attachments). Said conditions are needed to ensure that the Permittee's hazardous waste management activities comply with all applicable Federal statutory and regulatory requirements. Applicable requirements are those which are found in, referenced in, or incorporated into that version of RCRA or the regulations promulgated pursuant to RCRA that are in effect on the date this permit is issued. (See 40 CFR 270.32 (c)).

This permit is issued in part pursuant to the provisions of Section 201, 202, 203, 206, 207, 212, 215, and 224 of HSWA which modified Sections 3004 and 3005 of RCRA. These require corrective action for all releases of hazardous waste or hazardous constituents from any solid waste management unit at a treatment, storage, or disposal facility seeking a permit, regardless of the time at which the waste was placed in such unit and provides the authority to review and modify the permit at any time. The decision to issue this permit is based on the assumption that all information contained in the permit application is accurate and that the facility will be operated as specified in the permit application. Any inaccuracies found in the application may be grounds for termination or modification of this permit (see 40 CFR 270.41, 270.42 and 270.43) and potential enforcement action.

Under Federal Law, this permit is effective on the effective date specified above unless a petition to the Administrator of the U.S. Environmental Protection Agency is filed in accordance with the requirements of 40 CFR 124.19.

Issued this 21st day of August, 1991

by Jack Divita
for Allyn M. Davis, Director
Hazardous Waste Management Division

NOTICE OF PERMIT DECISION

RESOURCE PROTECTION, INC.

HSWA PERMIT (MODULE IV)

Pursuant to the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (RCRA), as amended by the RCRA statute (42 USC 6901 et seq., commonly known as RCRA), and the regulations promulgated thereunder by the U.S. Environmental Protection Agency (EPA) (codified in Title 40 of the Code of Federal Regulations), as amended by the Hazardous Solid Waste Amendment of 1984 (HSWA), a permit is issued to the Resource Protection, Inc., to operate a hazardous waste facility located between Hobbs and Carlsbad, New Mexico.

This Permit, in conjunction with the Hazardous Waste Permit issued by the State of New Mexico, constitutes the full RCRA permit for this facility. Any person who commented on this permit during the comment period may petition the Administrator to review any condition of this permit, within 30 days of issuance, pursuant to 40 CFR 124.19.

The Federal Law that has required permits for hazardous waste facilities is RCRA. The State of New Mexico has been authorized by EPA to carry out regulatory activities which were required by RCRA prior to November of 1984.

In November of 1984, Congress passed extensive changes to RCRA, known as the Hazardous and Solid Waste Amendments (HSWA), which resulted in additional permit requirements. The State has not yet been authorized to act in lieu of EPA for this portion of the program, and EPA still retains the authority for this portion of the permit.

This permit has been finalized under a joint effort between the State and EPA. The New Mexico Environmental Division (NMED) developed both the RCRA and HSWA portions of the permit; however, EPA will issue and enforce this portion (Module V) of the permit until the State is authorized to run this portion of the program.

This Module of the joint permit requires the following:

1. Submission of waste minimization plan annually to EPA;
2. Dust suppression prohibition for hazardous wastes;
3. Hazardous Waste Land prohibition requirements; and
4. Notification requirements for Areas of Concerns.

In addition there is a notification requirement to EPA if new Solid Waste Management Units (SWMU's) are found at the facility. Also, there is corrective action requirements if the facility finds releases to the environment from SWMUs.

I. BACKGROUND INFORMATION

1. Facility location: The Resource Protection, Inc., is located in Section 27, T. 20 S., R. 32 E.; Lea County, New Mexico (near the intersection of Lea Co. Rd C-29 and US Highway 62-180). This is between Carlsbad and Hobbs New Mexico.
2. The proposed facility will be a commercial hazardous waste storage facility, capable of handling virtually all legally defined hazardous waste except for explosives. No radioactive waste of any kind may be handled.
3. Public Notice: The public notice of the proposed permit satisfied the public notice requirements specified in 40 CFR 124.17. The public notice was published in the Hobbs News-Sun and the Carlsbad Current Argus on March 18, 1991, and was broadcasted on the local radio station in Carlsbad. The announcement was also sent to the facility, appropriate State agencies, and interested parties. The public comment period closed on May 2, 1991. No HSWA comments were received from the facility or the public.

II. CHANGES MADE IN FINALIZING THE EPA PERMIT

Below are the changes which EPA made to the Resource Protection, Inc., HSWA permit.

The following was added to the HSWA Permit:

NOTIFICATION REQUIREMENTS FOR NEW-DISCOVERED RELEASES AT SWMU(s)

The Permittee shall notify the Administrative Authority verbally, within 24 hours of discovery (for any release that has the potential to migrate off-site), and in writing, of any release(s) of hazardous waste including hazardous constituents discovered during the course of groundwater monitoring, field investigation, environmental auditing, or other activities undertaken by the facility, no later than fifteen (15) calendar days after discovery. Such newly-discovered releases may be from newly-identified units, from units for which, based on the findings of the RFA, the Administrative Authority has previously determined that no further investigation was necessary, or from units investigated as part of the RCRA Facility Investigation (RFI). The Administrative Authority may require further investigation and/or Interim Measures for the newly-identified release(s).

III. RESPONSE TO COMMENTS

There were no HSWA comments from the facility or the public.

MODULE IV

SPECIAL CONDITIONS PURSUANT TO THE 1984 HAZARDOUS AND SOLID WASTE AMENDMENTS TO RCRA FOR RESOURCE PROTECTION, INC., LEA COUNTY, NM

EPA I.D. NO.: NMD986670354

A. DEFINITIONS

For purposes of the Module, the following definitions shall apply:

"Administrative Authority" means the Secretary of the New Mexico Environment Department or his/her designee or, in case of HSWA provisions (Module IV) for which the State is not authorized, the U.S. Environmental Protection Agency shall be the Administrative Authority.

"Area of Concern" (AOC) means any discernable unit or area which may have received solid or hazardous waste or waste containing hazardous constituents at any time.

"Facility" means all contiguous property under the control of the owner or operator seeking a permit under Subtitle C of RCRA.

"Generator" means any person, by site, whose act or process produces hazardous waste identified or listed in Part 261 of this chapter or whose act first causes a hazardous waste to become subject to regulation.

"Hazardous constituent" means any constituent identified in Appendix VIII of 40 CFR Part 261, or any constituent identified in Appendix IX of 40 CFR Part 264.

"Hazardous waste" means a solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed. The term hazardous waste includes hazardous constituent as defined below.

"Release" means any spilling, leaking, pouring, emitting, emptying, discharging, injecting pumping, escaping, leaching, dumping, or disposing of hazardous wastes (including hazardous constituents) into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing

hazardous wastes or hazardous constituents).

"Solid waste management unit" (SWMU) means any discernible unit at which solid wastes have been placed at any time, irrespective of whether the unit was intended for the management of solid or hazardous waste. Such units include any area at or around a facility at which solid wastes have been routinely and systematically released.

If subsequent to the issuance of this permit, these terms are redefined in promulgated regulations, the Administrative Authority may, at its discretion, apply the new definition to this permit.

B. SPECIFIC CONDITIONS

1. Waste Minimization

- (a) Pursuant 40 CFR 264.73(b)(2), the Permittee shall document in the operating record all hazardous waste present at the facility. The Permittee shall document all hazardous waste produced at the facility, by quantity and type and by building/area.
- (b) Pursuant to 40 CFR 264.73(b)(9), the Permittee shall maintain in the operating record a certification that the Permittee, as a generator of hazardous waste, has a program in place to reduce the volume and toxicity of hazardous waste that he generates to the degree determined to be economically practicable; and that the proposed method of treatment, storage, or disposal is the practicable method which is currently available to the Permittee and that minimizes the present and future threat to human health and the environment. The certification shall include:
 - (1) a narrative description of methods or efforts undertaken during each calendar year to reduce the volume and toxicity of waste generated. This description shall include methods for source reduction and recycling of hazardous waste generated at the facility;
 - (2) the results of the program through documentation of the changes in volume and toxicity of waste actually achieved during each calendar year; and
 - (3) a discussion of the factors that have prevented implementation of source reduction and/or recycling;

The Permittee shall annually submit the certification in accordance with 40 CFR § 270.11 to the Administrative Authority by December 1, for the

previous year ending September 30.

- (c) Pursuant to 40 CFR 264.75(h), the Permittee shall include with the Biennial Report a description of the efforts undertaken during the year to reduce the volume and toxicity of waste generated.
- (d) Pursuant to 40 CFR 264.75(i), the Permittee shall include in the Biennial Report a description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years to the extent such information is available for years prior to 1984.

2. Dust Suppression

Pursuant to 40 CFR 266.23(b), the Permittee shall not use waste or used oil or any other material, which is contaminated with dioxin or any other hazardous waste (other than a waste identified solely on the basis of ignitability), for dust suppression or road treatment.

3. Specific Waste Ban

- (a) The Permittee shall not place in any land disposal unit the wastes specified in RCRA Section 3004 after the effective date of the prohibition unless the Administrator has established disposal or treatment standards for the hazardous waste and the Permittee meets such standards and other applicable conditions of this permit.
- (b) The Permittee may store wastes restricted under 40 CFR 268 solely for the purpose of accumulating quantities necessary to facilitate proper recovery, treatment, or disposal provided that it meets the requirements of 40 CFR 268.50(a)(2) including, but not limited to, clearly marking each tank or container.
- (c) The Permittee is required to comply with all the requirements of 40 CFR 268.7, as amended, regarding waste analysis. Testing of the waste, or an extract of the waste or treatment residue, must be performed according to the frequency specified in the facility's waste analysis plan as required by 40 CFR 264.13. Changes to the waste analysis plan will be processed as minor modifications, pursuant to 40 CFR 270.42. Results of waste analysis shall be maintained in the operating record.

4. Additional Waste Disposal Ban Requirements

The Permittee shall not land dispose any hazardous waste restricted by 40 CFR 268 unless:

- (a) The waste meets treatment standards specified in 40 CFR 268.40, 268.41, 268.42, or 268.43;
- (b) A variance from the treatment standards has been granted pursuant to 40 CFR 268.44;
- (c) A petition has been granted on a case-by-case extension to the effective date, pursuant to 40 CFR 268.5;
- (d) A "no-migration" petition has been granted pursuant to 40 CFR 268.6; or
- (e) The surface impoundment is exempt under 40 CFR 268.4 for treatment.

C. CORRECTIVE ACTION FOR CONTINUING RELEASES

1. Section 3004(u) of RCRA, as amended by HSWA, and 40 CFR 264.101 require that permits issued after November 8, 1984, address corrective action for releases of hazardous waste including hazardous constituents from any solid waste management unit (SWMU) at the facility, regardless of when the waste was placed in the unit.

Section 3004(v) of RCRA as amended by HSWA and Federal regulations promulgated as 40 CFR 264.101, require corrective action beyond the facility boundary, where necessary to protect human health and the environment unless the owner or operator 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 offsite access is denied.

2. If any corrective action is required either at a SWMU identified in the RCRA Facility Assessment (RFA) or at any newly discovered area of concern (AOC) or SWMU, all plans and schedules developed to address the necessary corrective action will require modification of this permit according to the procedures outlined in 40 CFR 270.42.

D. NOTIFICATION REQUIREMENTS FOR EVIDENCE OF NEW AREAS OF CONCERN (AOCs)

1. The Permittee shall notify the Administrative Authority, in writing, of evidence of new AOCs (i.e., an area not specifically identified during the RFA) discovered during the course of ground water monitoring, field investigations, environmental audits, or other means no later than fifteen (15) calendar days

after discovery.

2. The notification shall include, at a minimum, the following information for each new AOC:
 - (a) The location of the new AOC in relation to other units;
 - (b) The type and function of the area;
 - (c) The period during which the area may have received waste;
 - (d) The specifics on all wastes that the area may have received or is receiving, to the extent available;
 - (e) A description of the activity that resulted in the detection of the release(s) of hazardous waste, including hazardous constituents, which resulted in the identification of the new AOC;
 - (f) The results of any sampling and analysis which resulted in the identification of the new AOC.
2. Based on the results of this Notification, the Administrative Authority may require investigation of the area as if it were a SWMU. If shown to be a SWMU be the investigation, the AOC must be reported by the Permittee as a newly-identified SWMU. If the AOC is shown not to be a SWMU by the investigation, the Administrative Authority may determine that not further action is necessary and notify the Permittee in writing.

E. NOTIFICATION REQUIREMENTS FOR AND ASSESSMENT OF NEWLY-IDENTIFIED SOLID WASTE MANAGEMENT UNIT(S) (SWMUs)

1. The Permittee shall notify the Administrative Authority, in writing, of any newly-identified SWMU(s) (i.e., a unit not specifically identified during the RFA) discovered during the course of ground water monitoring, field investigations, environmental audits, or other means, no later than fifteen (15) calendar days after discovery.
2. The Permittee shall submit a SWMU Assessment Report to the Administrative Authority no later than ninety (90) calendar days from notification. The SWMU Assessment Report shall describe all results obtained from the SWMU investigation. At a minimum, the Report shall provide the following information for each newly-identified SWMU:
 - (a) The location of the newly-identified SWMU in

relation to other SWMUs;

- (b) The type and function of the unit;
 - (c) The general dimensions, capacities, and structural description of the unit (supply any available drawings);
 - (d) The period during which the unit was operated;
 - (e) The specifics on all wastes that have been or are being managed at the SWMU, to the extent available;
 - (f) A description of the activity that resulted in the detection of the release(s) of hazardous waste, including hazardous constituents, which resulted in the identification of the new SWMU; and
 - (g) The results of any sampling and analysis required for the purpose of determining whether releases of hazardous wastes including hazardous constituents have occurred, are occurring, or are likely to occur from the unit.
3. Based on the results of this Notification, the Administrative Authority may determine the need for further investigations or corrective measures at specific unit(s) covered in the Notification. If the Administrative Authority determines that such investigations are needed, the Administrative Authority may require the Permittee to prepare a plan for such investigations. The Administrative Authority will provide requirements for the investigative plan, including the intended objectives and schedule for submittal. The requirements of this plan shall be implemented through a modification of this module.

F. MODIFICATION OF MODULE IV

- 1. If at any time the Administrative Authority determines that modification of this Module is necessary, he or she may initiate a modification to this Module according to the procedures of 40 CFR 270.41 and 42.
- 2. Modifications to Module IV of this permit do not constitute a reissuance of the permit.

G. COMPLIANCE WITH PERMIT

1. Compliance with this Permit during its term constitutes compliance, for the purposes of enforcement, with 40 CFR Parts 264 and 266 only for those management practices specifically authorized by this permit. The Permittee is also required to comply with 40 CFR Parts 260, 261, 262, and 263 to the extent the requirements of those Parts are applicable.
2. Pursuant to 40 CFR 270.4(a), compliance with this RCRA permit during its term constitutes compliance, for the purpose of enforcement, with Subtitle C of RCRA except for those requirements not included in the permit which become effective by statute, or which are promulgated under Part 268 of RCRA restricting the placement of hazardous wastes in or on the land.
3. Pursuant to 40 CFR 270.43, failure to submit the information required in Module IV or falsification of any submitted information, is grounds for termination of this Permit. The Permittee shall ensure that all notifications and other submissions to the Administrative Authority required in Module IV are signed and certified in accordance with 40 CFR 270.11. Two copies and one compatible disk copy each of the notifications and submissions shall be submitted to the Administrative Authority by Certified Mail or hand delivered to:

U.S. EPA, Region 6
Hazardous Waste Division
1445 Ross Avenue
Dallas, TX 75202-2733

New Mexico Environment
Department
Hazardous and Radioactive
Waste Bureau
1190 St. Francis Drive
Santa Fe, NM 87502

H. PERMIT REVIEW

This Permit may be reviewed by the Administrative Authority five years after the date of permit issuance and may be modified as necessary as provided for in 40 CFR 270.41.

I. NOTIFICATION REQUIREMENTS FOR NEW-DISCOVERED RELEASES AT SWMU(s)

The Permittee shall notify the Administrative Authority, verbally, within 24 hours of discovery (for any release that has the potential to migrate off-site), and in writing, of any release(s) of hazardous waste including hazardous constituents discovered during the course of ground water monitoring, field investigation, environmental auditing, or other activities undertaken by the facility, no later than fifteen (15) calendar days after discovery. Such newly-discovered releases may be from newly-identified units, from units for which, based on the findings of the RFA, the Administrative Authority has previously determined that no further investigation was necessary, or from units investigated as part of the RCRA Facility Investigation (RFI). The Administrative Authority may require further investigation and/or Interim Measures for the newly-identified release(s).