

PSC 86

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VI
HAZARDOUS WASTE MANAGEMENT PERMIT

PERMITTEE: Signetics Corporation
LOCATION: 9201 Pan American Freeway, N.E.
Albuquerque, New Mexico 87113
ID NUMBER: NMD000709782
PERMIT NUMBER: NMD000709782-1
EFFECTIVE DATE: April 1, 1986
EXPIRATION DATE: April 1, 1996

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.) and the Hazardous and Solid Waste Amendments of 1984 (HSWA), a permit is issued to Signetics Corporation (hereafter called the permittee) to operate a hazardous waste 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 are those which are in effect on the date of issuance of this permit. (See 40 CFR 270.32(c))

This permit is based in part on the provisions of Sections 206, 212, and 224 of HSWA which modified Sections 3004 and 3005 of RCRA. These require corrective action for all releases of hazardous waste or 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 provide the authority to review and modify the permit at any time. 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 permit application. The permit application consists of information submitted on August 9, 1984 (and revised on February 4, 1985).

Any inaccuracies found in the information may be grounds for the termination or modification of this permit (see 40 CFR 270.41, 270.42, and 270.43) and potential enforcement action.

Issued this 11th day of February 1986

by [Signature]
Dick Whittington, Regional Administrator

A. STANDARD

A.1 Effect of Permit.

The permittee is allowed to store hazardous waste in accordance with the conditions of this permit. Any treatment, storage, or disposal of any hazardous waste not authorized in this permit is prohibited. Any hazardous waste treatment, storage, or disposal process not authorized in this permit is prohibited. Compliance with this permit will be considered compliance, for purposes of enforcement, with Subtitle C of the Resource Conservation and Recovery Act (RCRA). A full RCRA permit consists of this permit which addresses the provisions of the Hazardous and Solid Waste Amendments of 1984 (HSWA) and the State of New Mexico permit which addresses the portion of the RCRA program for which the State is authorized. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of State or local law or regulations. Compliance with the terms of this permit does not constitute a defense to any action brought under Section 7003 of RCRA (42 U.S.C. 6973), Section 106(a) 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 governing protection of public health or the environment.

A.2 Permit Actions.

This permit may be modified, revoked and reissued, or terminated for cause as specified in 40 CFR 270.41, 270.42, 270.43, and in HSWA Section 212. 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. 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.

A.3 Duration of Permit.

This permit is effective for a period of ten (10) years unless terminated, revoked, or reissued.

A.4 Severability.

The provisions of this permit are severable. If any provision of this permit is held invalid, the remainder of this permit shall not be affected thereby. If the application of any provision of this permit is held invalid, the application of such provision to other circumstances shall not be affected thereby.

- A.5 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 constitutes a violation of RCRA and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application.
- A.6 Duty to Reapply.
If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must submit a new application for a new permit at least one hundred eighty (180) days before this permit expires.
- A.7 Permit Expiration.
This permit and all conditions herein will remain in effect beyond the permit's expiration date if the permittee has complied with condition A.6 and through no fault of the permittee, the Regional Administrator has not issued a new permit as set forth in 40 CFR 124.15.
- A.8 Need To Halt Or Reduce Activity Not A Defense.
It shall not be a defense for a 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.
- A.9 Duty to Mitigate.
In the event of noncompliance with this permit, the permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment.
- A.10 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, adequate spare parts inventory, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of a back-up or auxiliary facility or similar systems only when necessary to achieve compliance with the conditions of the permit.

A.11 Duty to Provide Information.

The permittee shall furnish to the Regional Administrator, within a reasonable time, any relevant information which the Regional Administrator may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Regional Administrator, upon request, copies of records required to be kept by this permit.

A.12 Inspection and Entry.

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

- (a) Enter at reasonable times upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (d) Sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by RCRA, any substances or parameters at any location.

A.13 Retention of Records.

The permittee shall maintain records to show compliance with this permit for three (3) years after this permit is terminated or reissued. This time period is automatically extended during the course of any unresolved enforcement action. This time period may be extended at the request of the Regional Administrator at any time.

A.14 Notices of Planned Physical Facility Changes.

The permittee shall give notice to the Regional Administrator as soon as possible of any planned physical alterations or additions to the permitted facility. Physical alterations or additions shall include all hazardous and solid waste activities and underground tanks. Construction of new units may not begin until a permit or permit modification has been issued.

A.15 Anticipated Noncompliance.

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

A.16 Transfer of Permits.

This permit may be transferred to a new owner or operator only if it is modified or revoked and reissued pursuant to 40 CFR 270.41(b)(2) or 270.42(d). Before transferring ownership or operation of the facility, the permittee shall notify the new owner or operator in writing of the requirements of 40 CFR 264 and 40 CFR 270.

A.17 Twenty-four Hour Reporting of Hazardous Noncompliance.

The permittee shall report to the Regional Administrator any noncompliance which may endanger human health or the environment. Any information shall be provided orally within twenty-four (24) hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which must be reported orally within twenty-four (24) hours:

- (a) Information concerning release of any hazardous waste that may cause an endangerment to public drinking water supplies.
- (b) Any information of a release or discharge of hazardous waste, or of a fire or explosion from the facility, which could threaten the environment or human health outside the facility. The description of the occurrence and its cause shall 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 material(s) involved;
 - (v) The extent of injuries, if any;
 - (vi) An assessment of actual or potential hazard to the environment and human health outside the facility, where this is applicable; and
 - (vii) Estimated quantity and disposition of recovered material that resulted from the incident.

- A.18 Follow-up Written Report of Hazardous Noncompliance.
A written submission shall also be provided within five (5) days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the periods of noncompliance (including exact dates and times), and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee need not comply with the five day written notice requirement if the Regional Administrator waives that requirement and the permittee submits a written report within fifteen (15) days of the time the permittee becomes aware of the circumstances.
- A.19 Other Noncompliance.
At the time monitoring reports are submitted, the permittee shall report all other instances of noncompliance not otherwise required to be reported. The reports shall contain the information listed in condition A.17.
- A.20 Other Information.
Where the permittee becomes aware that he or she failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Regional Administrator, the permittee shall promptly submit such facts or information. The term, "permit application", includes the information submitted on solid waste management units.
- A.21 Signatory Requirement.
All reports or other information requested by the Regional Administrator shall be signed and certified according to 40 CFR 270.11.

B. SPECIFIC

B.1 Permitted Process Units.

The processs units include container storage area number four (4) which holds a maximum of 36 fifty-five (55) gallon containers, container storage area number two (2) which holds a maximum of 64 fifty-five (55) gallon containers, and three (3) 5,000 gallon tanks.

B.2 Waste Minimization.

The permittee shall certify annually by October 1 for the previous year ending August 31, that the permittee:

- (a) Has a program in place to reduce the volume and toxicity of all hazardous wastes which are generated by the permittee's facility's operation to the degree determined to be economically practicable; and
- (b) that the proposed method of treatment, storage, or disposal is that practicable method currently available to the permittee which minimizes the present and future threat to human health and the environment.

The certification is to be included in the operating record.

B.3 Dust Suppression.

The permittee shall comply with 40 CFR 266.23(b).

B.4 Solid Waste Management Units.

The permittee has determined that the facility contains no solid waste management units other than the RCRA regulated units identified in B.1. If the permittee becomes aware of any additional solid waste management unit, the permittee must:

- (a) Immediately notify the Regional Administrator in accordance with condition A.20; and
- (b) submit within forty-five (45) days of becoming aware of a solid waste management unit, preliminary assessment information for the solid waste management unit to determine if there has been or is currently a release from the unit. The permittee is to contact the Regional Administrator for guidance regarding the required information to be submitted. Based upon this information, the Regional Administrator will modify this permit as necessary.

B.5

Definitions.

(a) Release -

any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposal into the environment.

(b) Solid waste management unit -

any landfill, surface impoundment, waste pile, land treatment unit, incinerator, tank (including storage, treatment, and accumulation tanks), container storage units, injection wells, wastewater treatment units, elementary neutralization units, transfer stations, and recycling units that received solid or hazardous waste at any time.