



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**

November 5, 1991

Scott E. Fore  
Vice President for Environment, Health and Safety  
Safety-Kleen Corp.  
777 Big Timber Road  
Elgin, IL 60123

**RE; OPERATING PERMIT**  
**NMD000804294-1**

Dear Mr. Fore,

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 a double walled underground waste solvent storage tank with leak detection and three container storage units at the Albuquerque, New Mexico Safety-Kleen Service Center. This operating permit will become effective 60 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 VI, will issue the permit for the Hazardous and Solid Waste Amendments of 1984.

The New Mexico Environment Department (NMED) submitted two draft permits for public comment regarding this facility. The first draft permit was issued January 7, 1991, and was open to public comment until February 21, 1991. On April 8, 1991 the permit process was temporarily suspended due to changes in construction plans for the proposed Underground Waste Solvent Storage Tank and the Paint Waste Storage Building. NMED resubmitted a revised draft permit May 20, 1991, for which the revisions to the draft permit were open to public comment an additional 60 days. The public comment period expired July 18, 1991.

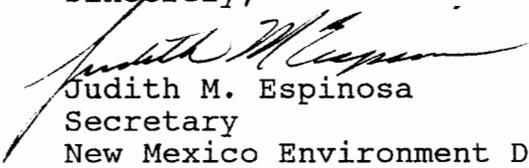
NMED received three comments from EPA on the first draft permit, Safety-Kleen submitted five comments on the first draft permit and five comments on the second draft permit, the City of Albuquerque Health Department submitted one comment on the second

draft permit, the Hazardous and Radioactive Materials Bureau submitted five comments on the first draft permit, the New Mexico Occupational Health and Safety Bureau submitted three comments on the first draft permit, and on comment was received by a private citizen. 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. Herbert Grover, Permit Group Coordinator in the Hazardous and Radioactive Materials Bureau at (505) 827-4300.

Sincerely,

  
Judith M. Espinosa  
Secretary  
New Mexico Environment Department

Enclosures (2):           Operating Permit  
                                  Response to Comments letter

xc: Mr Bill Honker, EPA 6H-P, w/encls.  
      Mr. Richard Mitzelfelt, NMED District I, w/out encls.

JME/HDG/hdg



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**HAZARDOUS WASTE FACILITY PERMIT**

PERMITTEE: Safety-Kleen Corp. ID NO: NMD000804294  
PERMIT NO: NMD000804294-1

LOCATION: 2720 Girard NE, Albuquerque, NM 87101

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 New Mexico Hazardous Waste Act (§§ 74-4-1 et seq. NMSA 1978), a permit is issued to Safety-Kleen Corporation (hereafter called the Permittee) to operate a hazardous waste container storage and double walled underground waste solvent storage tank 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, as amended 1990). This permit shall become effective 60 days after notice of the decision has been served on the applicant in accordance with HWMR-6 as amended 1990, 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 September 16, 1987, and subsequent submissions dated September 11, 1989, November 7, 1989, November 27, 1989, May 4, 1990, September 25, 1990, November 13, 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 14th day of November, 1991

by Judith M. Espinosa  
Judith M. Espinosa, Secretary  
New Mexico Environment Department

**SAFETY - KLEEN  
ALBUQUERQUE  
FACILITY  
OPERATING PERMIT**

**SAFETY-KLEEN ALBUQUERQUE BRANCH STORAGE PERMIT**

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**HAZARDOUS WASTE PERMIT APPLICATION**

**PART A**

Please print or type with ELITE type (12 characters per inch) in the unshaded areas only

Form Approved GSA No. 1050-104-0001 EPA Form 10-107-01  
GSA No. 3248-6PA-07

For EPA Regional Use Only	 United States Environmental Protection Agency Washington, DC 20460	For State Use Only
<h1 style="margin: 0;">Hazardous Waste Permit Application</h1> <h2 style="margin: 0;">Part A</h2>		
Date Received: _____ Month Day Year		
(Read the Instructions before starting)		

I. ID Number(s)

A. EPA ID Number	B. Secondary ID Number (if applicable)
NM10000804294	

II. Name of Facility

SIAFIETYI - KLEIENI C O R P . (71-01081-011)

III. Facility Location (Physical address not P.O. Box or Route Number)

A. Street

27201 GARRARD ME

Street (continued)

City or Town

ALBUQUERQUE

State & ZIP Code

NM 87107

County Code

County Name

BERNALILLO

B. Land Type	C. Geographic Location	D. Facility Existence Date
(enter code)	LATITUDE (degrees, minutes, & seconds) LONGITUDE (degrees, minutes, & seconds)	Month Day Year
P	35 06 44 N 106 36 46 W	03 01 1977

IV. Facility Mailing Address

Street or P.O. Box

777 BIG TIMBER ROAD

City or Town

ELGIN

State & ZIP Code

IL 60123

V. Facility Contact (Person to be contacted regarding waste activities at facility)

Name (last)	(first)
WACHSMUTH	ROBERT
Job Title	Phone Number (area code and number)
REG. ENV. ENGR.	10181-6197-3450

VI. Facility Contact Address (See instructions)

A. Contact Address: Location	B. Street or P.O. Box
	777 BIG TIMBER ROAD

EPA I.D. Number (enter from page 1)

Secondary ID Number (enter from page 1)

NIMDIOIOIBO4294

VII. Operator Information (see instructions)

Name of Operator

SAFETY-KILBURN CORP.

Street or P.O. Box

777 BIG TIMBER ROAD

City or Town

State ZIP Code

ELGIN IL 60123

Phone Number (area code and number)

708-697-8460

B. Operator Type

P

C. Change of Operator Indicator

Yes

No

X

Date Changed

Month Day Year

12 21 89

VIII. Facility Owner (see instructions)

A. Name of Facility's Legal Owner

SAFETY-KILBURN CORP.

Street or P.O. Box

777 BIG TIMBER ROAD

City or Town

State ZIP Code

ELGIN IL 60123

Phone Number (area code and number)

708-697-8460

B. Owner Type

P

C. Change of Owner Indicator

Yes

No

X

Date Changed

Month Day Year

12 21 89

IX. SIC Codes (4-digit, in order of significance)

Primary

7389 BUSINESS SERVICES, N.E.C.

5172

Secondary

PETROLEUM PRODUCT WHOLESALE

Secondary

5084 INDUSTRIAL MACHINERY & EQUIPMENT

5013

Secondary

AUTOMOTIVE PARTS & SUPPLIES

X. Other Environmental Permits (see instructions)

A. Permit Type (enter code)

B. Permit Number

C. Description

EPA I.D. Number (enter from page 1)

Secondary ID Number (enter from page 1)

NIMD0000804294

**XI. Nature of Business (provide a brief description)**

THIS FACILITY INCLUDES A LOCAL SALES/SERVICE OFFICE AND ACCUMULATION/DISTRIBUTION WAREHOUSE AND TANKS FOR SPENT SOLVENTS AND ANTIFREEZE (WHICH ARE RECLAIMED BY SAFETY-KLEEN AT A DIFFERENT LOCATION) AND PRODUCTS (WHICH INCLUDE SMALL PARTS CLEANING EQUIPMENT, SOLVENTS, ANTIFREEZE, HAND CLEANER, FLOOR SOAP AND OTHER ALLIED PRODUCTS). SAFETY-KLEEN COLLECTS THE SPENT SOLVENT AND ANTIFREEZE FROM ITS CUSTOMERS ON A PERIODIC BASIS AND ACCUMULATES IT, EITHER IN A STORAGE TANK OR IN A CONTAINER STORAGE AREA. THE MAJORITY OF SAFETY-KLEEN'S CUSTOMERS ARE CONDITIONALLY EXEMPT SMALL QUANTITY GENERATORS. ONCE A SUFFICIENT QUANTITY OF SPENT MATERIAL IS COLLECTED, A TANKER TRUCK OR BOX TRAILER TRUCK IS DISPATCHED FROM A SAFETY-KLEEN RECLAMATION FACILITY TO COLLECT THE WASTE AND BRING IT TO THE RECLAMATION FACILITY FOR ITS MANAGEMENT.

**XII. Process - Codes and Design Capacities**

- A. **PROCESS CODE** - Enter the code from the list of process codes below that best describes each process to be used at the facility. Twelve lines are provided for entering codes. If more lines are needed, attach a separate sheet of paper with the additional information. If a process will be used that is not included in the list of codes below, then describe the process (including its design capacity) in the space provided in item XIII.
- B. **PROCESS DESIGN CAPACITY** - For each code entered in column A, enter the capacity of the process.
  - 1. **AMOUNT** - Enter the amount. In a case where design capacity is not applicable (such as air closure/post-closure or enforcement action) enter the total amount of waste for that process unit.
  - 2. **UNIT OF MEASURE** - For each amount entered in column B(1), enter the code from the list of unit measure codes below that describes the unit of measure used. Only the units of measure that are listed below should be used.
- C. **PROCESS TOTAL NUMBER OF UNITS** - Enter the total number of units used with the corresponding process code.

PROCESS CODE	PROCESS	APPROPRIATE UNITS OF MEASURE FOR PROCESS DESIGN CAPACITY	UNIT OF MEASURE CODE
<b>DISPOSAL:</b>			
D79	INJECTION WELL	GALLONS; LITERS; GALLONS PER DAY; OR LITERS PER DAY	G
D80	LANDFILL	ACRE-FEET OR HECTARE-METER	E
D81	LAND APPLICATION	ACRES OR HECTARES	U
D82	OCEAN DISPOSAL	GALLONS PER DAY OR LITERS PER DAY	L
D83	SURFACE IMPOUNDMENT	GALLONS OR LITERS	H
<b>STORAGE:</b>			
S01	CONTAINER (Barrel, drum, etc.)	GALLONS OR LITERS	V
S02	TANK	GALLONS OR LITERS	D
S03	WASTE PILE	CUBIC YARDS OR CUBIC METERS	W
S04	SURFACE IMPOUNDMENT	GALLONS OR LITERS	N
<b>TREATMENT:</b>			
T01	TANK	GALLONS PER DAY OR LITERS PER DAY	S
T02	SURFACE IMPOUNDMENT	GALLONS PER DAY OR LITERS PER DAY	J
T03	INCINERATOR	SHORT TONS PER HOUR; METRIC TONS PER HOUR; GALLONS PER HOUR; LITERS PER HOUR; OR BTU'S PER HOUR	A
T04	OTHER TREATMENT	GALLONS PER DAY; LITERS PER DAY; POUNDS PER HOUR; SHORT TONS PER HOUR; KILOGRAMS PER HOUR; METRIC TONS PER DAY; METRIC TONS PER HOUR; OR SHORT TONS PER DAY	C
			B
			A
			Q
			F



EPA I.D. Number (enter from page 1)

Secondary ID Number (enter from page 1)

NIMDIOIOIOBIO4294

**XIV. Description of Hazardous Wastes**

**A. EPA HAZARDOUS WASTE NUMBER** - Enter the four-digit number from 40 CFR, Part 261 Subpart D of each listed hazardous waste you will handle. For hazardous wastes which are not listed in 40 CFR, Part 261 Subpart D, enter the four-digit number(s) from 40 CFR, Part 261 Subpart C that describe the characteristics and/or the toxic constituents of these 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 constituent 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 constituent.

**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 XII A, on page 3 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 constituent entered in column A, select the code(s) from the list of process codes contained in Item XII A, on page 3 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 constituent.

**NOTE: THREE SPACES ARE PROVIDED FOR ENTERING PROCESS CODES. IF MORE ARE NEEDED:**

- Enter the first two as described above.
- Enter "00" in the extreme right box of Item XIV-D(1).
- Enter in the space provided on page 7, Item XIV-E, 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 (D(2)).

**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:

- 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.
- 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 "Inclosed with above" and make no other entries on that line.
- Repeat step 2 for each EPA Hazardous Waste Number that can be used to describe the hazardous waste.

**EXAMPLE FOR COMPLETING ITEM XIV** (shown in line numbers X-1, X-2, X-3, and X-4 below) - A facility will treat and dispose of an estimated 300 pounds per year of chrome sludge 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 HAZARD WASTE NO. (enter code)				B. ESTIMATED ANNUAL QUANTITY OF WASTE	C. UNIT OF MEASURE (enter code)	D. PROCESS								
	(1) PROCESS CODES (enter)						(2) PROCESS DESCRIPTION (if a code is not entered in D(1))								
X-1	1	K	0	5	4	300	P	T	0	3	0	0	0		
X-2	2	D	0	0	2	400	P	T	0	3	0	0	0		

EPA I.D. Number (enter from page 1)	Secondary ID Number (enter from page 1)
NIMDI01010181042194	

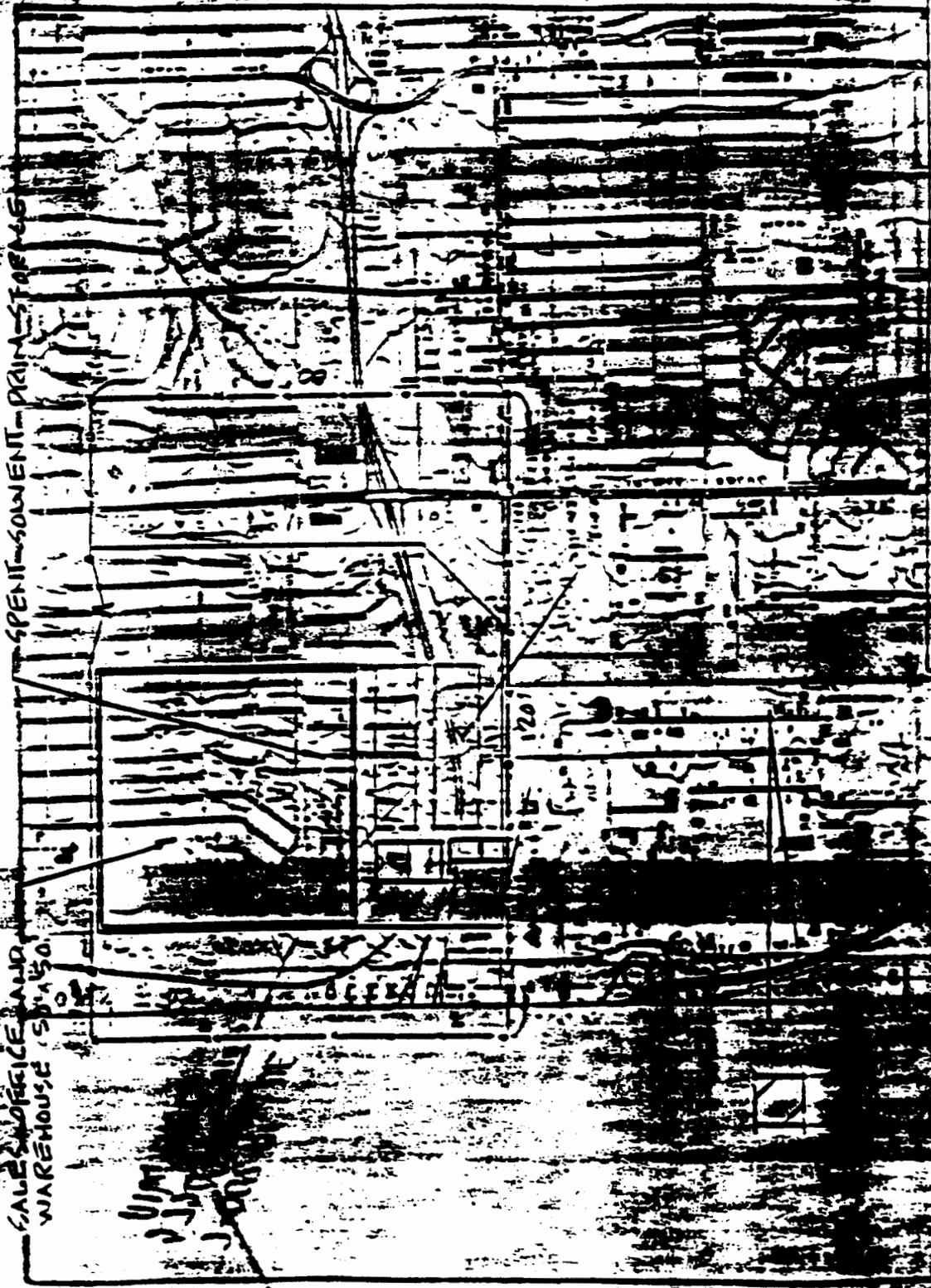
**XIV. Description of Hazardous Wastes (continued)**

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))							
1	D	0	0	1	610		S101	S102	
2	D	0	0	4					INCLUDED WITH ABOVE
3	D	0	0	5					INCLUDED WITH ABOVE
4	D	0	0	6					INCLUDED WITH ABOVE
5	D	0	0	7					INCLUDED WITH ABOVE
6	D	0	0	8					INCLUDED WITH ABOVE
7	D	0	0	9					INCLUDED WITH ABOVE
8	D	0	1	0					INCLUDED WITH ABOVE
9	D	0	1	1					INCLUDED WITH ABOVE
10	D	0	1	8					INCLUDED WITH ABOVE
11	D	0	1	9					INCLUDED WITH ABOVE
12	D	0	2	1					INCLUDED WITH ABOVE
13	D	0	2	2					INCLUDED WITH ABOVE
14	D	0	2	3					INCLUDED WITH ABOVE
15	D	0	2	4					INCLUDED WITH ABOVE
16	D	0	2	5					INCLUDED WITH ABOVE
17	D	0	2	6					INCLUDED WITH ABOVE
18	D	0	2	7					INCLUDED WITH ABOVE
19	D	0	2	8					INCLUDED WITH ABOVE
20	D	0	2	9					INCLUDED WITH ABOVE
21	D	0	3	0					INCLUDED WITH ABOVE
22	D	0	3	1					INCLUDED WITH ABOVE
23	D	0	3	2					INCLUDED WITH ABOVE
24	D	0	3	3					INCLUDED WITH ABOVE
25	D	0	3	4					INCLUDED WITH ABOVE
26	D	0	3	5					INCLUDED WITH ABOVE
27	D	0	3	6					INCLUDED WITH ABOVE
28	D	0	3	7					INCLUDED WITH ABOVE
29	D	0	3	8					INCLUDED WITH ABOVE
30	D	0	3	9					INCLUDED WITH ABOVE
31	D	0	4	0					INCLUDED WITH ABOVE
32	D	0	4	1					INCLUDED WITH ABOVE
33	D	0	4	2					INCLUDED WITH ABOVE









SALES OFFICE AND WAREHOUSE

SPENT SOLVENT - PAINT STORAGE

120



655 BIG TIMBER ROAD - ELGIN, ILLINOIS 60120

7790 GIRARD NE, ALBUQUERQUE  
1, 81107 (7-008-76)

PHONE 312-687-8000

SCALE 1" = 30'-0"  
OWN V.I.C. BY 145





**MODULE I**  
**GENERAL PERMIT CONDITIONS**

## 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, sec. 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 the 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, sec. 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, sec. 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, sec. 270.4(a) and 270.30(f))

**I.B.2. Permit Renewal**

This Permit may be renewed as specified in HWMR-6, Pt. IX, sec. 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, sec. 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 1003)

**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 Environmental 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.1 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, sec. 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, sections 270.10(h) and 270.30(b))

I.E.3. Permit Expiration

Pursuant to HWMR-6, Pt. IX, sec. 270.50, this Permit shall be effective for a fixed term not to exceed ten years. 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, sections 270.10, 270.13 through 270.29) and, through no fault of the Permittee, the Secretary has not issued a new Permit, as set forth in HWMR-6, Pt. IX, sec. 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, sec. 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, sec. 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, sec. 270.30(e))

I.E.7. Duty to Provide Information

The Permittee shall furnish to the Secretary, within a reasonable time, any relevant information which the Secretary 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 Secretary, upon request, copies of records required to be kept by this Permit. (HWMR-6, Pt. V, 40 CFR sec. 264.74(a); Pt. IX, sec. 270.30(h))

I.E.8. Inspection and Entry

Pursuant to HWMR-6, Pt. IX, sec. 270.30(i), the Permittee shall allow the Secretary, 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.16. 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 Secretary, the Permittee shall promptly submit such facts or information. (HWMR-6, Pt. IX, sec. 270.30(1)(11))

I.F. SIGNATORY REQUIREMENT

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

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

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

Secretary  
New Mexico Environment Department  
Harold Runnels Building  
1190 St. Francis Dr., P.O. Box 26110  
Santa Fe, New Mexico 87502

I.H. CONFIDENTIAL INFORMATION

In accordance with HWMR-6, Pt. IX, sec. 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. Prior to operation of the Double-Walled Underground Waste Solvent Storage Tank and its ancillary equipment, and the H-3 Flammable Storage Building, the Permittee shall submit as-built plans of both units and any ancillary equipment.

I.I.1.a. At a minimum, these plans for the Double-Walled Underground Waste Solvent Storage Tank and its components shall indicate:

- i. The design specifications of the Double-Walled Underground Waste Solvent Storage Tank and components design, as required in HWMR-6, Pt. V, sec. 264.192(a);

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 activity. The method used to obtain a representative sample of the waste to be analyzed must be the appropriate method from Appendix I of HWMR-6, Pt. II, or an equivalent method approved by the Secretary. Analytical methods must be those specified in Test Methods for Evaluating Solid Waste: Physical/Chemical Methods SW-846, Standard Methods of Wastewater Analysis, or an equivalent method, as specified in the Waste Analysis Plan (See Permit Attachment I-1). (HWMR-6, Pt. IX, sec. 270.30(j)(1))
- I.E.9.b. The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports and records required by this Permit, the certification required by HWMR-6, Pt. V, sec. 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 Secretary at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility. (HWMR-6, Pt. IX, sec. 264.74(b); Pt. IX, sec. 270.30(j)(2))
- I.E.9.c. Pursuant to HWMR-6, Pt. IX, sec. 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 names of 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 Secretary, as soon as possible, of any planned physical alterations or additions to the Permitted facility. (HWMR-6, Pt. IX, sec. 270.30(1)(1))

I.E.11. Reporting Anticipated Noncompliance

The Permittee shall give advance notice to the Secretary of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. (HWMR-6, Pt. IX, sec. 270.30(1)(2))

I.E.12. Certification of Construction or Modification

The Permittee may not commence storage of hazardous waste at the Container Storage--H-3 Flammable Storage Building and the Double-Walled Underground Waste Solvent Storage Tank until the Permittee has submitted to the Secretary, by certified mail or hand delivery, a letter signed by the Permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with the Permit; and

I.E.12.a. The Secretary has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the Permit; or

I.E.12.b. The Secretary has either waived the inspection or has not within 15 days notified the Permittee of his intent to inspect. (HWMR-6, Pt. IX, sec. 270.30(1)(2))

I.E.13. Transfer of Permits

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

I.E.14. Twenty-Four Hour Reporting

I.E.14.a. The Permittee shall report to the Secretary any spill, release, fire, explosion or other occurrence which involves a quantity of hazardous waste greater than one pound which escapes secondary containment, 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.14.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 Secretary may waive the five-day written notice requirement in favor of a written report within 15 days. (HWMR-6, Pt. IX, sec. 270.30(1)(6))

I.E.14.c. In addition to the requirements contained in Permit Conditions I.E.14.a. and b. above, any release to the environment from any part of a tank system (except a release of less than one pound which is immediately cleaned up) must be described in a written report submitted to the Secretary within thirty days of the discovery of the release. The report must contain, at a minimum:

- i. The likely route(s) of migration of the release;
- ii. The characteristics of the surrounding soil, including soil composition, geology, hydrology, and climate;
- iii. All available results of any monitoring or sampling conducted in connection with the release. If the results are not available, they must be submitted as soon as they become available.
- iv. The location of all downgradient drinking water supplies, surface water, and populated areas; and
- v. A description of all response actions taken or planned. (HWMR-6, sec. 264.196 (d)(3)).

I.E.14.d. If the Contingency Plan is implemented, the Permittee must comply with the reporting requirements listed in Permit Attachment II-6, page 2.

I.E.15. Other Noncompliance

The Permittee shall report all other instances of noncompliance, not otherwise required to be reported above, Permit Conditions I.E.1. and I.E.14., at the time monitoring reports are submitted. The reports shall contain the information listed in Permit Condition I.E.14.b. (HWMR-6, Pt. IX, sec. 270.30(1)(10))

- ii. An installation description, certified by a qualified underground storage tank specialist, as required by HWMR-6, Pt. V, sec. 264.192(b);
- iii. A description of the backfill material and support for the tank and ancillary equipment, as required by HWMR-6, Pt. V, secs. 264.192(c) and 264.192(e);
- iv. A description of the tightness tests performed and results obtained prior to being covered, as required by HWMR-6, Pt. V, sec. 264.192(d); and
- v. A description of the type and degree of corrosion protection recommended by an independent corrosion expert, as required by HWMR-6, Pt. V, sec. 264.192(f).

I.I.1.b. At a minimum, these plans for the H-3 Flammable Storage Building shall indicate:

- i. The dimensions of the building, including the secondary containment capacity as required by HWMR-6, Pt. V, sec. 264.175(b);
- ii. The aisle space as required by HWMR-6, Pt. V, sec. 264.35;
- iii. The location of the storage unit in relation to the property boundary in order to determine if there is a 50-foot buffer zone, as required by HWMR-6, Pt. V, sec. 264.176; and
- iv. The design specifications that address the general requirements for handling ignitable wastes, as required by local and federal fire codes and by HWMR-6, Pt. V, sec. 264.17.

#### **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, sec. 264.13 and this Permit.
- I.J.2. Inspection schedules, as required by HWMR-6, Pt. V, sec. 264.15(b)(2) and this Permit.
- I.J.3. Personnel training documents and records, as required by HWMR-6, Pt. V, sec. 264.16(d) and this Permit.
- I.J.4. Contingency Plan, as required by HWMR-6, Pt. V, sec. 264.53(a) and this Permit.
- I.J.5. Operating record, as required by HWMR-6, Pt. V, sec. 264.73 and this Permit.
- I.J.6. Closure Plan, as required by HWMR-6, Pt. V, sec. 264.112(a) and this Permit.
- I.J.7. Annually-adjusted cost estimate for facility closure as required by HWMR-6, Pt. V, sec. 264.142(d) and this Permit.
- I.J.8. All other documents required by Module I, Permit Condition E.9, and Module II, Permit Condition II.H.6., and Module III, Permit Condition III.B.3.a.ii.

**I.K. PERMIT CONSTRUCTION**

**I.K.1. Citation**

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

**I.K.2. Gender**

Whenever the pronoun "he" used in reference to the Secretary of the New Mexico Environment Department or the Permittee, it is to be read as "she" in any instance where the object of the reference is female.

**ATTACHMENT I-1**  
**WASTE ANALYSIS PLAN**

ATTACHMENT I-1

WASTE ANALYSIS PLAN

ABSTRACT

The hazardous wastes that may be stored at the Albuquerque Safety-Kleen Storage Facility are described in this section along with the procedures to ensure sufficient information is available for their safe handling and storage. All of the following information is submitted in accordance with the requirements of the New Mexico Hazardous Waste Management Regulations (HWMR-6, as amended 1990), Part IX, 40 CFR section 270.14(b).

Waste Description	EPA Waste Code Nos.	Facility Capacity <sup>1</sup>	Annual Amount <sup>2</sup>
Spent Mineral Spirits	D001 <sup>5</sup>	12,000	153
Bottom Sediment From the Tank	D001	N/A	2
Spent Immersion Cleaner Old Formula New Formula	F002, F004 <sup>5</sup> see <sup>5</sup>	6,048 <sup>3</sup>	14
Dry Cleaning Waste	F002 <sup>5</sup>		66
Paint Waste	D001, F003, F005 <sup>5</sup>	1,092 <sup>4</sup>	23
Dumpster Sediment	D001 <sup>5</sup>		2

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\* Footnotes at end of Attachment I-1

### I.1.1. DESCRIPTION OF WASTES

Six types of waste result from the servicing of Safety-Kleen customers and the maintenance of the service center. It should be noted that the solvents managed at this facility are only incompatible with strong oxidizers and reactive metals, none of which are present in the tanks, container storage areas, or the concrete sealant. The solvents are also compatible with one another.

If the amount of any waste code generated in a single calendar year exceeds the amount listed in the Abstract for each waste, the Permittee shall submit a report detailing the discrepancy to NMED and, if the increase in annual quantity is expected to be repeated, a permit modification application and a revised Part A form by March 1 of the following year.

#### I.1.1.1. Wastes Resulting From the Parts Washer Service

Spent mineral spirits from parts washers are accumulated in a 12,000 gallon underground double-walled storage tank via the return and fill station. 16- and 30-gallon drums containing seven and twelve gallons of solvent, respectively, are poured into a dumpster at the return and fill station which in turn empties into the tank. This waste handling method results in three types of mineral spirits waste:

- a. Spent mineral spirits solvent--The spent mineral spirits solvent is removed from the tank by a tanker truck on a scheduled basis. About 6,000-7,000 gallons are removed every two weeks. This waste is ignitable (D001) and toxic (D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, and D043) using the Toxic Characteristic Leaching Procedures (TCLP) for waste characterization.
- b. Bottom Sediment in the tank--Approximately once every two years, it is necessary to remove sediment and other heavy material from the bottom of the tank. A Safety-Kleen vacuum truck is used for this purpose and can collect up to 4,000 gallons of this waste for reclamation. The sediment is ignitable (D001) and toxic (D004, D005, D006, D007, D008, D009, D010, D011,

D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, and D043) using the TCLP for waste characterization.

- c. Dumpster sediment--Sediment also accumulates in the bottom of the dumpsters in the return and fill station. This sediment is removed manually with a shovel, drummed and the drums are stacked two-high in the enclosed H-3 Flammable Storage Building, used to store containerized ignitable waste. About ten gallons is stored in each 16-gallon drum and the drum is color-coded (red) to indicate its contents. The chemical composition of this waste is analogous to that of the bottom sediment from the tank.

Immersion cleaner remains in the drum in which it was originally used until it is received at the recycle center. Drums containing about four and one-half gallons of spent solvents are stacked two-high in the drum storage area of the warehouse. The old formula immersion cleaner contains chlorinated solvents (F002) and cresylic acid (F004). The spent solvent generated from the new immersion cleaner formula is toxic (D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, and D043) using the TCLP for waste characterization. The drums are color-coded gray.

#### I.1.1.2 Wastes Resulting From the Dry Cleaner Service

Dry cleaning wastes consist of spent filter cartridges, powder residue from diatomaceous or other powder filter systems and still bottoms. These wastes are packaged on the customer's premises in black 16- and blue 30- and 20-gallon drums with blue lock rings. The drums are then palletized, stacked two-high and placed in the drum storage area of the warehouse. While approximately 80% of the dry cleaning solvent used is perchloroethylene (F002), and toxic (D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, and D043) using the TCLP for waste characterization, about 17% is mineral spirits, (D001) and toxic (D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, and D043) and the remaining 3% is trichloro-trifluoroethane (F002). Any ignitable (D001) dry cleaning waste collected will be stored in the H-3 Flammable Storage Building.

### I.1.1.3. Paint Wastes

Paint wastes consist of various lacquer thinners (D001, F003, and F005) and is toxic (D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042 and D043) using the TCLP for waste characterization. The waste is collected in black 5-gallon pails and in 16-gallon drums at the customer's place of business and the containers are then palletized and stored in an enclosed concrete masonry shelter (the H-3 Flammable Storage Building). It is anticipated that this facility will ship 14,300 gallons of paint waste to an authorized reclaimer annually.

### I.1.2. QUALITY CONTROL PROCEDURES

The used solvents are the primary feedstocks for the generation of Safety-Kleen solvent products. As a result, quality control of the spent solvents is necessary to ensure that reclamation occurs in the safest and most efficient manner possible. The service center collects spent solvents from about 1,100 customers, most of whom are small quantity generators, and approximately fourteen thousand drums containing recoverable solvents are returned to the service center each year for shipment to a reclaimer. With such large numbers of waste generators and waste shipments, performing detailed analyses at the service center is economically and logistically infeasible.

Furthermore, as discussed earlier in the Facility Description, all the materials collected at the service center are managed at all times in the closed loop system and are collected from a company with a single process. The composition and quality of these materials are known and Safety-Kleen's operating experiences have shown that the collected materials rarely deviate from company specifications. As an additional safeguard, Safety-Kleen personnel are instructed to inspect all materials before returning them to the service centers. This mode of operation has been proven to safeguard the recycling process and maintain a quality product.

In accordance with HWMR-6, Pt V, sec. 264.13(a), Safety-Kleen will perform physical and chemical analysis of a waste stream when it is notified or has reason to believe that the process or operation generating the waste has changed, or when the result of inspection indicates that the waste collected does not match that designated. The customer's Standard Industrial Classification (SIC) code is listed on the placement contract when he starts Safety-Kleen's service and his use for the machine is determined by the sales representative to be appropriate at that time. Should the sales representative notice the machine is being used for a new purpose or the customer's

business changes, he must review this change with the customer and determine whether the new use is appropriate. It is Safety-Kleen's practice that suspected non-conforming material must not be accepted until a full analysis has been done or the material must be rejected. Procedures to verify waste characteristics occur at several check points in the management of the solvent, as described below.

Safety-Kleen controls the use and management of its solvents by:

1. limiting the solvents stored to those compatible with one another and their containers.
2. limiting the uses of each type of solvent (for example, dry cleaning waste is only collected from dry cleaner shops);
3. determining the customer's type of business (i.e., his SIC code is recorded) and the purpose for which he will use the machine.
4. training customers to use the machines properly;
5. training employees to inspect spent solvent and determine whether it is acceptable;
6. indicating on the service document, every time waste is collected, whether the spent solvent meets Safety-Kleen's acceptance criteria (See recycling center acceptance criteria description below);
7. marking each container with the customer's name, address and EPA I.D. number (if required). This information remains on containerized waste until it is accepted at the reclamation facility;
8. keeping a record of each incoming and outgoing shipment in the operating log at each facility; and,
9. waste shipments to the Denton Recycle facility from the Albuquerque, New Mexico branch are not mixed with waste shipments from other branches.

The Safety-Kleen Albuquerque Facility will maintain on file the recycling center's analytical results from the acceptance criteria tests described below, for each shipment of waste to the Safety-Kleen Recycling Centers. The analysis will include Primary Tests, Secondary Tests, and the Toxic Characteristic Leaching Procedures Test described below for each waste stream.

- (1) The tests for the Spent Mineral Spirits and associated tank bottom and dumpster sludges are:

Safety-Kleen Recycling Centers. The analysis will include Primary Tests, Secondary Tests, and the Toxic Characteristic Leaching Procedures Test described below for each waste stream.

- (1) The tests for the Spent Mineral Spirits and associated tank bottom and dumpster sludges are:

Primary Tests: Flash Point - verify greater than 90 F  
PCB Analysis

Secondary Tests: Volatile Organic Analysis  
Physical Appearance  
Specific Gravity  
pH  
Bottoms Sediment And Water (BS&W)  
Distillation Performance

In addition, the TCLP analysis results for Cadmium, Chromium and Lead will be provided.

- (2) The tests for the spent Immersion Cleaner Solvent are:

Primary Tests: Flash Point  
PCB Analysis

Secondary Tests Physical Appearance  
Specific Gravity  
pH  
% Water  
Distillation Performance  
Volatile Organic Analysis

In addition, the TCLP analysis results for Cadmium, Chromium and Lead will be provided.

- (3) The tests for the Dry Cleaning Solvent wastes are:

Primary Tests: Physical Appearance  
Volatile Organic Analysis

Secondary Tests: Specific Gravity  
pH  
PCB Analysis - GC (Residue Extract)

In addition, the TCLP analysis results for Cadmium, Chromium and Lead will be provided.

- (4) The analyses performed on each incoming load of paint wastes are pH, specific gravity, percentage solids, distillation and a GC screen used to determine that chlorinated solvents are not present.

Primary Tests: Flash Point - verify greater than 90 F

Secondary Tests: Volatile Organic Analysis  
Physical Appearance  
Specific Gravity  
pH  
Bottoms Sediment And Water (BS&W)  
Distillation Performance

In addition, the TCLP analysis results for Cadmium, Chromium and Lead will be provided.

(2) The tests for the spent Immersion Cleaner Solvent are:

Primary Tests: Flash Point

Secondary Tests Physical Appearance  
Specific Gravity  
pH  
% Water  
Distillation Performance  
Volatile Organic Analysis

In addition, the TCLP analysis results for Cadmium, Chromium and Lead will be provided.

(3) The tests for the Dry Cleaning Solvent wastes are:

Primary Tests: Physical Appearance  
Volatile Organic Analysis

Secondary Tests: Specific Gravity  
pH

In addition, the TCLP analysis results for Cadmium, Chromium and Lead will be provided.

(4) The analyses performed on each incoming load of paint wastes are pH, specific gravity, percentage solids, distillation and a GC screen used to determine that chlorinated solvents are not present.

Safety-Kleen's customers sign a service document containing the following information:

- a. the name, address and EPA I.D. number of the facility to which the waste is being shipped;
- b. the customer's name, address and EPA I.D. number (if required); and

- c. the description and amount of Safety-Kleen solvent waste generated.

In addition, each incoming and outgoing shipment is recorded in the facility's operating log.

If a waste is rejected at the time of service, the customer will be given a choice as to whether he will dispose of the waste himself or require Safety-Kleen's assistance. If he requests Safety-Kleen's assistance, a sample will be drawn using a Coliwasa tube and it will be analyzed for flash point and volatile organic compounds. If this analysis does not adequately define the constituents, additional analyses will be performed as necessary (e.g., for semi-volatile organic compounds, base-neutral compounds, PCBs, etc.). If the waste is acceptable at the branch, it will be relabeled and manifested appropriately and then managed with the other wastes. If it is not acceptable, it will either be:

- (a) managed on a 10-day transfer basis and manifested to a properly permitted reclamation or disposal facility, or
- (b) manifested and shipped directly to a properly permitted reclamation or disposal facility.

The recycle center located in Denton, Texas sends waste analyses to the service centers. If any sample of the waste solvent does not meet standard acceptance criteria, the recycle center will phone the branch manager and alert him to the situation before any processing is done. The branch manager has the right to refuse any further service to a business which has returned waste unable to meet acceptable criteria. If the particular acceptance criteria is not met, a determination will be made as to what processing technology is required. The material is processed accordingly which may include transportation to another facility. Each truckload of spent mineral spirits comes from one identifiable Safety-Kleen facility. The recycle center and the branch facility have accurate up-to-date information on the waste constituents which are available in the event of a release.

### I.1.2.1. Qualitative Waste Analysis

#### a. General Inspection Procedures

Safety-Kleen visually inspects each drum of waste when it is collected at the customer's location. Safety-Kleen examines the waste for volume, appearance, consistency and odor and is intimately familiar with the characteristics of the waste it receives. Based on the known waste characteristics Safety-Kleen has established the specific acceptance criteria set forth below to be used by Safety-Kleen personnel in their visual inspections. These acceptance criteria allow Safety-Kleen to ensure that the waste being picked up is not contaminated.

If a particular drum of waste does not meet the acceptance criteria, the Safety-Kleen service representative will either

(1) sample the waste for testing at a Safety-Kleen laboratory, as described below, to determine whether the waste has been contaminated; or

(2) reject the drum of waste. In the event the waste is not sampled, Safety-Kleen will notify the generator's State Agency that is authorized to implement the RCRA hazardous waste management program (or EPA if the RCRA program has not been delegated to the State).

If the waste is sampled for further analysis, the service representative will take a sample of the waste and then seal the drum and label it as hazardous waste. The drum is left with the customer pending the results of the laboratory tests. The laboratory testing involves analyzing the suspect waste for flash-point and the presence of volatile organic compounds using a modified EPA 8010 method (GC analysis). The costs of any sampling and testing performed as a result of the waste failing to meet the acceptance criteria, will be borne by the customer.

If the laboratory analysis reveals that the sampled waste is not contaminated, Safety-Kleen will accept the waste from the customer.

If the laboratory confirms that the waste is contaminated, the generator will be responsible for securing an alternate means of disposal. In the event the generator does not contract with Safety-Kleen to arrange for the treatment or disposal of waste which is sampled and found to be contaminated, Safety-Kleen will provide the generator's State Agency that is authorized to implement the RCRA hazardous waste management program (or EPA if the RCRA program has not been delegated to the State) with the results of this additional quantitative testing.

## b. Waste Specific Criteria

The following is a description of the specific acceptance criteria for each waste stream.

### I. Spent Mineral Spirits Solvent

The acceptance criteria for determining by visual inspection whether spent mineral spirits solvent has been contaminated are volume, odor and color, the most significant of which is volume. Spent mineral spirits solvent is collected in 30- and 16-gallon drums which, if no additional material has been added to the waste, should not hold more than 19- and 10-gallons respectively. If the volume of waste in a given drum exceeds the specified level, the Safety-Kleen service representative will sample the waste for laboratory testing as described above, or will reject the waste.

In addition to the volume criterion, the odor of the spent solvent will clearly indicate whether the waste has been contaminated. Spent mineral spirits solvent has a very distinctive odor. The service representatives are expressly instructed not to deliberately sniff the waste. However, if the mineral spirits solvent has been contaminated the service representative would immediately notice a difference in the odor when he services the machine.

The spent mineral spirits solvent is also visually inspected for its color. Unused mineral spirits solvent has a greenish tint. As the solvent is used, it turns brown in color. The more it is used, the darker brown it becomes, until it is almost black. Therefore, if the spent solvent does not appear to be green, brown, or black, the service representative will sample the waste for possible contamination as described above, or will reject the waste.

### II. Immersion Cleaner

Safety-Kleen is currently in the process of reformulating its immersion cleaner. The new immersion cleaner formulation became a hazardous waste when the Toxic Characterization Leaching Process (TCLP) regulations became effective.

#### A. Existing Immersion Cleaner

The criteria for the inspection of spent immersion cleaner are volume, color and physical state. There should be no more than 6 gallons of waste per 16-gallon drum of waste collected, a sample will be tested for contamination following the procedures described above or the waste will be rejected.

Unused immersion cleaner is amber in color. As the solvent is used, it turns brown in color. The more it is used, the darker brown it becomes, until it is almost black. Therefore, if the spent immersion cleaner does not appear to be amber, brown or black, the service representative will either sample the waste for possible contamination as described above, or reject the drum of waste.

The drum of spent immersion cleaner should contain two phases, an aqueous phase and a solvent phase. The aqueous phase should compose approximately 20% of the total volume of waste. If the waste is not separated into phases, or if the aqueous phase is greater than 20%, the service representative will either sample the waste for possible contamination as described above, or will reject the waste.

#### B. New Immersion Cleaner

In the event the new immersion cleaner is determined to be a hazardous waste, the acceptance criteria and respective descriptions will be the same as those for the existing immersion cleaner, with the exception of the physical state criterion. The new immersion cleaner waste will not have phases, therefore, this criterion is not applicable.

### III. Dry Cleaner Wastes

Dry cleaner wastes consist of spent filter cartridges, powder residue and still bottoms.

#### A. Spent Filter Cartridges

Spent Filter cartridges are placed in either a 15-gallon ("split 30") drum which holds 3 cartridges or a 16-gallon drum which holds either 1 jumbo filter cartridge or 2 smaller filter cartridges. It is obvious to the service representative whether the items in the drums are filter cartridges.

The drums may also contain approximately one inch of liquid which should either be clear or have a light brownish tint. If the amount of the liquid is greater than approximately one inch or if the liquid is a color other than light brown, the service representative will sample the waste for contamination in accordance with the procedures described above, or will reject the waste.

#### B. Powder Residue

The criteria for the acceptance of powder residue are consistency and color, the former being the more significant criterion of the two. A drum of powder residue should not contain any liquid. As the name implies, it will be dry or

"powdery" to the touch. if there is any liquid in the drum, the waste will be sampled for contamination in accordance with the procedures described above, or the waste will be rejected.

The powder residue is also inspected for color and should appear to be grayish-black. If the residue is not grayish-black in color, the service representative will sample the waste for contamination in accordance with the procedures described above, or will reject the waste.

#### C. Still Bottoms

The criteria for the acceptance of dry cleaning still bottoms are consistency and color. The waste should have a highly viscous, tar-like consistency. If the consistency of the waste is too thin or if there is more than one inch of free liquid in the drum, the waste will be sampled for contamination in accordance with the procedures described above, or will be rejected.

In addition to consistency, the still bottom waste is inspected for color. The waste should appear dark brown or black in color. If the waste is a different color, a service representative will sample the waste for contamination in accordance with the procedures described above, or will reject the waste.

### IV. Paint Wastes

Safety-Kleen handles both lacquer thinner waste generated from the paint gun cleaning process and paint waste.

#### A. Lacquer Thinner Waste

The significant criterion for determining whether lacquer thinner waste will be accepted is volume. The solvent is provided to customers in 5-gallon pails. The paint gun cleaning machine operates as a closed system whereby there should never be a combined volume of more than 7-1/2 gallons of solvent in the two collection pails. The solvent is pumped from a tube in a left hand pail (facing the machine) through the machine into a right hand pail. The tube in the left hand pail extends exactly half way into the pail (i.e. to the 2-1/2 gallon mark). The left hand pail starts with 5 gallons of clean solvent which will be pumped out as the machine is used to clean the spray guns. This process will continue until the left hand pail contains 2-1/2 gallons of solvent. Any solvent above 2-1/2 gallons remaining in the left hand pail at the time of servicing will be pumped through the machine into the right hand pail by the Safety-Kleen service representative. Therefore, when the machine is serviced, the right hand pail will always contain 5 gallons of solvent. If

a service representative discovers more than a total of 7-1/2 gallons of solvent in the two pails or there is an overflow from the right hand pail, the waste will be sampled for contamination in accordance with the procedures described above, or the waste will be rejected.

#### B. Paint Waste

The significant criterion for the inspection of paint waste is consistency. The waste should contain no more than 30 percent solids. The service representative will insert a long glass tube into the drum. The tube should glide easily down to the bottom of the drum. If there is resistance to the insertion of the glass tube, it is assumed that the level of solids is in excess of 30 percent and the service representative will reject the waste.

The contents of the glass tube are also visually examined for consistency and water content. The material should be a "free flowing" liquid, but should not contain a significant amount of water. If there is more than approximately 10 inches of water in the 3 foot tube (the water and paint will separate in the tube and thus can be measured) the waste will be rejected.

### I.1.3 WASTE ANALYSES AT THE RECYCLE CENTER

Analyses performed at the Safety-Kleen recycle centers are undertaken to safeguard the recycling process and to assure the product quality. The following tables in Appendix A summarize a typical waste analysis plan practiced at the recycle center for the hazardous materials returned from the service center:

Table D-1	Parameters and Rationale for Hazardous Waste Selection
Table D-2	Parameters and Test Methods
Table D-3	Methods Used to Sample Hazardous Wastes
Table D-4	Frequency of Analysis

A profile of the paint waste and all additional analyses are maintained in the branch office files. It will be reanalyzed when the reclaimer to whom it is shipped requests reanalysis or when a change in the use of the product occurs.

Copies of all analysis performed at the Safety-Kleen recycling centers, or other laboratories, will be maintained at the Albuquerque branch office.

#### I.1.4. WASTE ANALYSIS PLAN UPDATE

This waste analysis plan will be modified when a new waste product is collected or when sampling and material management methods change. Revision of the plan is the responsibility of the Environment, Health and Safety Department at Safety-Kleen's Corporate Office in Elgin, Illinois.

#### I.1.5. LAND BAN NOTIFICATION/CERTIFICATION FORMS

In accordance with HWMR-6, Pt. VIII, sec 268.7, Safety-Kleen will provide notification/certification for wastes banned from landfills as follows:

1. Printing the Notice language on manifests-such as for core-business customers to branch shipments; or
2. Special forms for each regularly handled waste types (e.g., MS, IC, perc, freon); or
3. A general form that must be completed for unique or non-standard waste streams. These wastes will only be handled on a transfer basis in accordance with HWMR-6, Pt. IV, sec. 263.12.

The notice is required paperwork for all Safety-Kleen waste types. Shipments lacking the proper Notice will not be accepted by any Safety-Kleen facility. When a shipment with the proper Notice is received, the Notice is kept in the files of the receiving facility with the manifest or with the pre-print if a manifest is not used.

#### I.1.6. OPERATING LOG

Safety-Kleen maintains an operating log on-site which includes the following information as it becomes available:

- (1) A description and the quantity of each hazardous waste received, and the method and date of its storage as required by HWMR-6, Pt. V, sec. 264, Appendix I;
- (2) The location of each hazardous waste within the facility and the quantity;
- (3) Records and results of waste analyses performed;
- (4) Summary reports and details of all incidents that require implementing the contingency plan;
- (5) Records and results of inspections;
- (6) Monitoring, testing or analytical data, and corrective action where required;
- (7) For off-site facilities, notices to generators as specified in HWMR-6, Pt. V, sec. 264.12(b);
- (8) All closure and post-closure cost estimates;

- (9) A certification by the permittee no less often than annually, that the permittee has a program in place to reduce the volume and toxicity of hazardous waste;
- (10) The land ban notices and requirements.

These records are kept on file in the branch manager's office.

Footnotes from page 1:

1. The facility capacity is in gallons.
2. The annual amount is in thousands of gallons.
3. The total amount of drummed waste stored in the east side of the warehouse will not exceed 2,592 gallons and the total amount of drummed waste stored in the west side of the warehouse will not exceed 3,456 gallons (a total of 6,048).
4. The total amount of ignitable wastes stored in the H-3 Flammable Storage Building will not exceed 1.092 gallons.
5. and D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D32, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, and D043.

ATTACHMENT I-1

APPENDIX A

*Uranium In acetates*

TABLE D-1  
PARAMETERS AND RATIONALE  
FOR HAZARDOUS WASTE ANALYSES

<u>HAZARDOUS WASTE</u>	<u>PARAMETER</u>	<u>RATIONALE</u>
1. Used Mineral Spirits	Flash Point Toxicity Characteristic Leaching Procedure	(Ignitable characteristic (D001). Contains components which exceed the concentrations stipulated under 40 CFR 261.24 ( <u>EXCEPT</u> pesticide compounds)
2. Mineral Spirits Tank Bottom Sediment and Free Water	Flash Point Toxicity Characteristic Leaching Procedure	The sediment has a flash point of less than 140°F (D001) and the Contains components which exceed the concentrations stipulated under 40 CFR 261.24 ( <u>EXCEPT</u> pesticide compounds)
3. Mineral Spirits Dumster Sediment	Same as 2.	Same as 2.
4. Used Immersion Cleaner (old formula) (new formula)	Methylene Chloride Ortho-dichlorobenzene Cresylic Acid Toxicity Characteristic Leaching Procedure	Formula contains these components: F002 and F004  Contains components which exceed the concentrations stipulated under 40 CFR 261.24 ( <u>EXCEPT</u> pesticide compounds)
5. Dry Cleaning Wastes (including filter cartridges, filter powder from diatomaceous earth filters, other filter powders and still bottoms)	Perchloroethylene 1,1,2-trichloro- 1,2,2-trifluoroethane Toxicity Characteristic Leaching Procedure	Contains either of these components: F002  Contains components which exceed the concentrations stipulated under 40 CFR 261.24 ( <u>EXCEPT</u> pesticide compounds)  If a mineral spirits solvent is used to dry clean, it may be ignitable. Contains components which exceed the concentrations stipulated under 40 CFR 261.24 ( <u>EXCEPT</u> pesticide compounds)
6. Paint Wastes	Flash Point Toxicity Characteristic Leaching Procedure	Contains these components: F003, F009
	Toluene, xylene, methyl ethyl ketone, methyl iso butyl ketone, acetone, isooctanol, methanol, ethanol, normal butyl acetate, iso butyl acetate, Toxicity Characteristic Leaching Procedure	Contains components which exceed the concentrations stipulated under 40 CFR 261.24 ( <u>EXCEPT</u> pesticide compounds)

TABLE D-2

PARAMETERS AND TEST METHODS

<u>Parameter</u>	<u>Test Method</u>	<u>Reference</u>
Flash Point	Setaflash closed cup tester	U.S. EPA Method 1020, (ASTM Method D327-78).
Boiling Range (to determine % water, mineral spirits and other solvents)	Distillation of Petroleum	ASTM Method D86-78.
API Gravity	Hydrometer method	ASTM Standard D287-67.
TCLP	TCLP test procedure	U.S. EPA Method 1310 or an equivalent method.
Hydrocarbons and Volatile Organics	Gas Chromatography (GC)	U.S. EPA Methods 8010, 8015, 8020 and 8120.

TABLE D-3

METHODS USED TO SAMPLE HAZARDOUS WASTES

<u>Hazardous Waste</u>	<u>Reference for Sampling</u>	<u>Description of Sampling Method</u>	<u>Sampler</u>
Used Mineral Spirits	Sampling a tank "Samples & Sampling procedures for Hazardous Waste Streams" EPA-600/2-80-018	Test Methods for the Evaluation of Solid Waste Physical/Chemical Methods, S0846, U.S. EPA Section 1.2.1.1	For tanks - Collwasa Tube
Mineral Spirits Tank Bottom Sediment and free water	Same as number 1	Same as number 1	Same as number 1
Mineral Spirits Dumpster Sediment	Sampling a drum "Samplers & Sampling Procedures for Hazardous Waste Streams" EPA-600/2-80-018	Same as number 1	Representative composite sample using a Collwasa tube
Used Immersion Cleaner	Same as number 3	Same as number 1	Same as number 1
Dry Cleaning Wastes	Same as number 3	Same as number 1	Same as number 3
Paint Waste	Same as number 3	Same as number 1	Same as number 3

\* The collwasa tube will be used for all liquid samples

TABLE D-4

## FREQUENCY OF ANALYSIS

<u>Hazardous Waste</u>	<u>Analyses*</u>	<u>Frequency</u>
Used Mineral Spirits	Flash Point TCLP**	At least annually " " "
Mineral Spirits Tank Bottom Sludge and Free Water	Flash Point TCLP	At least annually " " "
Mineral Spirits Dumpster Mud	Flash Point TCLP	At least annually " " "
Used Immersion Cleaner (old formula)	Methylene Chloride Orthodichlorobenzene Cresylic Acid	At least annually " " " " " "
(new formula)	TCLP	" " "
Dry Cleaning Wastes (including filter cartridges, filter powders from diatomaceous earth filters, filter powders from other systems and still bottoms)	Perchloroethylene 1,1,2-trichloro- 1,2,2-trifluoroethane Flash Point TCLP	At least annually " " " " " " " " " " " "
Paint Wastes	Toluene, xylene, methyl ethyl ketone, methyl iso butyl ketone, acetone, isopropanol, methanol, ethanol, normal butyl acetate, iso butyl acetate, cadmium chromium, lead TCLP	At least annually " " "

**MODULE II**  
**GENERAL FACILITY CONDITIONS**

## 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, Part V, sec. 264.31. The Permittee shall maintain the structures and equipment and follow the procedures described in Permit Attachment II-1.

### 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, sec. 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. (HWMR-6, Pt. V, sec. 264.12(b))

### II.C. GENERAL WASTE ANALYSIS

The Permittee shall follow the waste analysis procedures required by HWMR-6, Pt. V, sec. 264.13, as described in the attached Waste Analysis Plan, Permit Attachment I-1.

The Permittee shall verify the analysis of each waste stream annually as part of its quality assurance program, in accordance with Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, EPA Publication SW-846, 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, then 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, sec. 264.14(b)(2), 264.14(c) and Permit Attachment II-2.

**II.E. GENERAL INSPECTION REQUIREMENTS**

The Permittee shall follow the inspection schedule set out in Permit Attachment II-3. The Permittee shall remedy any deterioration or malfunction discovered by an inspection, as required by HWMR-6, Pt. V, sec. 264.15(c). Records of inspection shall be kept, as required by HWMR-6, Pt. V, sec. 264.15(d) and by Module I, Permit Condition I.J.2.

**II.F. PERSONNEL TRAINING**

The Permittee shall conduct personnel training, as required by HWMR-6, Pt. V, sec. 264.16. This training program shall follow the attached outline, Permit Attachment II-4. The Permittee shall maintain training documents and records, as required by HWMR-6, Pt. V, sec. 264.16(d) and (e), and Permit Condition I.J.3.

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

The Permittee shall comply with the requirements of HWMR-6, Pt. V, sec. 264.17(a). The Permittee shall follow the procedures for handling ignitable, reactive, and incompatible wastes set forth in Permit Attachment II-5.

**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 the Contingency Plan, Permit Attachment II-6, as required by HWMR-6, Pt. V, sec. 264.32.

II.H.2. Testing and Maintenance of Equipment

The Permittee shall test and maintain the equipment specified in Permit Condition II.H.1, as necessary, to assure its proper operation in time of emergency, as required by HWMR-6, Pt. V, sec. 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, sec. 264.34.

II.H.4. Required Aisle Space

At a minimum, the Permittee shall maintain aisle space, as required by HWMR-6, Pt. V, sec. 264.35 and the attached plans and specifications, Permit Attachment II-1.

II.H.5. Arrangements with Local Authorities

The Permittee shall maintain arrangements with state and local authorities, as required by HWMR-6, Pt. V, sec. 264.37. If state or local officials refuse to enter into preparedness and prevention arrangements with the Permittee, the Permittee must document this refusal 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 in storage.

II.I. CONTINGENCY PLAN

II.I.1. Implementation of Plan

The Permittee shall immediately carry out the provisions of the Contingency Plan, Permit Attachment II-6, 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, sec. 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, sec. 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, sec. 264.55.

II.J. MANIFEST SYSTEM

The Permittee shall comply with the manifest requirements of HWMR-6, Pt. V, sections 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, in accordance with HWMR-6, Pt. V, sec. 264.73.

II.K.2. Biennial Report

The Permittee shall comply with the biennial reporting requirements of HWMR-6, Pt. V, sec. 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, sec. 264.111 and in accordance with the Closure Plan, Permit Attachment II-7.

II.L.2. Amendment to Closure Plan

The Permittee shall amend the Closure Plan, in accordance with HWMR-6., Pt. V, sec. 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 final closure of the facility as required by HWMR-6, Pt. V, sec. 264.112(d).

II.L.4. Time Allowed For Closure

After receiving the final volume of hazardous waste, the Permittee shall treat, remove from the unit or facility all hazardous waste and shall complete closure activities, in accordance with HWMR-6, Pt. V, sec. 264.113 and the schedules specified in the Closure Plan, Permit Attachment II-7.

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, sec. 264.114 and the Closure Plan, Permit Attachment II-7.

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, sec. 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 cost estimate, based on the closure plan contained in Permit Attachment II-7 and prepared in accordance with HWMR-6, Pt. V, secs. 264.142 and 264.197(c)(3).

II.M.2. The Permittee must adjust the closure cost estimate annually for inflation in accordance with the requirements of HWMR-6, Pt. V, sec. 264.142(b).

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

II.M.4. The Permittee must keep at the facility the latest closure cost estimate as required by HWMR-6, Pt. V, sec. 264.142(d).

**II.N. FINANCIAL ASSURANCE FOR FACILITY CLOSURE**

The Permittee shall demonstrate continuous compliance with HWMR-6, Pt. V, sec. 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 HWMR-6, Pt. V, sec. 264.143 for the financial assurance mechanism(s) selected. This submission must be made at the time specified in HWMR-6, Pt. V, sec. 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 the amount as required by Permit Condition II.M above, must be approved in advance by the Secretary as required by HWMR-6, Pt. V, sec. 264.143.

**II.O. LIABILITY REQUIREMENTS**

The Permittee shall demonstrate continuous compliance with the requirement of HWMR-6, Pt. V, sec. 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. This demonstration must be made by submitting a 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, Pr.. V, sec. 264.151(i) or (j).

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

The Permittee shall comply with HWMR-6, Pt. V, sec. 264.148, whenever necessary.

**II.Q.        REQUIREMENTS FOR RELEASES**

**II.Q.1.    Releases from the Container Storage Area or Tank Storage Area**

If, based on information contained in reports required by Module I, Permit Conditions I.E.14.a.,b.,c., and d., and Module IV, Permit Condition IV.G.2., the Secretary determines that a release from the container or tank 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 V, Section F.

**ATTACHMENT II-1**

**WASTE MANAGEMENT, PREPAREDNESS AND PREVENTION PROCEDURES**

## **ATTACHMENT II-1**

### **WASTE MANAGEMENT, PREPAREDNESS AND PREVENTION PROCEDURES**

#### **ABSTRACT**

This section describes the waste management procedures at the Albuquerque Safety-Kleen facility used to minimize the possibility of a fire, explosion, or any unplanned, sudden, or non-sudden release of hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment. The following information is submitted in accordance with the requirements of the New Mexico Hazardous Waste Management Regulations (HWMR-6), Part V, section 40 CFR 264.31.

#### **II.1.1. DESCRIPTION OF BUSINESS ACTIVITY**

Safety-Kleen Corp. is an international service-oriented company whose customers are primarily engaged in automotive repair, industrial maintenance and dry cleaning. The company has been operating since 1968 offering solvent collection and reclamation services for its 400,000 customers, more than 99% of whom generate less than 1000 kilograms (2200 pounds) per month. In 1989, Safety-Kleen reclaimed more than 40 million gallons of spent solvent.

Currently, Safety-Kleen offers five services, three of which involve the accumulation and storage of spent solvent at 164 service centers in 46 states. These wastes are shipped from the service centers to one of seven Safety-Kleen recycle centers or to an independent reclaimer and are then returned to customers as usable product. A unique feature of this system is that Safety-Kleen retains ownership of the parts cleaning machines and the solvent. This "closed loop" system allows the Company to maintain control of the solvent except while it is in use at the customer's place of business. A description of each of these three services follows.

##### **II.1.1.1. Parts Cleaner Service**

The original service offered by the Company in 1968 was the parts cleaner service and it remains the primary business activity. This service involves the leasing of a small parts degreasing unit which consists of a sink affixed to a 16- or 30-gallon drum containing Safety-Kleen 105 Solvent (mineral

spirits). On a regularly scheduled basis, a Safety-Kleen sales representative cleans and inspects the parts washer machine and replaces the drum of used solvent with one of clean product. Each sales representative performs about fifteen of these services per day, collecting the drums of used solvent on a route van.

At the end of each day, the solvent is transferred from the drums to a storage tank at the service center and drums of product are prepared for the next day's services. Periodically, a tanker truck is dispatched from one of the recycle centers to deliver a load of clean solvent and collect the spent solvent at the service center. Two-thirds of the solvent used by Safety-Kleen customers has been reclaimed with the remainder being purchased from a vendor.

Safety-Kleen has also established a parts cleaner service for users who own their machines. This service, known as the Customer Owned Machine Service, provides a solvent reclamation service to these customers regardless of machine model. The used solvent is pumped (using a hand pump) from the customer owned machine to a standard Safety-Kleen 16- or 30- gallon drum by a Safety-Kleen sales representative. The waste solvent is stored in the same manner as the waste cleaner solvent collected from our leased parts cleaner machines. The sales representative then refills the customer-owned machine with drummed Safety-Kleen mineral spirits solvent via the hand pump. The same analyses are performed on waste solvent from customer-owned machines as are down-leased parts cleaner machines.

A second type of parts washer, the immersion cleaner, is available for the removal of varnish and gum from such things as carburetors and transmissions. This machine consists of an immersible basket with an agitator affixed to a 16-gallon drum containing a chlorinated solvents/cresylic acid blend. The spent solvent remains in the drum after delivery to the service center where it is stored in a contained area of the warehouse. Periodically, a box trailer truck is dispatched from a recycle center to deliver drums of fresh solvent and collect the drums of spent solvent for reclamation.

#### **II.1.1.2. Dry Cleaner Service**

In 1984, Safety-Kleen began offering a service for the collection of filter cartridges and still bottoms contaminated with dry cleaning solvents (usually perchloroethylene). These wastes are drummed on the customer's premises and are periodically collected by a sales representative. The drummed waste is accumulated in a contained area of the warehouse for shipment to a Safety-Kleen recycle center. About 35% of this waste is returned to dry cleaners as usable product.

### **II.1.1.3. Paint Waste Collection Service**

In 1986, a paint waste reclamation program was initiated to service automobile body repair businesses. Wastes containing various thinners and paints are collected in 5-gallon pails and 16-gallon drums on the customer's premises. The sales representative collects these containers and stores them in an enclosed concrete masonry shelter which is separate from the office/warehouse. These wastes are periodically shipped to a reclaimer and the regenerated solvent is distributed to Safety-Kleen customers for use as product.

### **II.1.2. FACILITY DESIGN**

The Albuquerque service center was designed to minimize the possibility of spills or fires and to minimize the effects of any accidents which may occur. Specifications for the storage facilities, secondary containment and other equipment are in Appendix A and descriptions follow.

#### **II.1.2.1. Tank Storage**

The 12,000 gallon storage tank is 8 ft in diameter and 32.5 ft long. It is constructed of 1/4" thick carbon steel and is double-walled. It is constructed in accordance with Underwriter's Laboratories Standard 58 and is located more than 5 feet from the building foundation, in accordance with NFPA requirements. A liquid-sensing leak detector is between the two walls, and must be checked daily (see Sheet 1 of 3 of drawing D13617).

The exterior of the outside tank is coated with a plastic-fiberglass mixture so that no metal is exposed and the tank is isolated from electrical currents.

A manually controlled waste-feed cut-off valve located adjacent to the wet dumpsters at the return and fill station can prevent the tank from being overfilled. The tank is equipped with an aural (siren) and visual (strobe light) high-level alarm system which will alert employees when the tank is approximately 600 gallons from being full. The 300 gpm pump on the tanker truck can be turned off immediately when the alarm sounds. A manual button can be used to test the alarm to insure the system is operable. The fill pipes are secondarily contained to prevent spills during loading and unloading operations.

The return and fill station is a cinder block structure, the secondary containment is comprised of a sloping, sealed, reinforced concrete floor with curbing and a blind sump, and the dumpster is a sheet-steel structure. The dumpsters are tight piped to the tank and all piping is provided with secondary

conainment. Piping within the secondary containment of the return and fill station can be assembled with threaded joints. Underground piping is double-walled and provided with leak detection at the tank manway.

The following procedures are followed when loading and unloading solvent into the tanks:

1. Secure the tractor-trailer for unloading or loading in a location which has easy access to the pump or curb side of the unit. Set brakes, engage governor and hook up grounding equipment.
2. Check available tank volumes via gauges or measure with a stick to verify that there is enough volume to transfer each load safely and prevent overfills. Leave all hatches open on storage tanks and on the tanker truck.
3. Make hose connections between storage tank and tanker truck in proper sequence (i.e., to empty vessel first). Double check to insure all connections are tight and locked.
4. Engage pump and move clean product to storage tank. Check for leaks along hose, piping and at connections. If a leak is noted, stop the operation immediately and make repairs or make arrangements for repairs.
5. Check the available tanker truck volume. Reverse hose connections and move dirty solvent from storage to tanker truck. (Again, check for leaks and repair as needed).
6. Drain all hoses before disconnecting to prevent spills.
7. In the event of a spill, follow the emergency procedures outlined in the Contingency Plan.
8. Check all paperwork; document proper quantities of material delivered and picked up. Insure all manifests, bills of lading and other related paperwork are in order.

In the event of a spill or leak, the procedures described in the Contingency Plan will be followed. A minor spill will be handled as described in Attachment II.6., section II.6.3.1 and a major spill as in section II.6.3.2. All accumulated material will be pumped to the used solvent storage tank. Any solvents or oil dry used in the cleanup will be containerized, labeled and handled as hazardous waste. All equipment used will be

decontaminated and the rinse water will be handled as a hazardous waste.

#### **II.1.2.2. Drum Storage**

The slab, curbing and collection trenches for the drum storage areas in the warehouse are made of steel-reinforced concrete and the concrete has been poured so that no cracks or gaps exist between them. The curbing is four inches high and six inches wide and encompasses the storage area except where there is a trench. Steel grates cover the trench to facilitate the movement of drums across it. The concrete is coated with chemical-resistant epoxy and urethane so as to be impermeable. The solvents in storage are only incompatible with strong oxidizers and reactive metals, none of which are present in the base or sealants. Ignitable wastes in containers are stored at least fifty (50) feet from the property line.

The H-3 Flammable Storage Building wall construction is of concrete masonry. Secondary containment is provided by epoxy sealed, reinforced concrete floors sloping toward a blind sump. It is painted light colors (white and beige) to reflect sunlight and provided with an exhaust fan to prevent extremely high temperatures and an accumulation of fumes. An overhead door secures the shelter when drums are not being added to or removed from it.

#### **II.1.2.3. Compatibility of Containers with their Contents and Each Other**

The mineral spirits, immersion cleaner, dry cleaning waste and paint wastes are compatible with the drums in which they are stored; in fact, mineral spirits are sometimes used as a rust-preventive coating for steel. Immersion cleaner, mineral spirits, and paint waste are stored in steel drums.

Dry cleaning wastes are stored in blue steel and black polyethylene drums both of which are DOT-approved containers. The polyethylene drums have been treated with fluorine gas to be resistant to dry cleaning solvents.

Immersion cleaner and dry cleaner waste are never opened at the branch facility. Containers in the warehouse will be placed on pallets to facilitate storage shipping.

Since none of the wastes handled by Safety-Kleen react with steel or polyethylene, compatibility is assured.

#### **II.1.3. PLANT OPERATIONS--POTENTIAL SPILL AND FIRE SOURCES AND CONTROL PROCEDURES**

### **II.1.3. PLANT OPERATIONS--POTENTIAL SPILL AND FIRE SOURCES AND CONTROL PROCEDURES**

Employees must perform their duties in the safest, most efficient manner possible and the service center has been equipped to facilitate these activities. Drums will be moved using a handcart and pallets using a forklift or pallet jack. Upon arrival at the service center, containers of spent solvent must immediately be added to the storage tank or placed in the drum storage areas. Open drums of solvent must not be left unattended. A container holding hazardous waste must always be closed during storage except when it is necessary to add or remove waste. Below are descriptions of situations which can result in accidents and the precautions taken to prevent their occurrences.

#### **II.1.3.1. Potential Minor Spill Sources**

The following is a list of activities that have the potential for a minor (one that can be remediated without assistance from a clean-up contractor) pollution incident:

- a. Pouring of drummed solvent into the dumpster--As the 16- and 30-gallon drums are poured into the dumpster, solvent can splash out. Employee training emphasizes the importance of taking care in emptying the drums. The return and fill station is underlain by a epoxy sealed, reinforced concrete floor sloping toward a blind sump and surrounded by 1 ft curbs. This design will contain this type of spill.
- b. Filling of drums with solvent product--A low pressure hose with an automatic shut-off valve, similar to those used at automotive service stations, is used to fill the drums with solvent. Leaking fittings, a damaged hose or carelessness could lead to the discharge of solvent outside of the drum. Manual emergency shut-off valves are on each hose, should the equipment not function properly. In addition, employee training emphasizes the importance of inspection, maintenance and reporting of conditions with pollution incident potential.
- c. Moving of containers--When a container is moved, a potential exists for it to tip over. To minimize the potential for spilling the solvent, all containers must be maintained in an upright position and remain tightly covered while in storage or in transit.
- d. Delivery truck transfers--The cargo should be secured in the route vehicle with straps before transport.

If a spill does occur, the amount of solvent in the containers is a quantity which can be collected with sorbent clay or pads. Any contaminated soil that results will be removed manually, drummed and shipped to a Safety-Kleen recycle center for proper disposal.

#### **II.1.3.2. Potential Major Spill Sources**

The following activities have the potential for a major (one for which remedial action will require assistance) pollution incident:

- a. Overfilling of storage tanks--Both product and spent solvent tanks can be overfilled with a resulting discharge of solvent. A high level alarm and daily checks of tank volumes will prevent this type of incident.
- b. Leaking pipelines--The pipelines and other equipment present a potential for leaks and resultant pollution. Regular inspection of this equipment and the solvent inventory will detect any leaks.

#### **II.1.3.3. Potential Fire, Incompatibility and Vapor Build Up Sources**

The following is a list of fire prevention and minimization measures:

- a. All wastes and products are kept away from ignitable sources--Personnel must confine smoking and open flames to remote areas, separate from any solvent (e.g., the office or locker room). The mineral spirits handling area, H-3 Flammable Storage Building and the storage tanks are separated from the warehouse building area to minimize the potential for a fire to spread or injury to personnel to occur.
- b. Ignitable wastes are handled so that they do not:
  1. become subject to extreme heat or pressure, fire or explosion, or a violent reaction--The mineral spirits waste is stored in a tank or in drums, none of which are near sources of extreme heat, fire, potential explosion sources or subject to violent reactions. The tanks are vented and the drums kept at room temperature to minimize the potential for pressure build up.
  2. produce uncontrolled toxic mists, fumes, dusts or gases in quantities sufficient to threaten human

health--The vapor pressure of mineral spirits is low (2 mm) and it is reactive with strong oxidizers only. Toxic mists, fumes, dusts or gases will not form in quantities sufficient to threaten human health since strong oxidizers are not handled at this facility and the solvent vaporization will be minimal under normal working conditions. The tanks operate under atmospheric temperature and pressure and are vented to prevent the accumulation of vapors. Monitoring of vapors is not necessary as, under normal circumstances, the 6% concentration of the lower explosive level is not possible. The H-3 Flammable Storage Building was built in accordance with local and national fire codes to minimize the potential for fires and explosions.

3. produce uncontrolled fires or gases in quantities sufficient to pose a risk of fire or explosion-- See 'a' above and 'c' below.
  4. damage the structural integrity of the Safety-Kleen facility--The mineral spirits and paint wastes will not cause deterioration of the tank, drums or other structural components of the facility.
- c. Adequate aisle space is maintained to allow the unobstructed movement of personnel, fire protection equipment, and decontamination equipment to any area of the facility operation in an emergency.
  - d. "No Smoking" signs are posted in areas where solvents are handled or stored.
  - e. Fire extinguishers must be checked once per week and tested by the fire extinguisher company once per year.

The solvents stored on-site are only incompatible with strong oxidizers and reactive metals, none of which are present on-site. They are therefore compatible with one another and their mixing will not cause a strong reaction. The exhaust fan in the warehouse, H-3 Flammable Storage Building and the return and fill station must be turned on five minutes before entering the storage areas and remain on all day, until operations cease for the day, to prevent the accumulation of toxic vapors. Industrial hygiene studies have been performed at Safety-Kleen facilities and employees have not been found to be over-exposed to air contaminants.

#### **II.1.3.4. Tank Evaluation and Repair Plan**

Any release to the environment must be reported to the Secretary within 24 hours of its detection and certification of major repairs is required.

The product stored in the tanks at this facility is mineral spirits which is compatible with the carbon steel structure; in fact, mineral spirits is often used as a light hydrocarbon coating to prevent rusting of metal parts.

#### **II.1.3.5. External Factors**

The design of the installation is such that a harmful spill is highly unlikely to occur from most external factors. The storage tanks are inaccessible to non-Safety-Kleen personnel and the pump switches are located inside. Also, the drum storage areas are in buildings which are inaccessible to unauthorized personnel.

- a. Vandalism - Only extreme vandalism would result in a solvent spill or fire. Responses to spills and fires are described in the contingency plan.
- b. Strikes - A strike would not result in a solvent spill or fire.
- c. Power failure - A power failure would not result in a spill or fire. Should a power failure occur, all activities requiring electricity will cease.
- d. Flooding - The site elevation is above the projected 100-year flood plain; therefore, a 100-year flood will not affect the facility.
- e. Storms or Cold Weather - The solvent return and fill station is roofed to eliminate the possibility of rain or snow entering the dumpsters. No opportunity is foreseen to affect the facility with snow, cold weather or storm water.

#### **II.1.4. INTERNAL AND EXTERNAL COMMUNICATIONS AND ALARM SYSTEMS**

Because the facility is small, internal communication within the building and the solvent return and fill area is accomplished by voice. An alarm is located at the return and fill station which, when pressed, will sound throughout the warehouse if the employee at the return and fill station needs assistance. Telephones will be used to report a spill or a fire and to summon assistance from local and state emergency response agencies. Branch managers have emergency phone numbers of local and state

emergency response teams posted by each phone located in the sales office. Included in these phone numbers is the 24-hour telephone number which can be used to contact the Environment, Health and Safety Department.

**ATTACHMENT II-1**

**APPENDIX A**

## EMERGENCY EQUIPMENT LIST

The following equipment shall be located in the locker room area and the supply checked weekly:

Gloves - The rubber or plastisol gloves sold by Safety-Kleen are to be used when handling the solvents. Several pairs of gloves are located in the spill response area. Two dozen gloves are kept in storage.

Safety Glasses or Face Mask - Whichever the worker prefers, is to be worn when loading or unloading the solvent. Several pairs of glasses are kept in the spill response area. One pair of glasses hangs on the loading dock area.

Plastic Aprons - Are available for the situations where a solvent may get on the worker's clothing. Two plastic aprons are located at the spill response area. Several are kept in storage. One apron is located at the loading dock.  
Decontamination of all equipment is accomplished by washing with soap and water.

Eye Wash Stand---The eye wash is located centrally at the Service Center. The workers should try the stand and be familiar with its operation. The eye wash stand should be checked once a week for operation.

Showers---Should be checked periodically to ascertain that they are operational. Located in locker room area.

Ventilation---Any area that is closed and collects vapors should be avoided or equipped with proper fans to insure adequate ventilation.

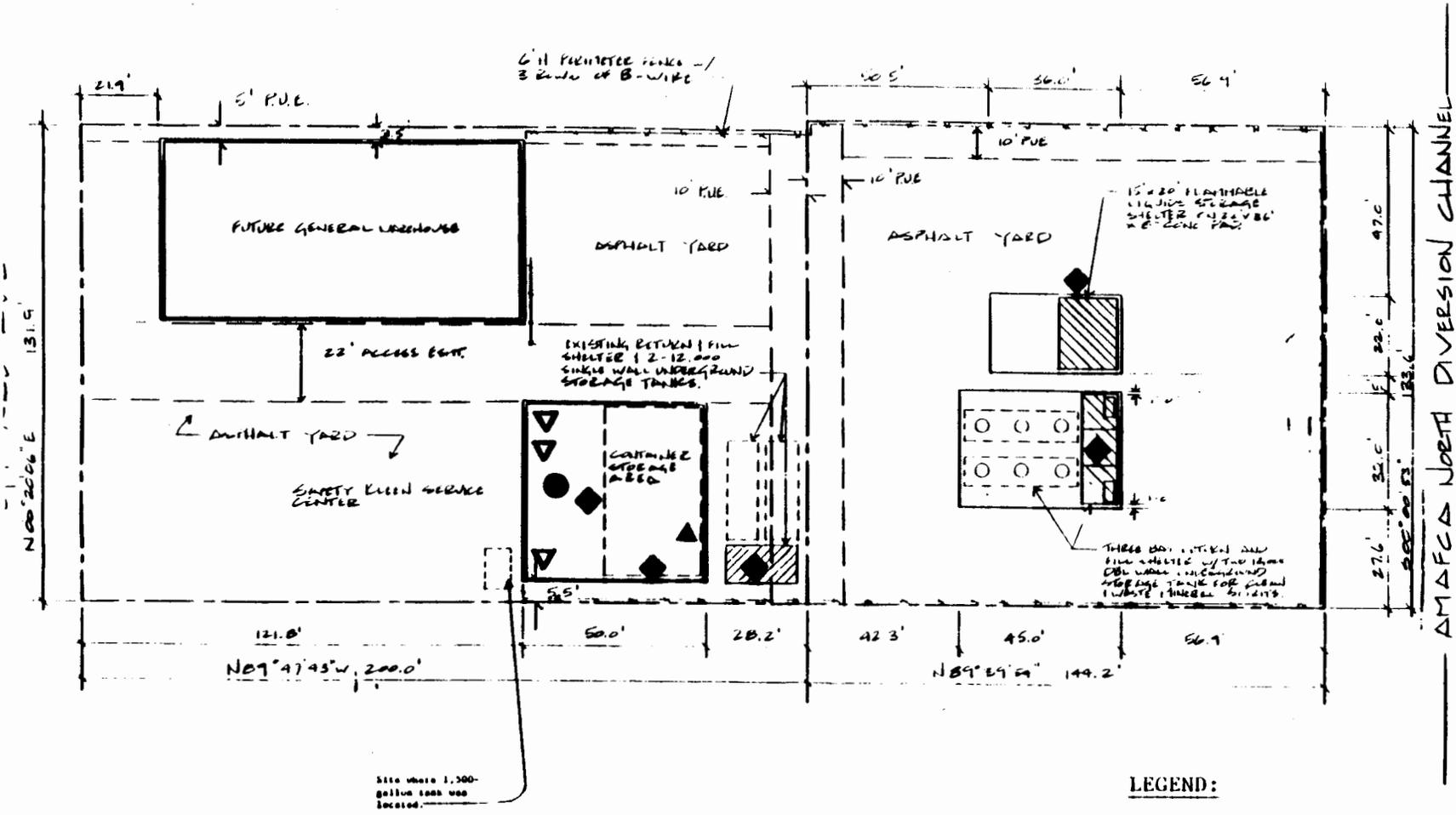
Fire Extinguisher---The service center has four 10-pound ABC extinguishers, located at the points where solvents are transferred. An ABC extinguisher is a universal system used on paper, wood and electrical, as well as solvent fires. The extinguishers must be full and carry an inspection tag. The accepted extinguisher is available as S-K Part No. 4009.

Absorbent Material---An adequate supply (200 sheets, 2 bales) should be on hand to handle small spills. Located in the loading and unloading area and warehouse. S-K Part No. 8890. One bale is located at the spill response area, on the loading dock and the route trucks. Several bales of absorbant material is kept in storage.

Communication System--- Telephones are installed at all facilities, normally in the branch office. An alarm which sounds a buzzer throughout the warehouse is located at the return and fill dock area in case assistance is needed.

High Level Over-flow alarm---Over-flow alarms are installed at all storage tanks. They are set to activate at 95% tank capacity and have both a horn and a flashing light alarm which can be manually tested.

SITE PLAN SHOWING  
EMERGENCY EQUIPMENT  
LOCATIONS



AMFCA NORTH DIVERSION CHANNEL

SITE PLAN  
SCALE: 1" = 20'

LEGEND:

- ◆ = fire extinguisher
- ▲ = spill cleanup equipment
- = first aid kit (In the locker room)
- ▽ = telephone (one in each front office)

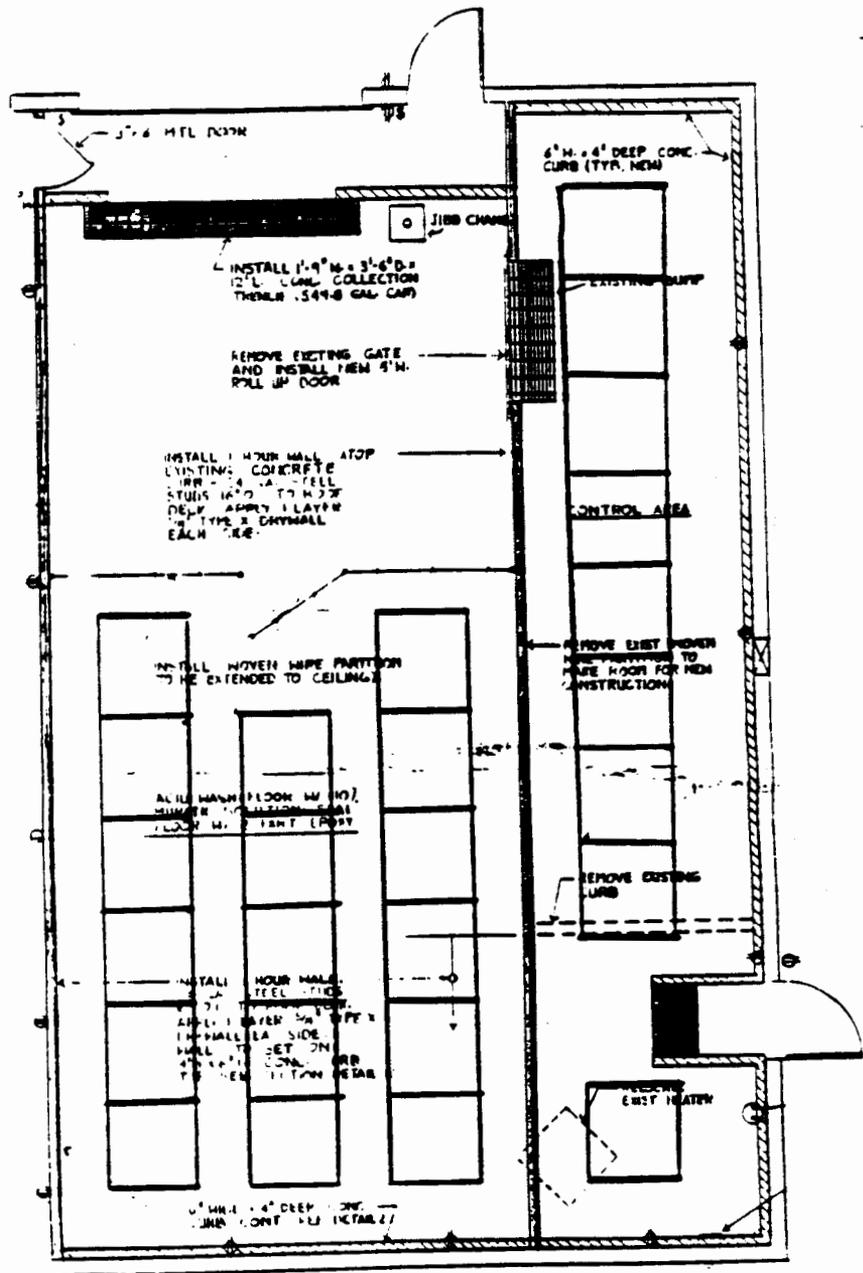


SAFETY-KLEEN CORP.  
Albuquerque, NM

Scale:  
1" = 8'

North ↑

Spent immersion  
cleaner (F002, F004)  
and dry cleaner  
wastes (F002) will  
be stored in these  
areas in 16-, 20-  
and 30-gallon drums.



**CONTAINER STORAGE AREAS:**

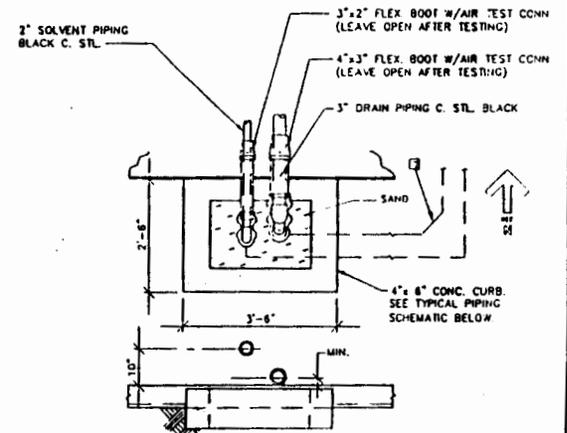
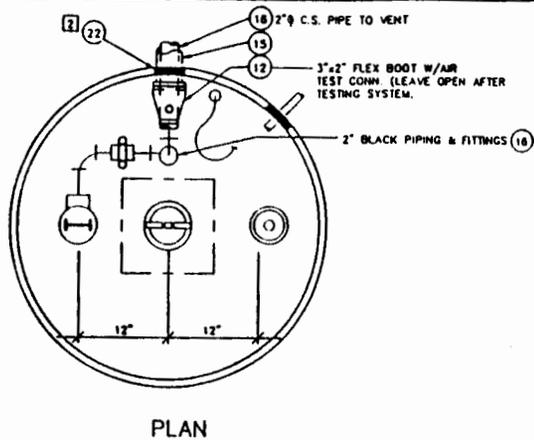
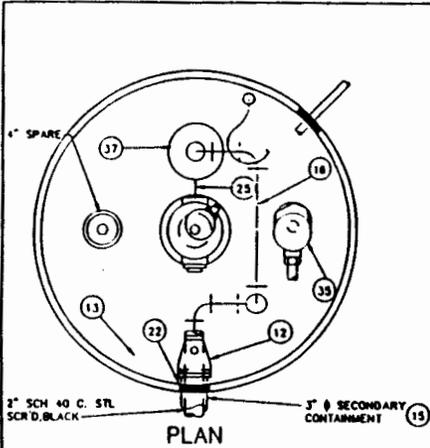
**West Container Storage Area** - Secondary containment is in the form of a 12'L x 1'9"W x 3'6"D collection trench (x 7.48 gallons/cubic foot = 549.8 gallons)  
The volume stored in this area will be 24 single- and double stacked pallets holding 9 16-gallon drums each (3,456 gallons) or the equivalent volume in different sized containers, none larger than 30 gallons.

**East Container Storage Area** - Secondary containment is in the form of a 12'L x 2'W x 2'6"D collection trench (x 7.48 gallons/cubic foot = 448.8 gallons)  
The volume stored in this area will be 18 double-stacked pallets holding nine 16-gallon drums each (2,592 gallons) or the equivalent volume in different sized containers, none larger than 30 gallons.

Two foot aisles must be maintained. Stacks of containers must not exceed six feet in height.

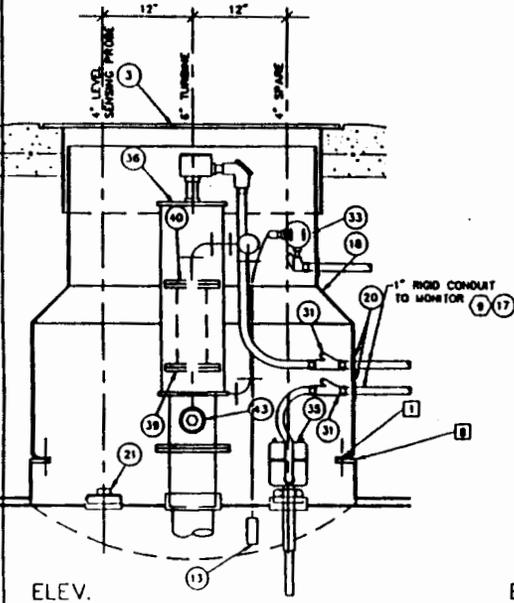




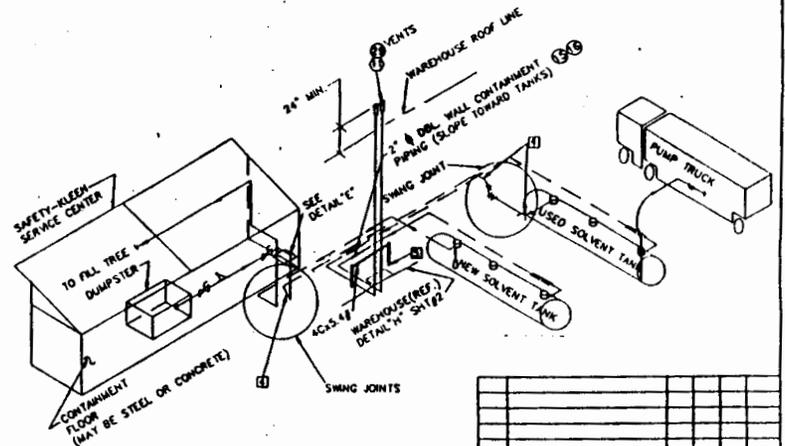
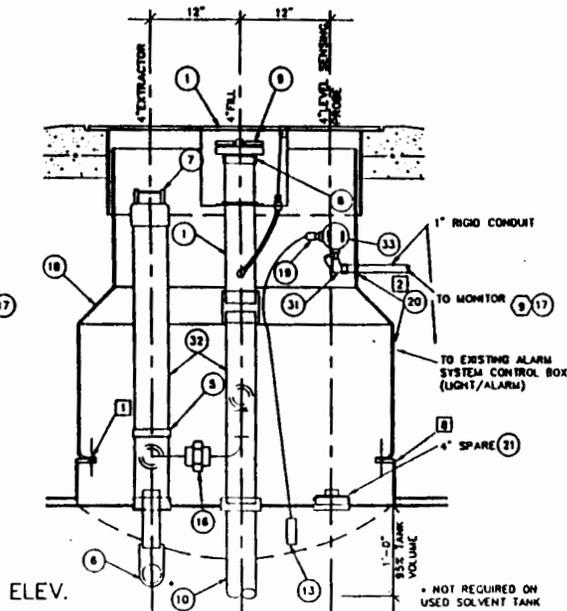


**DETAIL "E"**  
SCALE: 3/4"=1'-0"

**NEW SOLVENT TANK  
DETAIL "A"**



**COMMON TANK VENT/MONITOR  
DETAIL "D"**



**PIPING SCHEMATIC**  
NOTE: FOR ACTUAL PIPING CONFIGURATION, SEE SPECIFIC SITE PLAN

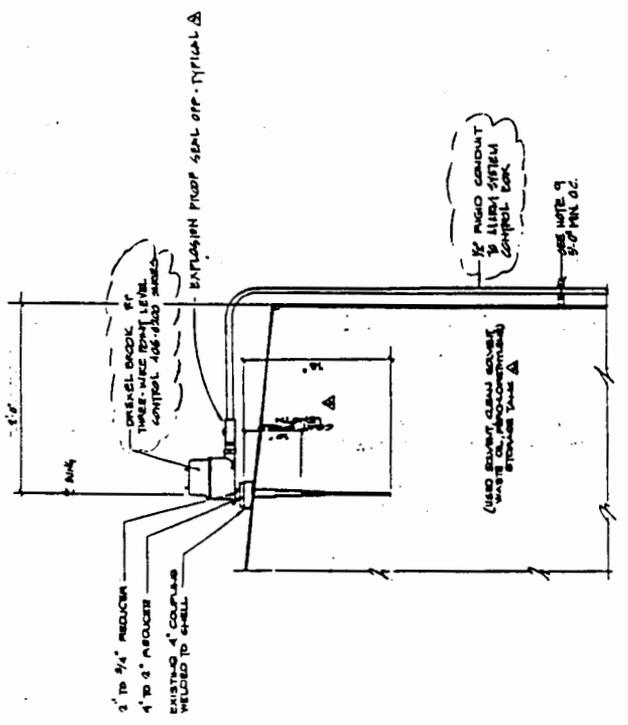
NO.	REV.	DATE	BY	CHKD.	APP'D.
01		1/11/94	CHGO	DETAL	DESIGN/DRWG
<b>DOUBLE WALL GLASTEEL TANK FOR SECONDARY CONTAINMENT</b> SHEET 3 OF 3					
<b>SAFETY-KLEEN CORP.</b> 1110 W. PARKWAY DRIVE, SUITE 1000, CHICAGO, IL 60606 PHONE: 773/757-1111 FAX: 773/757-1112					
PROJ. NO.	PROJ. NAME	BLDG.	FLR.	DATE	SCALE
				1-11-94	3/4"=1'-0"
DRWING NO.	DATE	BY	CHKD.	APP'D.	
	1/11/94	JEK			
STO-1011-01					



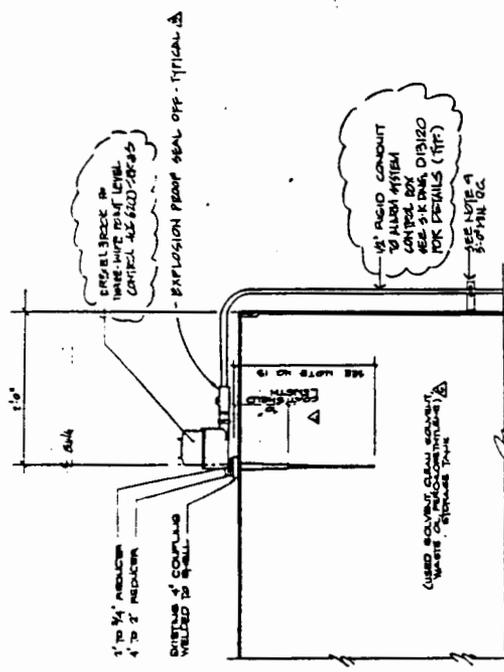


**GENERAL NOTES**

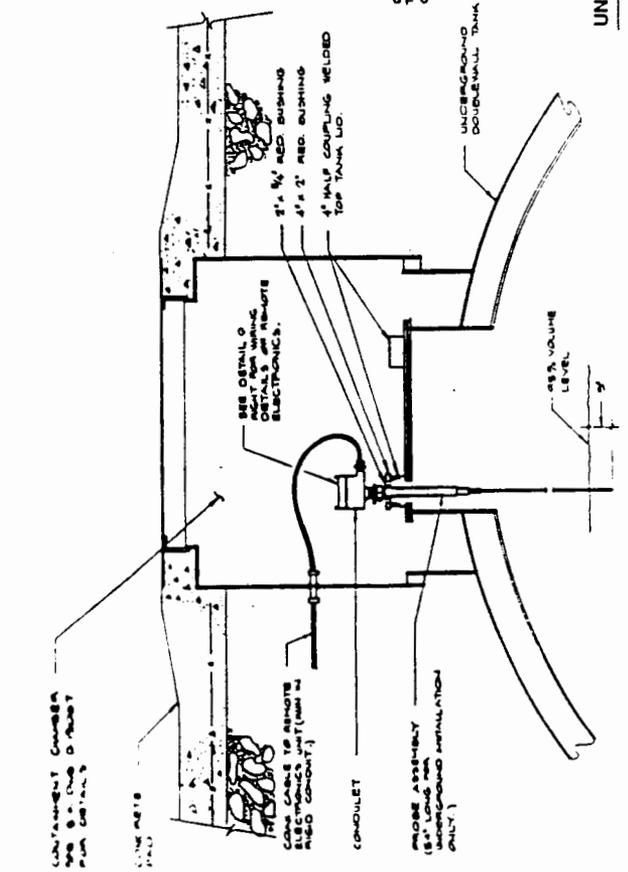
1. THIS DRAWING IS TO BE USED IN CONJUNCTION WITH THE FOLLOWING:
  - (A) - 10 - 10 - 10 (LOCAL SHEET)
  - (B) - 10 - 10 - 10 (LOCAL SHEET)
2. EXHAUSTION SYSTEM - 100% TO 100%
3. SEALS TO BE MADE AS FOLLOWS:
  - (A) - 10 - 10 - 10 (LOCAL SHEET)
  - (B) - 10 - 10 - 10 (LOCAL SHEET)
4. ALL ITEMS SHOWN WITH A PART-ALLEN NUT AND WASHER SHALL BE SUPPLIED BY PART-ALLEN COMPANY (P.O. BOX 1000, CHICAGO, ILL. 60601)
5. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED SHALL BE IN INCHES
6. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED SHALL BE IN FEET AND INCHES
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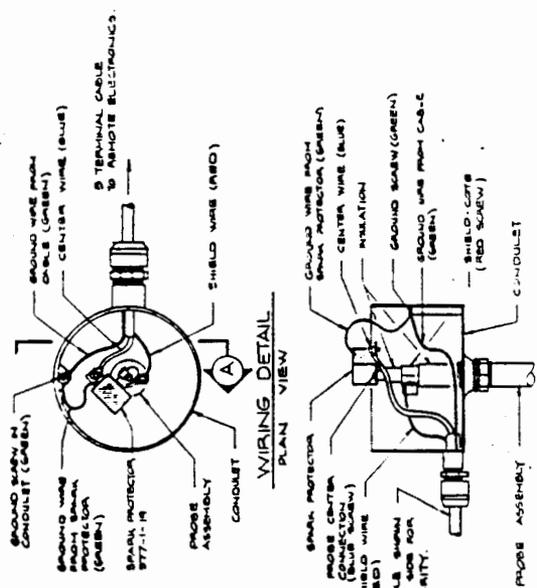
**ABOVEGROUND VERTICAL TANK INSTALLATION**



**ABOVEGROUND HORIZONTAL TANK INSTALLATION**



**UNDERGROUND TANK INSTALLATION**



**WIRING DETAIL VIEW**

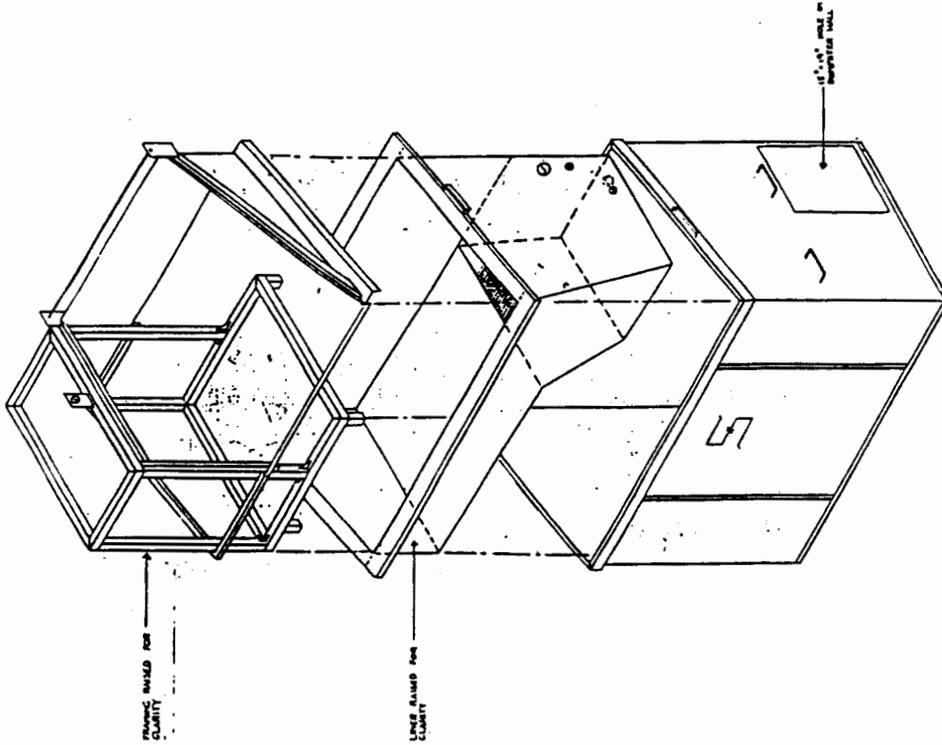
**NOTE:**  
WORK THIS DRAWING WITH SA OMS D-19429 AND D-19430

NO.	REV.	DATE	BY	CHKD.	DESCRIPTION
1					ISSUED FOR CONSTRUCTION
2					REVISIONS
3					REVISIONS
4					REVISIONS
5					REVISIONS
6					REVISIONS
7					REVISIONS
8					REVISIONS
9					REVISIONS
10					REVISIONS



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CONSTRUCTORS, INC.**

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DRAWING NO.		REV.		DATE		BY		CHKD.		APP'D.	
<p style="text-align: center;"><b>DRUM WASHER - ASSEMBLY</b></p> <p style="text-align: center;"><b>S SAFETYKLEEN CORP.</b></p>											
<p style="text-align: center;">STANDARDS</p>										<p style="text-align: center;">STD 1000-00</p>	



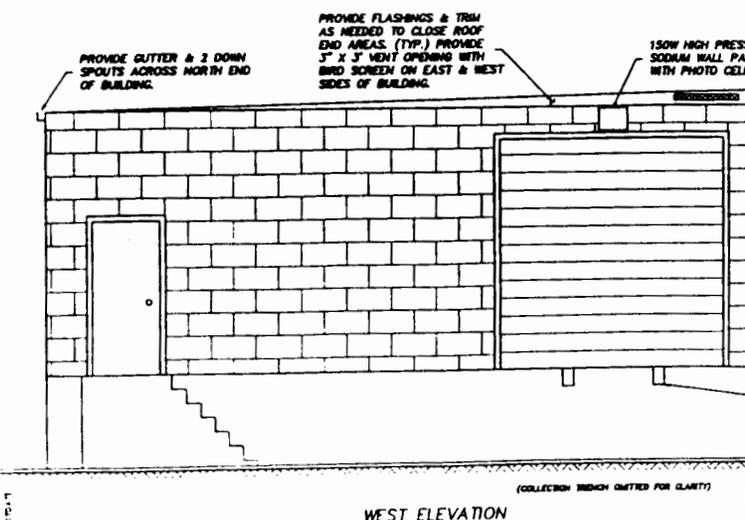
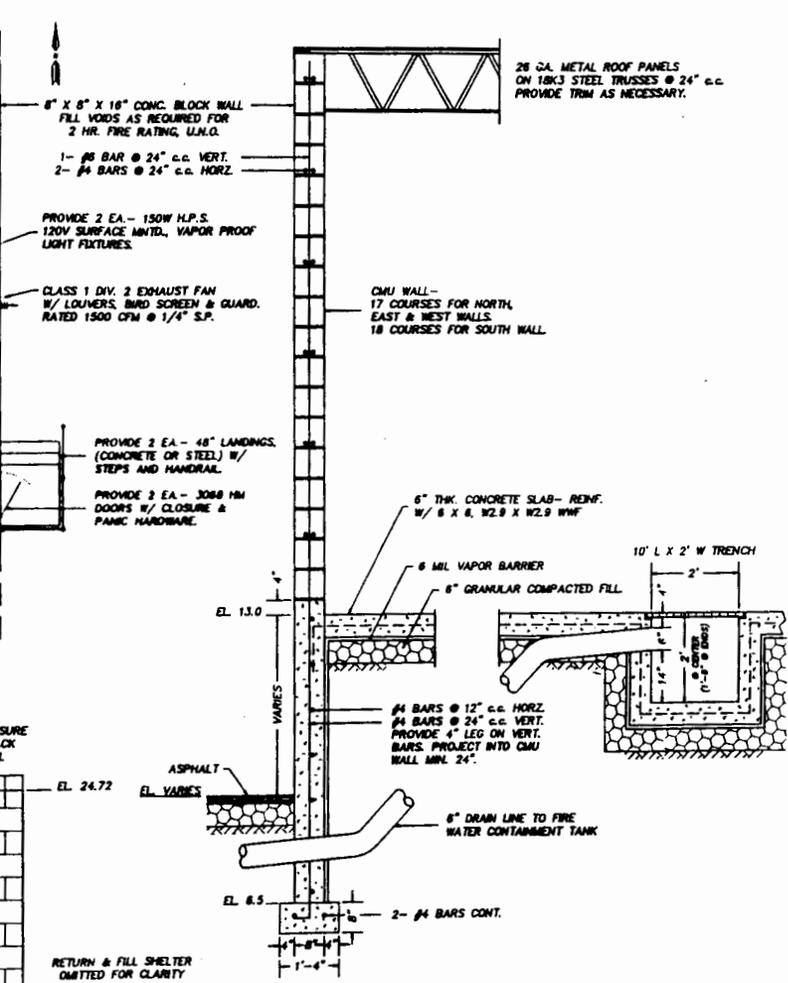
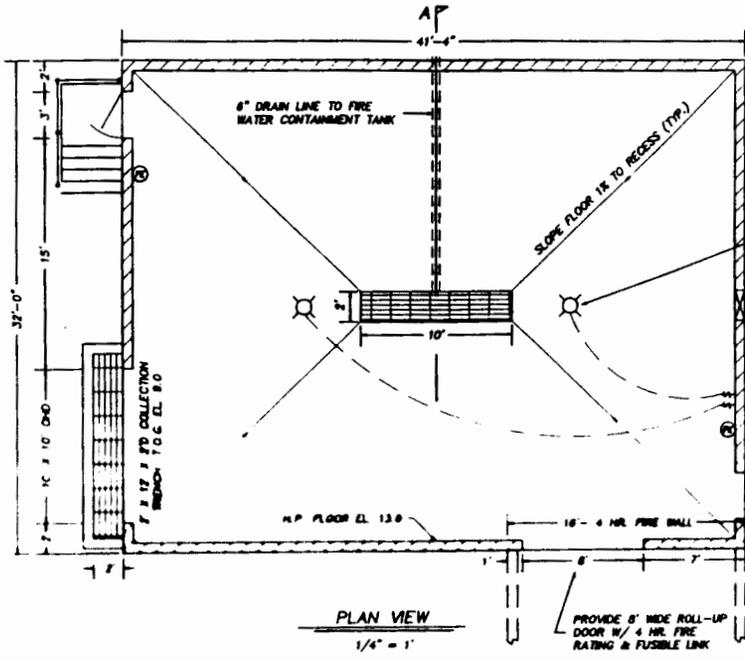


**GENERAL NOTES**

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**NOTES:**

- 1) CONCRETE SHALL BE A MINIMUM OF 3000 PSI @ 28 DAYS MATERIALS, MIXING, PLACEMENT, FINISHING TOLERANCES AND ALL OTHER UNSPECIFIED DETAILS SHALL BE IN ACCORDANCE WITH AC 318 - LATEST EDITION.
- 2) REINFORCING STEEL SHALL BE GRADE 60 DEFORMED BARS SPLICES, COVERAGE, PLACING AND OTHER DETAILS SHALL BE IN ACCORDANCE WITH AC 318 - LATEST EDITION.
- 3) CONCRETE FLOOR AND TRENCHES TO BE COATED WITH AN EPOXY COATING (BRUTEM 70 OR EQUAL).
- 4) ALL ELECTRICAL WORK LESS THAN 18" ABOVE FLOOR SHALL BE CLASS 1, DIVISION 2, IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE.
- 5) CONTRACTOR TO VERIFY DESIGN FOR DOOR LINTELS AND OTHER STRUCTURAL DETAILS NOT SPECIFIED HEREIN.
- 6) FIRE SUPPRESSION DIAGRAM TO BE SUPPLIED BY THE CONTRACTOR AND APPROVED BY SE AND FIRE MARSHAL. WET PIPE SPRINKLER SYSTEM TO BE DESIGNED TO PROVIDE 0.30 GPM / SF. OF FLOOR AREA.
- 7) PROVIDE 100 DRY CHEMICAL FIRE EXTINGUISHER AT EACH ENTRANCE DOOR.
- 8) FOR 4 HR. FIRE WALLS, FILL UNROUTED CELLS OF CMU WALL WITH NONCOMBUSTIBLE INSULATION.
- 9) PROVIDE 2-HOUR FIRE RATED PROTECTION FOR CEILING & ROOF TRUSSES.



SCALE		BY		CHKD		P.L. APPR		OP APPR		DATE	
HORIZONTAL		J.F.C.								12/24/20	
DESCRIPTION											
BY											
CHKD											
P.L. APPR											
OP APPR											
DATE											

FLAMMABLE STORAGE BUILDING  
PLAN, SECTION AND DETAILS

**SAFETY-KLEEN CORP.**

777 DE SABLE ROAD, BURLINGAME, CALIF. 94010 PHONE 925-251-5400

**ATTACHMENT II-2**

**SECURITY PLAN**

## ATTACHMENT II-2

### SECURITY PLAN

#### Abstract

This section describes the security procedures, structures and equipment at the Albuquerque Safety-Kleen Facility used to prevent the unauthorized entry of persons onto the active portion of this facility. The following information is submitted in accordance with the requirements of the New Mexico Hazardous Waste Management Regulations (HWMR-6), Part IX, 40 CFR section 270.14 (b)(4).

SECURITY MEASURES--The site is secured as follows:

- a. There is a six foot high chain link fence around the facility with one coil of razor wire affixed to the top of the fence.
- b. Warning signs are posted at all entrances.
- c. Locks are on all entrances to the warehouse and the H-3 Flammable Storage Building.
- d. Remote controls for all tank operations are inside the warehouse.
- e. There is twenty-four hour outdoor lighting.

#### II.2.1. SECURITY MEASURES

The facility is secured with a six-foot high chain link fence topped by one strand of coiled razor wire which surrounds the entire facility. All access gates are locked when the facility is unoccupied and warning signs stating "Danger -Unauthorized Personnel Keep Out" which are visible from twenty-five feet are posted at the entrances. These warning signs are posted in both English and Spanish. An electronic entrance gate is located at the front of the facility which can automatically be opened and closed to allow trucks to enter and exit. In addition, outdoor lights remain on at all times.

The office/warehouse building is secured with locks on all doors and warning signs are posted at all entrances to work and waste storage areas. These warning signs are posted in both English and Spanish.

The tanks are inaccessible in that material can not be added to or removed from them without activating the pumps, the controls for which are inside the warehouse. The pumps are not activated unless mineral spirits product or waste is being added to or removed from the tanks by Safety-Kleen personnel. The container storage areas and H-3 Flammable Storage Building are also locked unless occupied by Safety-Kleen personnel. As a result the tanks and container storage areas are inaccessible except by Safety-Kleen personnel. In addition, warning signs are posted on the return and fill station. These warning signs are posted in both English and Spanish.

The overhead door to the H-3 Flammable Storage Building will be closed and locked unless containers are being added to or removed from the shelter. Warning signs are also posted on the shelter. These warning signs are posted in both English and Spanish.

**ATTACHMENT II-3**

**INSPECTION PLAN**

## ATTACHMENT II-3

### INSPECTION PLAN

#### ABSTRACT

This section describes the general inspection procedures and schedule for the Albuquerque Safety-Kleen Facility. The information submitted is in accordance with the New Mexico Hazardous Waste Management Regulations (HWMR-6), Part IX, 40 CFR section 270.14 (b)(5).

#### II.3.1. INSPECTION PROCEDURES

The branch (i.e., service center) manager or his designate is responsible for carrying out and documenting the facility inspection (Appendix A) on a daily basis. He must note any repairs that are needed and assure that they are completed. If he can not carry out the repairs himself, he must notify the Technical Services Department at Safety-Kleen's corporate headquarters and request assistance. Completion of repairs must also be noted on the Facility Inspection Record.

The regional manager is the supervisor of several branch managers in a geographic area. He must review the Facility Inspection Record on a quarterly basis to insure that they are properly completed and that any necessary repairs have been done.

The facility inspection includes the following:

- a. Tank inspections--At a minimum, the tank holding the solvent product and that holding the spent solvent are inspected daily. The daily inspections include checks of the high level alarm and of the volume held in the tank and checks of the leak detection system for any releases. Sudden deviations in the solvent volumes will be investigated and their causes determined. If necessary, repairs must be initiated immediately. When the tank used to store spent solvent contains 10,200 gallons (85% full), a pickup must be scheduled with the Solvent Control Department in Safety-Kleen's corporate headquarters. The solvent must not exceed 95% of the tank volume (11,400 gallons) at any time.
- b. Solvent dispensing equipment--The solvent dispensing hose, connections and valves must be inspected for damage (such as cracks or leaks) and proper functioning on a daily basis. Any solvent in the hoses must be drained after use. The pumps, pipes and fittings must also be checked daily for

damage and proper functioning. Any damage to the solvent dispensing equipment must be noted and repaired.

- c. Drum storage areas--The three drum storage areas (including the H-3 Flammable Storage Building) are inspected daily and the number and condition of the drums noted. The total volume of the spent solvent and solvent product shall not exceed 2,592 gallons in the east container storage area in the warehouse or 3,456 gallons in the west container storage area in the warehouse, or 1,092 gallons in the container storage--H-3 Flammable Storage Building. The contents of any leaking or suspect drums must be placed in a drum of adequate integrity. Finally, the drums must be properly labeled and marked in accordance with U.S. DOT and New Mexico hazardous waste regulations. The secondary containment system must be inspected for deterioration or failure. If cracks or leaks are detected, they must be repaired immediately.
- d. Route vehicles--Each route vehicle must be inspected daily to insure the proper operation of its brakes, lights, turn signals, emergency flashers and wipers. In addition, the necessary safety equipment must be on board: sorbents, fire extinguisher, eye wash, first aid kit, reflector kits, rubber gloves, plastic aprons, and safety glasses. Any missing equipment must be replaced.
- e. Dumpsters--The two wet dumpsters (in the return and fill station), the two associated valves and each joint in the piping must be inspected daily for leaks and sediment buildup. A barrel washer, located inside the dumpster, uses piped-in spent solvent to rinse mineral spirits waste from the barrel and returns the rinse and spent solvent to the waste mineral spirits tank. Any leaks must be noted and repaired immediately and excess sediment must be removed from the dumpster. The dry (trash) dumpster must be inspected to insure that no liquids are being placed in it.
- f. Safety equipment--The four fire extinguishers must be checked weekly to insure that the units are charged and accessible. In addition, the operation of the eyewash must be confirmed weekly and the first aid kit and sorbents must be inspected weekly for adequate content and accessibility. A list of required emergency equipment is in Appendix A.
- g. Security--The operation of each gate and lock must be checked daily. In addition, the fence must be inspected for deterioration on a weekly basis.

**ATTACHMENT II-3**

**APPENDIX A**



DESCRIPTION OF AREA (e.g., metal shelter, northeast corner of warehouse, etc.): \_\_\_\_\_

PERMITTED STORAGE VOLUME: \_\_\_\_\_

INSPECTOR'S NAME/TITLE: \_\_\_\_\_

INSPECTOR'S SIGNATURE: \_\_\_\_\_

	MON	TUES	WED	THURS	FRI
DATE: (M/D/Y)	_____	_____	_____	_____	_____
TIME:	_____	_____	_____	_____	_____

CONTAINERS:

Number/Volume <sup>a</sup> of M.S. Waste Drums:					
Number/Volume of I.C. Waste Drums:					
Number/Volume of Dry Cleaning Waste Drums:					
Number/Volume of Dry Cleaning Waste Boxes:					
Number/Volume of Paint Waste Drums:					
Number/Volume of Paint Waste Pails:					
TOTAL VOLUME (IN GALLONS):					

A\*\*N      A N      A N      A N      A N

If 'N', circle appropriate problem: Total volume exceeds the amount for which the facility is permitted. other: \_\_\_\_\_

Condition of Drums/Boxes      A N      A N      A N      A N      A N

If 'N', circle appropriate problem: missing or loose lids, missing, incorrect or incomplete labels, rust, leaks, distortion. other: \_\_\_\_\_

Stacking/Placement/Aisle Space      A N      A N      A N      A N      A N

If 'N', circle appropriate problem: different from Part 8 Floor Plan, containers not on pallets, unstable stacks. other: \_\_\_\_\_

**CONTAINMENT:**

Curbing, Floor and Sump(s)      A N      A N      A N      A N      A N

If 'N', circle appropriate problem: ponding/wet spots, deterioration (cracks, gaps, ecc.), displacement, leaks. other: \_\_\_\_\_

Loading/Unloading Area      A N      A N      A N      A N      A N

If 'N', circle appropriate problem: cracks, deterioration, ponding/wet spots. other: \_\_\_\_\_

OBSERVATIONS, COMMENTS, DATE AND NATURE OF ANY REPAIRS: \_\_\_\_\_

<sup>a</sup> To calculate total volumes, use the following: M.S., I.C., D.C. and paint waste drums hold 15 gallons; D.C. boxes hold 10 gallons and paint waste pails hold 5 gallons.

\*\*A = ACCEPTABLE

N = NOT ACCEPTABLE

(IF AN ITEM IS NOT APPLICABLE, ENTER 'N/A' AFTER IT AND DRAW A LINE THROUGH THE ACCEPTABLE/NOT

INSPECTOR'S NAME/TITLE: \_\_\_\_\_

INSPECTOR'S SIGNATURE: \_\_\_\_\_

MON TUES WED THURS FRI

**TRANSFER PUMPS AND BOSES**

Pump Seals A N A N A N A N A N

If 'N', circle appropriate problem: leaks, other: \_\_\_\_\_

Motors A N A N A N A N A N

If 'N', circle appropriate problem: overheating, other: \_\_\_\_\_

Fittings A N A N A N A N A N

If 'N', circle appropriate problem: leaks, other: \_\_\_\_\_

Valves A N A N A N A N A N

If 'N', circle appropriate problem: leaks, sticking, other: \_\_\_\_\_

Hose Connections and Fittings A N A N A N A N A N

If 'N', circle appropriate problem: cracked, loose, leaks, other: \_\_\_\_\_

Hose Body A N A N A N A N A N

If 'N', circle appropriate problem: crushed, cracked, thin spots, leaks, other: \_\_\_\_\_

**RETURN AND FILL STATION**

Wet Dumpster - A N A N A N A N A N

If 'N', circle appropriate problem: excess sediment buildup, leaks, rust, split seams, distortion, deterioration, excess debris, other: \_\_\_\_\_

Secondary Containment A N A N A N A N A N

If 'N', circle appropriate problem: excess sediment/liquid, leaks, deterioration, distortion, excess debris, other: \_\_\_\_\_

Loading/Unloading Area A N A N A N A N A N

If 'N', circle appropriate problem: cracks, ponding/wet spots, deterioration, other: \_\_\_\_\_

OBSERVATIONS, COMMENTS, DATE AND NATURE OF ANY REPAIRS: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\*A = ACCEPTABLE

N = NOT ACCEPTABLE

**INSPECTION LOG SHEET FOR: Weekly Inspection of SAFETY AND EMERGENCY EQUIPMENT,  
SECURITY DEVICES AND MISCELLANEOUS EQUIPMENT**

**INSPECTOR'S NAME/TITLE:** \_\_\_\_\_

**INSPECTOR'S SIGNATURE:** \_\_\_\_\_

**DATE OF INSPECTION (Month/Day/Year):** \_\_\_\_\_

**TIME OF INSPECTION:** \_\_\_\_\_

**SAFETY AND EMERGENCY EQUIPMENT**

**Fire Extinguishers:** A N

If 'N', circle appropriate problem: overdue inspection, inadequately charged, inaccessible, other: \_\_\_\_\_

**Eyewash and Shower:** A N

If 'N', circle appropriate problem: disconnected malfunctioning valves, inadequate pressure, inaccessible, malfunctioning drain leaking, other: \_\_\_\_\_

**First Aid Kit:** A N

If 'N', circle appropriate problem: inadequate inventory, other: \_\_\_\_\_

**Spill Cleanup Equipment:** A N

If 'N', circle appropriate problem: inadequate supply of sorbent, towels and/or clay, inadequate supply of shovels, mops, empty drums, wet/dry vacuum, other: \_\_\_\_\_

**Personal Protection Equipment:** A N

If 'N', circle appropriate problem: inadequate supply of aprons, gloves, glasses, respirator, other: \_\_\_\_\_

**SECURITY DEVICES:**

**Gates and Locks:** A N

If 'N', circle appropriate problem: sticking, corrosion, lack of warning signs, etc. other: \_\_\_\_\_

**Fence:** A N

If 'N', circle appropriate problem: broken ties, corrosion, holes, distortion, other: \_\_\_\_\_

**MISCELLANEOUS EQUIPMENT:**

**Dry Dumpster:** A N

If 'N', circle appropriate problem: rust, corrosion, split seams, distortion, deterioration, excess debris, liquids in unit, other: \_\_\_\_\_

**OBSERVATIONS, COMMENTS, DATE AND NATURE OF ANY REPAIRS:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*A = ACCEPTABLE

N = NOT ACCEPTABLE

## EMERGENCY EQUIPMENT LIST

The following equipment shall be located in the locker room area and the supply checked weekly:

Gloves - The rubber or plastisol gloves sold by Safety-Kleen are to be used when handling the solvents. Several pairs of gloves are located in the spill response area. Two dozen gloves are kept in storage.

Safety Glasses or Face Mask - Whichever the worker prefers, is to be worn when loading or unloading the solvent. Several pairs of glasses are kept in the spill response area. One pair of glasses hangs on the loading dock area.

Plastic Aprons - Are available for the situations where a solvent may get on the worker's clothing. Two plastic aprons are located at the spill response area. Several are kept in storage. One apron is located at the loading dock. Decontamination of all equipment is accomplished by washing with soap and water.

Eye Wash Stand---The eye wash is located centrally at the Service Center. The workers should try the stand and be familiar with its operation. The eye wash stand should be checked once a week for operation.

Showers---Should be checked periodically to ascertain that they are operational. Located in locker room area.

Ventilation---Any area that is closed and collects vapors should be avoided or equipped with proper fans to insure adequate ventilation.

Fire Extinguisher---The service center has four 10-pound ABC extinguishers, located at the points where solvents are transferred. An ABC extinguisher is a universal system used on paper, wood and electrical, as well as solvent fires. The extinguishers must be full and carry an inspection tag. The accepted extinguisher is available as S-K Part No. 4009.

Absorbent Material---An adequate supply (200 sheets, 2 bales) should be on hand to handle small spills. Located in the loading and unloading area and warehouse. S-K Part No. 8890. One bale is located at the spill response area, on the loading dock and the route trucks. Several bales of absorbent material is kept in storage.

Communication System--- Telephones are installed at all facilities, normally in the branch office. An alarm which sounds a buzzer throughout the warehouse is located at the return and fill dock area in case assistance is needed.

High Level Over-flow alarm---Over-flow alarms are installed at all storage tanks. They are set to activate at 95% tank capacity and have both a horn and a flashing light alarm which can be manually tested.

**ATTACHMENT II-4**

**TRAINING PLAN**

## **ATTACHMENT II-4**

### **TRAINING PLAN**

#### **ABSTRACT**

The information contained in this section outlines training programs for personnel at the Albuquerque Safety-Kleen Facility, in accordance with New Mexico Hazardous Waste Management Regulations, (HWMR-6), Part IX, 40 CFR section 270.14 (b)(12).

#### **II.4.1 OUTLINE OF TRAINING PROGRAM**

Each employee is trained to operate and maintain the facility safely, and to understand hazards unique to his job assignment. New branch managers must complete an introductory training program before starting their jobs, with annual review and update thereafter. Appendix A contains information on job descriptions, training outlines and training record forms. All employees at the facility will maintain training that satisfies the requirements of HWMR-6, Pt. V, sec. 264.16. The regional environmental engineer, directly trains new branch managers. The branch manager, in turn, trains his employees. An employee may not work in an unsupervised position until he or she has received proper training as outlined in Appendix A.

#### **II.4.2 ORGANIZATION STRUCTURE AND JOB DESCRIPTIONS**

Environmental compliance and training of branch employees is the responsibility of the branch manager. The Environment, Health and Safety Department, in turn, provides a training program to be executed annually. Job descriptions for branch personnel are in Appendix A.

##### **II.4.2.1 Branch Manager**

The branch manager is ultimately responsible for the operations at the service center. The sales representatives, secretary and warehouseman report to the branch manager and he, in turn, must provide the training and materials necessary for the branch employees to execute their duties. With respect to environmental compliance, the branch manager must:

- a. keep the service center clean and orderly;

- b. execute or designate an employee to execute the daily inspection, keep a written log and remediate any problems;
- c. know the potential hazards of the material and wastes handled on site;
- d. identify potential spill and fire sources and be able to execute the contingency plan;
- e. inform all employees of their environmental responsibilities;
- f. act as emergency coordinator and notify the proper authorities during an emergency, remediate the situation to the best of his abilities, and submit necessary reports to the corporate office; and
- g. maintain all environmental records (such as manifests, training records and spill reports) on file.

The branch manager is trained (see section II.4.3.1) sufficiently that he is able to perform as a trainer himself for his employees.

#### **II.4.2.2 Environment, Health and Safety Department**

Safety-Kleen's Environment, Health and Safety (EHS) Department operates out of the corporate office in Elgin, Illinois. Each regional environmental engineer who works in this department is responsible for compliance of the service centers in a given geographic area of the country. The EHS Department must:

- a. provide a training program which addresses the requirements of environmental regulations and corporate policy;
- b. notify the proper authorities, oversee remedial actions and submit a written report to the state after an emergency situation has occurred;
- c. assure that environmental permits are submitted and updated as required; and
- d. manage any environmental compliance issues which exceed the resources available at the service center level.
- e. participate in training new branch managers.

### **II.4.3 DESCRIPTION OF THE TRAINING PROGRAM**

Employee training is accomplished using classroom, videotape, written and on-the-job methods. The EHS Department prepares a training program for employees and the branch manager must provide documentation that the program has been executed.

An employee is trained prior to starting or as soon as he or she begins working, (depending on his or her position), and annually thereafter. Training program outlines are in Appendix A.

#### **II.4.3.1 Training of New Branch Managers**

New managers are trained for several weeks before they begin their new positions. This training is both in situ and classroom modes. While being trained at a designated "training facility", a new manager reviews all environmental records and learns the recordkeeping requirements. These records include: manifests, personnel records, training records, facility inspection records, and spill reports.

The training culminates in four weeks of training at his new facility, at least one day of which is devoted to environmental training with his regional environmental engineer. At least eight hours consists of an introduction to environmental law and a review of the Part B, including the Waste Analysis Plan, Preparedness and Prevention Plan, Contingency Plan, Training Plan and Closure Plan. This training is outlined in Appendix A.

Additional time is spent reviewing past environmental compliance at the branch manager's facility and regulations unique to his state are discussed as well.

#### **II.4.3.2. Training of New Branch Secretaries**

Branch secretaries are trained in the proper recordkeeping procedures as soon as they begin working for Safety-Kleen. While they are not usually responsible for preparing the documentation, they must check it for accuracy and completeness and then process or file it as required. Additional training is overseen by the branch manager and is done within six months of starting. It includes the items listed in the Introductory and Annual Training Topics for Branch Employees (Appendix A) which are explained in company-produced videotape presentations on emergency response, shipping documents (including manifests), drum labels and other safety and environmental compliance issues. In addition, the contingency plan must be reviewed with the branch manager within the first two weeks of the secretary starting work.

#### **II.4.3.3. Training of New Sales Representatives**

New sales representatives are trained at their facility for two weeks during which they are introduced to manifests, facility inspection records and training records. A sales representative may also be trained as the designate for performing the facility inspection. Additional training is in the form of videotape presentations and a review of the contingency plan. The contingency plan must be reviewed with the branch manager before the sales representative formally begins his new position and annually thereafter. All items listed in the Introductory and Annual Topics Training for Branch Employees (Appendix A) must be explained within six months of starting.

#### **II.4.3.4 Training of New Warehousemen**

A warehouseman is trained to maintain the service center and assist the other branch employees in their tasks. He may be a designate for the facility inspection and must be trained by the branch manager as such. Within two weeks of the warehouseman's starting, the branch manager must review the contingency plan with him, and within six months he must review the items listed in the Introductory and Annual Training Topics for Branch Employees (Appendix A).

#### **II.4.3.5 Annual Training**

On an annual basis, employees are trained using a program prepared and updated annually by the EHS Department. The regional engineer must insure that the program has been executed. It includes updates on environmental regulations, an in-depth review of the contingency plan and a review of RCRA inspection criteria.

All service center employees must annually review the items listed in the Introductory and Annual Topics for Branch Employees. This review is in the form of videotapes and a review and discussion of the storage facility permit application. In addition, periodic memoranda on changes in environmental regulations are issued by the EHS Department and must be read and discussed by all branch personnel.

#### **II.4.4. TRAINING RECORDS**

All training must be documented using the record forms in Appendix A. The records must be kept on file at the facility until closure. Employees may not work in unsupervised positions until the Contingency Plan has been reviewed and they understand emergency response procedures.

oxidizers and reactive metals, none of which are present in the base or sealants.

Paint wastes will be placed in black 5-gallon metal pails and in black 16-gallon drums at the customer's place of business and sediment from cleaning the dumpsters is placed in red 16-gallon drums. These containers of ignitable wastes are placed on pallets and stored in the H-3 Flammable Storage Building shown in Appendix A. The storage capacity of this unit is 1,092 gallons.

This structure has secondary containment in the form of sloping concrete floors and a collection trench sealed with an epoxy coating (Brutem 70 or equal) that is resistant to organic solvents. The floors have a 1% slope to a 10 ft long X 2 ft wide X 2 ft deep (174 gallons) collection trench. Both the floors and trench are made of steel-reinforce concrete and the concrete are poured so that no cracks or gaps exist between them.

The walls, ceilings and floors are rated for 2-hour fire resistance, and openings in exposing walls are protected with fire doors rated for 1 1/2-hour fire resistance. The H-3 Flammable Storage Building construction is of concrete masonry and is painted light colors (white and beige) to reflect sunlight. An overhead door secures the shelter when drums are not being added to or removed from it. A fire suppression system in the form of a sprinkler system is provided. The system is designed to provide 0.30 gallons per minute per square foot of floor area (368 gallons per minute). Safety-Kleen also provides 10 pound dry chemical fire extinguishers at each entrance door.

A 6-inch overflow pipe is connected to a fiberglass underground storage tank. The tank will be used for fire water containment and is considered part of the secondary containment system. The capacity of the tank is at least 6,620 gallons and provides containment capacity for at least 20 minutes water flow from the fire suppression system. The 6 inch overflow pipe is located 14 inches from the base and 4 inches from the top of the trench and collects spilled material that exceeds the containment capacity (174 gallons) of the spill containment trench.

Two feet of aisle space will be maintained and the drums will be stored no more than two high. Containers in the drum storage areas will be placed on pallets and moved with a forklift or pallet jack.

### III.1.2. Security

The container storage areas and flammable shelter area are locked unless occupied by Safety-Kleen personnel. As a result the tanks and container storage areas are inaccessible except by Safety-Kleen personnel.

The overhead door to the H-3 Flammable Storage Building will be closed and locked unless containers are being added to or removed from the shelter. Warning signs are also posted on the shelter. These warning signs are posted in both English and Spanish.

#### **III.1.3. Inspections**

Drum storage areas--The three drum storage areas (including the H-3 Flammable Storage Building) are inspected daily and the number and condition of the drums noted. The total volume of the spent solvent held in the drum storage areas must not exceed ten times the amount that can be collected in the secondary containment systems. The contents of any leaking or suspect drums must be placed in a drum of adequate integrity. Finally, the drums must be properly labeled and marked in accordance with U.S. DOT and New Mexico hazardous waste regulations. The secondary containment system must be inspected for deterioration or failure. If cracks or leaks are detected, they must be repaired immediately.

#### **III.1.4. Compatibility of Containers with their Contents and Each Other**

The mineral spirits, immersion cleaner, dry cleaning waste and paint wastes are compatible with the drums in which they are stored; in fact, mineral spirits is sometimes used as a rust-preventive coating for steel. Immersion cleaner, mineral spirits, and paint waste are stored in steel drums.

Dry cleaning wastes are stored in blue steel and black polyethylene drums, both of which are DOT-approved containers. The polyethylene drums have been treated with fluorine gas to be resistant to dry cleaning solvents. Immersion cleaner and dry cleaner waste are never opened at the branch facility. Containers in the warehouse will be placed on pallets to facilitate storage shipping. Since none of the wastes handled by Safety-Kleen react with steel or polyethylene, compatibility is assured.

#### **III.1.5. Potential Fire, Incompatibility and Vapor Build Up Sources**

The following is a list of fire prevention and minimization measures:

- a. All wastes and products are kept away from ignitable sources. Personnel must confine smoking and open flames to remote areas, separate from any solvent (e.g., the office or locker room). The mineral spirits handling area, H-Flammable Storage Area and the storage tanks are separated

from the warehouse building area to minimize the potential for a fire to spread or injury to personnel to occur.

- b. Ignitable wastes are handled so that they do not:
1. become subject to extreme heat or pressure, fire or explosion, or a violent reaction. The mineral spirits waste is stored in a tank or in drums, none of which are near sources of extreme heat, fire, potential explosion sources or subject to violent reactions. The tanks are vented and the drums kept at room temperature to minimize the potential for pressure build up.
  2. produce uncontrolled toxic mists, fumes, dusts or gases in quantities sufficient to threaten human health. The vapor pressure of mineral spirits is low (2 mm) and it is reactive with strong oxidizers only. Toxic mists, fumes, dusts or gases will not form in quantities sufficient to threaten human health since strong oxidizers are not handled at this facility and the solvent vaporization will be minimal under normal working conditions. The tanks operate under atmospheric temperature and pressure and are vented to prevent the accumulation of vapors. The warehouse drum storage area, H-3 Flammable Storage Building and the Return and Fill Station are provided with exhaust fans to ventilate the areas. Monitoring of vapors is not necessary as, under normal circumstances, the 6% concentration of the lower explosive level is not possible. The H-3 Flammable Storage Building will be built in accordance with local and national fire codes to minimize the potential for fires and explosions.
  3. produce uncontrolled fires or gases in quantities sufficient to pose a risk of fire or explosion. See 'a' above and 'c' below.
  4. damage the structural integrity of the Safety-Kleen facility. The mineral spirits and paint wastes will not cause deterioration of the tank, drums or other structural components of the facility.
- c. Adequate aisle space is maintained to allow the unobstructed movement of personnel, fire protection equipment, and decontamination equipment to any area of the facility operation in an emergency.
- d. "No Smoking" signs are posted in areas where solvents are handled or stored.
- e. Fire extinguishers must be checked once per week and tested by the fire extinguisher company once per year.

The solvents stored on-site are only incompatible with strong oxidizers and reactive metals, none of which are present on-site. They are therefore compatible with one another and their mixing will not cause a strong reaction. The exhaust fans in the warehouse, H-3 container Storage Building and the Return and Fill Station must be turned on five minutes before entering the areas and must remain on, until operations cease for the day, to prevent the accumulation of toxic vapors. Industrial hygiene studies have been performed at Safety-Kleen facilities and employees have not been found to be over-exposed to air contaminants.

**ATTACHMENT II-4**

**APPENDIX A**

## BRANCH SECRETARY

### JOB DESCRIPTION

Performs duties to assist the branch manager, sales representatives, and customers with billing, scheduling and recordkeeping. Performs secretarial duties at the branch.

### REPORTS TO:

Branch Manager

### QUALIFICATION:

Attended high school

### PRINCIPAL RESPONSIBILITIES:

1. Maintain records in an orderly manner.
2. Assist sales representatives in scheduling services.
3. Insure that all hazardous waste manifests are complete, and manage distribution and filing of copies.
4. Maintain Personnel Training Record files.
5. Maintain Facility Inspection Records.
6. Answer customer inquiries.
7. Manage customer billing.
8. Perform other related duties as assigned.

## SALES REPRESENTATIVE

### JOB DESCRIPTION

The Sales Representative is charged with the responsibility of generating new business and servicing established accounts within a certain defined geographic area.

### REPORTS TO:

Branch Manager

### QUALIFICATION:

Minimum high school graduate

### PRINCIPAL RESPONSIBILITIES:

1. Maintain his route truck and replenish his products on the truck before beginning his route sales.
2. Contact potential customers for the purpose of selling Safety-Kleen services and allied products.
3. Exchange used solvents with fresh solvent and replenish the inventory of Safety-Kleen's products for existing customers.
4. Make minor repairs of Safety-Kleen's parts washer equipment or lease new equipment to the customer.
5. Prepare the necessary paper work for each service, and bill or credit the customer, as necessary.
6. At the end of each day, return the truck to the branch for cleaning and maintenance, and summarize the day's activities so the branch manager can tabulate the daily figures and forward them to the corporate office.

WAREHOUSEMAN

JOB DESCRIPTION

Performs duties to assist the sales representatives in loading and unloading the trucks. Performs janitorial duties at the warehouse.

REPORTS TO:

Branch Manager

QUALIFICATION:

Attended high school.

PRINCIPAL RESPONSIBILITIES:

1. Maintain warehouse in clean and orderly manner.
2. Assist sales representatives in loading trucks and replacing solvent.
3. Refurbish drums as needed.
4. Park or move trucks as needed.
5. Stock inventory.
6. Replenish trucks with inventory.
7. Perform other related duties as assigned.

## TRAINING PLAN OUTLINE

### ANNUAL ENVIRONMENTAL COMPLIANCE COURSE FOR REGIONAL MANAGERS, BRANCH MANAGERS AND SECRETARIES

- I. Opening Remarks
- II. Environmental Laws - National
  - A. Introduction
  - B. The National Environmental Policy Act (NEPA)
    - 1. Purpose
    - 2. Procedure: The Environmental Impact Statement
  - C. The Clean Air Act (CAA)
    - 1. Purpose
    - 2. How the Act Works
  - D. The Clean Water Act (CWA)
    - 1. Purpose
    - 2. Effluent Limitations for Direct Discharges
    - 3. Pretreatment Standards for Indirect Discharges to Publically Owned Treatment Works (POTW)
    - 4. Permit Program
  - E. The Resource, Conservation and Recovery Act (RCRA)
    - 1. Purpose
  - F. The Toxic Substances Control Act (TSCA)
    - 1. Purpose
    - 2. How TSCA Works

- G. The Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA" or "Superfund")
  - 1. Purpose
  - 2. Superfund clean-up

III. Resource, Conservation and Recovery Act (RCRA)

- A. Overview and Scope
- B. Hazardous Waste Management
  - 1. Implementation
  - 2. Identification and Listing of Hazardous Waste
    - a. Listed Wastes
    - b. Characteristic Wastes
    - c. Waste Mixtures
  - 3. Generator Regulation
    - a. General requirements
    - b. Generator categories: 100-1000 kg./mo. generators
  - 4. Transporter Regulation
    - a. General requirements
    - b. Discharges of hazardous waste during transportation
  - 5. Treatment, Storage or Disposal Facility Regulation
    - a. General requirements
    - b. Interim status facilities
    - c. Permitted facilities
  - 6. Enforcement
    - a. Inspections
    - b. Compliance Orders
    - c. Criminal Violations

d. **Knowing Endangerment**

e. **Enforcement activity**

**C. New RCRA Programs**

**1. Leaking Underground Storage Tanks**

a. **The requirements**

b. **New Tank Ban**

c. **Notifications**

**IV. Facility Operation: Interim Status**

**A. Part A Application**

**B. Waste Analysis Plan**

**C. Preparedness and Prevention Plan**

**D. Contingency Plan and Emergency Procedure**

**E. Training**

**F. Closure**

**G. Inspections**

**H. Transportation Licensing**

**V. Manifesting**

**A. Overview**

**B Manifesting: Branch-Specific Instruction**

**VI. Certification Examination**

**VII. Sales Application of Environmental Compliance**

**VIII. Adjourn**

## NEW BRANCH MANAGER TRAINING

Program for Regional Engineer branch visit -

1. Review of Environmental Notebook/Part B Permit
  - Part A Application
  - Waste Analysis Plan
  - Contingency Plan
  - Financial Requirements
  - Training Plan
  - Transportation Licensing
2. Review of Transportation Licensing
3. Review of Environmental Compliance Guidance and Corporate Policy Manual
4. Conduct Detailed Facility Inspection with Branch Manager
  - Identify deficiencies requiring branch attention
  - Identify problems requiring Technical Services assistance
  - Review actual vs. permitted waste storage capacities

### File Review

- Manifests and Land Ban Notices
  - Training Files
  - Spill Report File
  - Community Right-to-Know Files
  - Inspection Records
6. Contingency Plan Training Session with Branch Manager and All Alternate Emergency Coordinators
    - Include Spill Simulation and Response
    - Update the Emergency Information and Local Authority Notifications
    - Familiarize Branch Manager with the emergency response procedures described in the contingency plan, emergency response equipment and emergency response systems.
  7. Health and Safety
    - OSHA 200 Reporting
    - Hazard Communication Program
  8. Review Branch Specific Manifesting Procedures and Customer ID \* Compliance

Review of Past EID Inspections and Other Past Branch Compliance-related "History"

10. Environmental Training for Branch Personnel

- Requirements for Content and Frequency
- Conducting Training Sessions
- Recordkeeping

11. Review New Mexico hazardous waste regulations

Notes to Regional Engineers:

- Be prepared with examples and extra copies of all forms in case the branch is missing them.
- Spend time at the beginning of visit reviewing Environmental files for potential missing information or problems.
- Use several short quizzes covering the major topics as a review and documentation of the training session. A training record form should also be completed.
- Provide copies of your recent memos concerning environmental compliance at the branch or in the state. Branch copies may be missing.
- Provide Safety-Kleen part numbers for equipment (sorbents, signs, etc.) that may be missing at the branch.

INTRODUCTORY AND  
ANNUAL TRAINING TOPICS FOR FACILITY EMPLOYEES

- A. Environmental Regulation Update
- B. Part A Application
- C. Waste Analysis Plan (including waste determination procedures as described in the waste analysis plan)
- D. Preparedness and Prevention Plan (including proper waste handling techniques)
- E. Contingency Plan and Emergency Procedure - all of Chapter 4 and Appendix F of the Part 3 permit application, including:
  - a. Procedures for using, inspection, repairing, and replacing facility emergency response equipment must be reviewed.
  - b. Communications or alarm systems.
  - c. Response to fires or explosions.
  - d. Response to groundwater contamination incidents.
  - e. Shutdown of operations.
- F. Training
- G. Closure
- H. Inspections
- I. Manifesting
- J. Spill Simulation and Spill Reports

**NOTE: EMPLOYEES MAY NOT WORK IN UNSUPERVISED POSITIONS UNTIL THEY HAVE BEEN TRAINED. EMPLOYEES MUST BE COMPLETELY TRAINED, IN ALL THE ITEMS LISTED ABOVE, WITHIN SIX MONTHS OF STARTING AND ANNUALLY THEREAFTER.**

## TRAINING PLAN OUTLINE

FOR

### BRANCH EMPLOYEES

- I. Purpose of Training and a Review of the Training Plan Outline
- II. Environmental Regulations and Customer Responsibilities
  - a. Small Quantity Generator vs. Generator
  - b. Manifesting - How to Complete and Distribute a Manifest
  - c. EPA Identification Numbers
- III. Transportation Regulations
  - a. Permits
  - b. Vehicle Inspections and Records
- IV. Waste Analysis Plan - Analyzing Incoming Shipments
- V. Preparedness and Prevention Plan
  - a. Performing and Recording a Facility Inspection
  - b. Proper Maintenance of Storage Facilities and Associated Equipment
  - c. Emergency Equipment - Availability and Use
- VI. Contingency Plan
  - a. Implementation of the Contingency Plan - Personnel and Emergency Functions
    1. Spills and Fires and Proper Response Actions
      - a. On Site Accidents
      - b. Transportation Accidents
    2. Reporting Requirements
      - a. Safety-Kleen Corp.
      - b. State Emergency Response System
      - c. National Response Center
  - b. Emergency Information
  - c. Corporate Policies 600-608, 609 and 610
    1. Review of Material Safety Data Sheets
  - d. Recordkeeping - Spill Report Telephone Log

EHS TRAINING TOPIC LOG

Employee Name and No.: \_\_\_\_\_

Facility Location and No. \_\_\_\_\_

Date Hired: \_\_\_\_\_ Position: \_\_\_\_\_

NOTE: EMPLOYEES MAY NOT WORK IN UNSUPERVISED POSITIONS UNTIL THEY HAVE RECEIVED EMERGENCY RESPONSE TRAINING. EMPLOYEES MUST BE COMPLETELY TRAINED, WITHIN SIX MONTHS OF STARTING AND ANNUALLY THEREAFTER.

Certification by the employee that training has been received obligates the employee to discharge his duties in accordance with the training provided. Failure to comply with the requirements established during the training program may result in civil or criminal penalties against the employee.

	<u>TRAINING TOPIC*</u>	<u>DATE COMPLETED</u>	<u>SIGNATURE</u>
1.	_____	_____	_____
	_____	_____	_____
2.	_____	_____	_____
	_____	_____	_____
3.	_____	_____	_____
	_____	_____	_____
4.	_____	_____	_____
	_____	_____	_____
5.	_____	_____	_____
	_____	_____	_____
6.	_____	_____	_____
	_____	_____	_____

\* The training topic and training method should be described thoroughly. For example: "Safety Training Part III - Preventing Injuries and Illnesses (Videotape)", "Respirator Fit Testing and Training (written weekly training topic)", "Contingency Plan in Part 3 (reviewed with regional environmental engineer)", etc.

**ATTACHMENT II-5**

**PROCEDURES FOR HANDLING IGNITABLE WASTE**

## ATTACHMENT II-5

### PROCEDURES FOR HANDLING IGNITABLE WASTE

#### ABSTRACT

This section describes the procedures, structures, and equipment used at the Albuquerque Safety-Kleen Facility to prevent or mitigate the following: the accidental ignition of flammable wastes, and the reaction or commingling of incompatible wastes. The information provided in this section is submitted in accordance with the requirements of The New Mexico Hazardous Waste Management Regulations (HWMR-6) Part IX, 40 CFR section 270.14 (b)(9).

#### II.5.1. Potential Fire, Incompatibility and Vapor Build Up Sources

The following is a list of fire prevention and minimization measures:

- a. All wastes and products are kept away from ignitable sources. Personnel must confine smoking and open flames to remote areas, separate from any solvent (e.g., the office or locker room). The mineral spirits handling area, H-3 Flammable Storage Building and the storage tanks are separated from the warehouse building area to minimize the potential for a fire to spread or injury to personnel to occur.
- b. Ignitable wastes are handled so that they do not:
  1. become subject to extreme heat or pressure, fire or explosion, or a violent reaction. The mineral spirits waste is stored in a tank or in drums, none of which are near sources of extreme heat, fire, potential explosion sources or subject to violent reactions. The tanks are vented and the drums kept at room temperature to minimize the potential for pressure build up.
  2. produce uncontrolled toxic mists, fumes, dusts or gases in quantities sufficient to threaten human health. The vapor pressure of mineral spirits is low (2 mm) and it is reactive with strong oxidizers only. Toxic mists, fumes, dusts or gases will not form in quantities sufficient to threaten human health since strong

oxidizers are not handled at this facility and the solvent vaporization will be minimal under normal working conditions. The tanks operate under atmospheric temperature and pressure and are vented to prevent the accumulation of vapors. Monitoring of vapors is not necessary as, under normal circumstances, the 6% concentration of the lower explosive level is not possible. The H-3 Flammable Storage Building was built in accordance with local and national fire codes to minimize the potential for fires and explosions.

3. produce uncontrolled fires or gases in quantities sufficient to pose a risk of fire or explosion. See 'a' above and 'c' below.
  4. damage the structural integrity of the Safety-Kleen facility. The mineral spirits and paint wastes will not cause deterioration of the tank, drums or other structural components of the facility.
- c. Adequate aisle space is maintained to allow the unobstructed movement of personnel, fire protection equipment, and decontamination equipment to any area of the facility operation in an emergency.
- d. "No Smoking" signs are posted in areas where solvents are handled or stored.
- e. Fire extinguishers must be checked once per week and tested by the fire extinguisher company once per year.

The solvents stored on-site are only incompatible with strong oxidizers and reactive metals, none of which are present on-site. They are therefore compatible with one another and their mixing will not cause a strong reaction. The exhaust fans in the warehouse, the H-3 Flammable Storage Building and the return and fill station must be turned on five minutes before entering the storage areas and will remain on all day, until operations cease for the day. Industrial hygiene studies have been performed at Safety-Kleen facilities and employees have not been found to be over-exposed to air contaminants.

**ATTACHMENT II-6**  
**CONTINGENCY PLAN**

## **ATTACHMENT II-6**

### **CONTINGENCY PLAN**

#### **ABSTRACT**

This section describes the contingency plan submitted by the Albuquerque Safety-Kleen Facility in accordance with the New Mexico Hazardous Waste Management Regulations (HWMR-6) Part IX, 40 CFR section 270.14 (b)(7), and Part V, Subpart D.

#### **II.6.1. PURPOSE**

The contingency plan describes the actions to be taken by each employee in the event of a spill, fire or other emergency. It includes the information necessary to address emergency situations efficiently and in such a manner as to prevent or minimize hazards to human health or the environment due to fire, explosion, or any other release of hazardous materials to the air, soil, surface water, or ground water.

The contingency plan is to be carried out immediately whenever there is a release of hazardous material which could threaten human health or the environment, implementing the procedures contained in this plan.

#### **II.6.2. EMERGENCY COORDINATOR RESPONSIBILITIES**

The emergency coordinator is responsible for implementing the contingency plan during an emergency; however, all employees must be familiar with the procedures in this plan and are responsible for proper implementation of the plan should the emergency coordinator or his alternate be unavailable. The branch manager is the emergency coordinator and the branch secretary is the alternate emergency coordinator.

The emergency coordinator and his alternate must be familiar with all aspects of this contingency plan, the operations and activities at the facility, the location and characteristics of materials handled, the location of all records within the facility and the facility layout. In addition, these coordinators have the authority to commit the resources necessary to carry out the contingency plan. Their home addresses and telephone numbers, as well as the office telephone number, are listed in Appendix A. Also listed in Appendix A are the assigned duties of each employee during an emergency. At least one

employee will be at the facility or on call to respond to an emergency situation.

#### **II.6.2.1. Responsibilities During an Emergency**

Whenever there is an imminent or actual emergency situation, the emergency coordinator (or his alternate when the emergency coordinator is not available) must immediately:

- a. activate the internal facility communication system to notify all facility personnel;
- b. notify Safety-Kleen's Environment, Health and Safety Department using the 24-hour telephone number after working hours - 708/888-4660; and
- c. notify appropriate state or local agencies with designated response roles.

Whenever there is a release, fire, or explosion, the emergency coordinator must immediately try to identify the character, exact source, amount, and extent of any contamination. Because of the limited number of materials being handled at the facility, he or she may do this by observation or by review of facility records. If necessary, outside laboratories may be contacted to perform chemical analysis.

Concurrently, the emergency coordinator must assess possible hazards to human health or the environment that may result from the release, fire, or explosion. This assessment must consider both direct and indirect effects of the release, fire, or explosion (e.g., the effects of any toxic, irritating, or asphyxiating gases that may be generated, or the effects of any hazardous run-off).

During an emergency, the emergency coordinator must take all measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other hazardous waste at the facility. These measures must include, where applicable, stopping processes and operations, collecting and containing released waste, and removing or isolating containers.

#### **II.6.2.2. Remedial Action Responsibilities**

If the environment has been contaminated or there is a potential for contamination as a result of a fire, explosion, or spill, the emergency coordinator must contact the Environment, Health and Safety Department to report the incident. All releases, fires, and explosions necessitate the implementation of this contingency plan. Any situation that has the potential for releasing solvent or solvent vapors or causing a fire or explosion must be addressed according to this plan. Should there

be any questions as to whether this plan should be implemented (i.e. a problem is suspected but cannot be confirmed) the EHS or Technical Services Dept. must be contacted and assistance requested. The treatment, storage and/or disposal of the recovered waste, contaminated soil or surface water that results must be arranged by Safety-Kleen and carried out as expeditiously as possible.

The emergency coordinator must ensure that, in the affected area(s) of the facility:

- a. no substance that may be incompatible with the released material is brought on site until cleanup procedures are completed; and
- b. all emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed.

#### **II.6.2.3. Reporting Responsibilities**

If the emergency coordinator determines that the facility has had a release that could threaten human health or the environment, the coordinator must report those findings as follows:

- a. If the assessment indicates that evacuation of local areas may be advisable, the coordinator must immediately notify appropriate authorities.
- b. The coordinator must immediately notify the Environment, Health and Safety Department. The department will notify the New Mexico Environment Department (NMED), of any spill or release of hazardous waste within 24 hours (except for spills of one pound or less that are immediately cleaned up). The department will report to NMED the following:
  - (1) name and telephone number of notifier;
  - (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.

Safety-Kleen will notify the appropriate state and local authorities that the facility is in compliance with section II.6.2.2 before operations are resumed in the affected area(s) of the facility.

The emergency coordinator must document the time, date, and details of any incident that requires the implementation of the contingency plan. Within fifteen days of the incident, Safety-Kleen will submit a written report on the incident to NMED. The report must include:

- a. name, address, and telephone number of the owner or operator;
- b. name, address, and telephone number of the facility;
- c. date, time, and type of incident (e.g., fire, explosion);
- d. name and quantity of material(s) involved;
- e. the extent of injuries, if any;
- f. an assessment of actual or potential hazards to human health or the environment, where this is applicable; and
- g. estimated quantity and disposition of recovered material that results from the incident.

#### **II.6.2.4. Chain of Command**

Based on the emergency response procedures described above, the chain of command during an emergency is as follows:

- a. The person who discovers/causes the spill reports to the emergency coordinator.
- b. The emergency coordinator contacts the Environment, Health and Safety Dept.
- c. The Environment, Health and Safety Department reports to NMED.

#### **II.6.2.5. Government Agencies and Local Authorities to Be Notified**

During an emergency, the following government agencies and local authorities may be contacted:

<u>Agency or Authority</u>	<u>Rationale</u>
Police Department	Notify if there is imminent danger to human health.
Fire Department	Notify if there is a fire, uncontrolled spill, or other imminent danger.
Hospital	Notify if there are any injuries.
New Mexico NMED	Report releases and fires.
Rinchem	Call to assist with remedial action after a release.

Arrangements have been made to familiarize the police department, fire department and local emergency response teams with the layout of the facility, the properties of hazardous materials handled and associated hazards, locations where facility personnel normally work, entrances to and roads inside the facility, and possible evacuation routes. Arrangements have also been made to familiarize the local hospital with the types of injuries or illnesses which could result from fires, explosions, or releases at the facility.

### **II.6.3. EMERGENCY RESPONSE PROCEDURES**

Response actions to be taken in specific emergency situations are described in the sections which follow. Employees must assess the possible hazards to human health or the environment resulting from a release or fire by visually inspecting the area, reviewing Material Safety Data Sheets for the materials released and estimating the extent of the release and identifying the media to which it was released (e.g. soil, water).

#### **II.6.3.1. Minor Spills**

If a spill should occur while pouring spent solvent into a dumpster or filling drums with solvent product at the return and fill station, and it is contained in the secondary containment at the base of the return and fill station, remedial action will not be necessary. Should the spill occur outside the containment, different actions must be taken depending on whether the spill occurs on a paved or unpaved area:

- a. If the solvent spills on a paved area, it must be collected with sorbent sheets and/or sorbent clay (such as "Oil Dry"). The sorbents will be collected, drummed and shipped to the Safety-Kleen recycle center for proper disposal.
- b. If the solvent spills on an unpaved area, the free solvent must be collected with sorbent material. The sorbent material and any contaminated soil must be collected, drummed and shipped to a Safety-Kleen recycle center for proper disposal.

If a spill occurs while moving or delivering drums outside of the warehouse, the response actions described in 'a' and 'b' above must be followed. Spills inside the warehouse and the H-3 Flammable Storage Building will be prevented from contaminating the environment by the concrete floor and the secondary containment. In the event of a spill indoors, the doors and windows should be opened to improve the ventilation in the confined area. If solvent is spilled in a non-explosion rated area or is flowing in such, insure that all sources of ignition (e.g., thermostats or light switches) are left in the same position (either on or off) as at the time of the spill. Then, following the instructions of the appropriate Material Safety Data Sheet (Appendix A), the worker will enter the area wearing rubber gloves, aprons, safety glasses, and/or a respirator, collect the liquid, drum it and return it to storage. An explosion-proof area is one which special wiring has been used which prevents the likelihood of an explosion. Only the return and fill station contains this type of wiring.

Cleanups are completed only when the workers have cleaned themselves and the emergency equipment with soap and water. All minor spills must be reported to the Environment, Health and Safety Department and the department will contact NMED, if the spill is greater than one pound.

In the event a container needs emptying, a pump located on the facility will be used to remove the liquid and pump it to a new container. In the event the liquid from a tank needs to be removed, tanker trucks will be used to remove the liquid and haul it to a recycle center. A wet/dry vacuum is present at the site to be used in the event of a minor spill. Sorbent pads can also be used to wipe up any minor spills.

#### **II.6.3.2. Major Spills**

Any spill which can not be completely remediated using the methods described in 'a' and 'b' of section II.6.3.1 is a major spill. A major spill is usually the result of a vehicular accident, tank overfilling, equipment failure or a fire. Spilled material which escapes collection can contaminate soil, surface

water, ground water, sanitary sewer systems and storm sewer systems. Emergency response to this type of spill should be as follows:

- a. Assist any injured people.
- b. Stop the flow of solvent, if possible.
- c. Retain, contain or slow the flow of the solvent if it can not be stopped.
- d. If solvent escapes your containment efforts, immediately call the local Fire Department, and report to the emergency coordinator and the Environment, Health and Safety Department.
- e. Immediately recover the spilled solvent to reduce property and environmental damage. Start recovery operations immediately.
- f. Contact the spill clean up contractor and request clean up assistance.

The emergency coordinator shall report any incident as soon as possible to the Environment, Health and Safety Department using the 24-hour telephone number: 708/888-4660. If the Environment, Health and Safety Department does not respond within thirty minutes, the emergency coordinator shall call an emergency cleanup response contractor, if it is deemed necessary, and report the incident to the National Response Center (telephone: 800/424-8802) and NMED (telephone: 505/827-9329, 24-hour number). Otherwise, the Environment, Health and Safety Department will contact the proper authorities.

The person reporting a spill should be prepared to give his name, position, company name, address and telephone number. The person reporting should also describe the material spilled and, if possible, some estimate of the amount, and the containment status and specify any equipment needed.

Contaminated material resulting from remedial actions for major spills will usually be disposed of at a properly permitted treatment or disposal facility since the quantity of waste material will probably exceed the storage capacity of the Safety-Kleen recycle center.

Contaminated equipment resulting from remedial actions for spills must be cleaned and decontaminated. If it is a paved or metal surface, this can be done using a detergent solution.

Every spill must be recorded on the Spill Report Telephone Log and reviewed with branch personnel to prevent similar spills

from occurring in the future. A copy of this report is sent to the Environmental Affairs Department.

#### II.6.3.3. Fire Control Procedures

If a fire occurs, personnel must act quickly with the fire extinguisher to put out the fire before it spreads. If it can not be extinguished immediately, evacuate the facility and call the fire and police department.

Vapors of mineral spirits exposed to a spark or open flame can flash at temperatures over 105°F. A mineral spirits fire can best be extinguished with foam. If foam is not available, sweeping the fire with water fog can cool it, directing the water spray to push the flames into a confined area, if possible. The flame should not be extinguished until the flow of the solvent has been stopped. Then attention should be directed immediately to extinguishing the flame.

Immersion cleaner (which is a mixture of chlorinated solvents, cresylic acid and an alkaline solution), and dry cleaning wastes are not flammable (see section IV of the appropriate Material Safety Data Sheet in Appendix A) but can produce phosgene gas and hydrochloric acid at very high temperatures (about 1200° F). The potential for the materials reaching a decomposition state is minimal; however, branch personnel and local authorities must be aware of the proper response described below, should a fire affect the drum storage areas:

- a. Isolate the hazard area and deny entry to unauthorized personnel.
- b. Stay upwind; keep out of low areas.
- c. Ventilate closed spaces before entering them.
- d. Wear positive pressure breathing apparatus and protective clothing.
- e. Evacuate a 600 foot radius area endangered by the gas.

A fire in the drum storage area can best be extinguished by foam, water fog, or water spray.

Paint wastes can generate carbon monoxide and other poisonous gases. Therefore, it is important to wear positive pressure breathing apparatus and full protective clothing in the affected area. If a fire in or near the H-3 Flammable Storage Building occurs:

- a. Isolate the area and deny entry to unauthorized personnel.
- b. Stay upwind; keep away from low areas.
- c. Wear protective clothing and self-contained breathing apparatus.

A dry chemical, carbon dioxide or foam will best extinguish the fire. Cool the shelter and containers with water until well after the fire has been extinguished.

Explosions may result in the spread of fire, unstable structures, and other hazardous conditions at the facility. Therefore, the site must not be re-entered until the fire department and Safety-Kleen's insurance company have determined it is safe to do so. Action must be taken to ensure fires, explosions or releases do not occur or reoccur. These include removing the source of the problem, repairing or remediating the source of the problem, cooling areas subject to fires and explosions and replacing faulty equipment.

#### **II.6.4. EVACUATION PLAN**

Clearly marked exits exist in the warehouse and office area and employees are trained to be aware of all potential escape routes.

The signal for evacuation is either a verbal or loudspeaker announcement describing the hazard and indicating the need for evacuation.

When an uncontrolled fire or release has occurred, all personnel are to be evacuated from the area and assemble across Girard Avenue to assure that all personnel are accounted for and out of the hazardous area. The fire department must be notified at the time of evacuation either from a safe on-site building or from a neighboring facility.

#### **II.6.5. ARRANGEMENT WITH EMERGENCY RESPONSE CONTRACTORS**

The emergency coordinator and his alternates have been trained using this contingency plan as well as in a classroom setting. They have preferences such as various state members at the corporate office and the Material Safety Data Sheets to help them make a decision during an emergency.

An emergency response contractor is identified on the Emergency Information sheet (Appendix A). This contractor will provide emergency assistance during a release and/or cleanup.

#### **II.6.6. IMPLEMENTATION SCHEDULE**

Any discrepancies or deficiencies found during the routine inspection must be corrected expeditiously to insure that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or an accident has already occurred, remedial action must be taken immediately. The branch manager has the overall responsibility for remediating any discrepancies found during the routine inspection, and will consult with the corporate environmental and engineering staffs to design an implementation schedule for remedial action.

#### **II.6.7. AVAILABILITY AND REVISION OF THE CONTINGENCY PLAN**

This plan and all revisions to the plan are kept at the facility and regularly updated throughout the operating life of the facility. Copies of this document are provided to local authorities and organizations listed on the Emergency Information sheet (Appendix A) and they may be called upon to provide emergency services. In addition, this plan and all revisions to the plan are made readily available to employees working at the facility.

The plan is reviewed and updated, if necessary, whenever:

- a. the facility license is modified to allow new process wastes to be stored or treated, or applicable regulations are revised;
- b. the list or location of emergency equipment changes;
- c. the facility changes in its design, construction, operation maintenance, or other circumstances in a way that:
  - (1) increases the potential for fires, explosions, or releases of hazardous constituents, or
  - (2) changes the response necessary in an emergency;
- d. the names, addresses, or phone numbers of emergency coordinators change;
- e. the employee assigned to each emergency task changes;  
or
- f. the plan fails when implemented in an emergency.

**ATTACHMENT II-7**

**CLOSURE PLAN**

**ATTACHMENT II-7**

**CLOSURE PLAN**

**ABSTRACT**

The Albuquerque service center operates as a storage facility for hazardous wastes, and Safety-Kleen believes it is required that it be closed in accordance with the closure requirements of New Mexico Hazardous Waste Management Regulations (HWMR-6), Part IX, 40 CFR section 270.14(b)(13). Closure of the facility will be carried out in accordance with the steps outlined in this plan and contains an estimated schedule and cost for the completion of closure for 1990. Safety-Kleen will remove all hazardous wastes and residuals from the facility and will therefore eliminate the need for further maintenance and care. An outside contractor will be performing the closure clean-up and sampling activities. The contractor will have worked with Safety-Kleen prior to clean-up so we can be aware of their capabilities. A state licensed Professional Engineer will be on site periodically to certify the adequacy of the clean-up activity.

**II.7.1. UNDERGROUND TANK AND ASSOCIATED PIPING**

To safely clean and decommission the Double-Walled Underground Waste Solvent Storage tank:

- a. Remove the remaining material from the tank and return the materials to a reclaimer.
- b. Provide access to the tank.
- c. Rinse, scrape and squeegee the tank interior, removing all residual waste material and rinsate.
- d. Disconnect and decontaminate all appurtenant piping and pumping equipment.
- e. Remove tank and appurtenant equipment and reuse or sell as scrap.
- f. Backfill all excavations with clean fill materials.
- g. Transport and dispose of all waste material generated during the project.

#### **II.7.1.1. Removal of Waste Material and Opening of the Tank**

The contents of the tank must be removed using a pump, vacuum or similar equipment and then be shipped by tanker truck to a reclaimer.

To gain access to tanks, use the manway at the top of the tank. Depending on the type of opening and the condition of the equipment, a variety of tools may be used to open the manway. Care must be exercised to minimize spark generation when working on the tank.

Prior to entering the tank, personnel should have full face respiratory protection and protective clothing. Once the tanks have been opened, they must be provided with positive ventilation. The tanks will then be inspected to determine the approximate quantity and physical conditions of any remaining waste material.

#### **II.7.1.2. Removal of Residual Waste and Cleaning of Tank**

Before removing any residual waste from the tank, all piping and appurtenant equipment will be flushed with clean mineral spirits followed by a detergent solution.

The method used to remove the residual waste material from the tanks will depend on the physical properties and quantities of that material. Prior to any person entering the tank, an effort will be made to remove as much liquid and sediment as possible (see section II.7.1.1.).

Subsequent to vacuuming the majority of the material from the tanks, it may be necessary to use a high pressure wash system using clean solvent and a detergent solution to rinse residual material from the walls, roof, and floor of the tank. The evacuated material and the rinse solution will be shipped to a reclaimer. The quantity of wash fluid used will be kept to a minimum in order to limit the amount of waste material.

Storage tanks are considered confined spaces (i.e. spaces open or closed having a limited means of egress in which poisonous gases or flammable vapors might accumulate or an oxygen deficiency might occur), and confined space entry requires special procedures:

- a. Tanks are to be washed, neutralized and/or purged (where flammable atmosphere is present) prior to being entered.
- b. Supply valves must be closed and tagged and bleeder

valves left open; or supply piping should be disconnected.

- c. Pumps or motors normally activated by automatic controls shall be operated manually to be sure they have been disconnected. Instrument power switches should be tagged "Off".
- d. In tanks where flammable vapors may be present, all sources of ignition must be removed.
- e. Under circumstances where "hot work" (welding, burning, grinding, etc.) is to be performed in or on the vessel, a test for combustible gases shall be taken. This is referred to as a "flash test". In all tank entering situations, an oxygen deficiency test shall also be performed prior to tank entry. Both flash test and oxygen deficiency test will be performed by the supervisor of the area in which the work is being done.
- f. Under conditions where there exists a possibility (no matter how remote) of toxic vapors being present in the tank to be entered, the supervisor will arrange to have the air tested. The results of all tests will be displayed on site.
- g. There must be a set of wristlets or a rescue harness and sufficient rope at the job site to effect a rescue. Any other rescue equipment considered necessary must also be on the job site.
- h. Workers should wear rescue harnesses if entering a tank with a large enough opening to easily affect a rescue. In tanks with small openings, only wristlets may be used. In cases where there are agitator shafts, drums or other hazards in which the man's life-line would be entangled and the supervisor in charge feels that wearing the lifeline may entrap a man and increase the hazard, the wearing of a harness or wristlets may be eliminated.
- i. A constant source of fresh air must be provided to insure a complete change of air every few minutes. In cases of short term entry for inspection or removal of objects, an air mask is recommended. In cases of long term entry the use of an air mover should be considered.
- j. When a ladder is required to enter a tank, the ladder must be secured and not removed while anyone is in the vessel. In cases where a rigid ladder could become an obstacle, a chain ladder may be used.

- k. Adequate illumination must be provided and a flashlight or other battery operated light must also be on hand to provide illumination for a safe exit in the event of an electrical power failure.
- l. All electrical equipment to be used inside the tank must be in good repair and grounded.
- m. Other people working in the immediate area will be informed of the work being done, and they must inform the watcher or supervisor immediately of any unusual occurrence which makes it necessary to evacuate the tank.
- n. The Watcher or Standby Observer System must be implemented. It consists of the following:
  - (1). Workers inside a confined space must be under the constant observation of a fully instructed watcher.
  - (2). Before anyone enters the tank, the watcher will be instructed by the person in charge of the entry that an entry authorization must be obtained from the person in charge and a rescue harness or wristlets must be used on the job.
  - (3). The watcher must also know the location of the nearest telephone (with emergency numbers posted), eyewash and/or shower, fire extinguisher and oxygen inhalator. For all "hot work" inside a tank, the watcher must be instructed how to shut down the welding/burning equipment.
  - (4). As long as anyone is inside the vessel, the watcher must remain in continuous contact with the worker. HE IS NOT TO LEAVE THE JOB SITE EXCEPT TO REPORT AN EMERGENCY. He does not enter the tank until help is available.
  - (5). After being instructed in his responsibilities, the watcher will sign a form indicating his understanding.
- o. All welding and burning equipment must be provided with a shutoff under the control of the watcher; and the watcher must be shown how to shut off the equipment if it becomes necessary. Welding and burning equipment will only be taken into a tank immediately prior to its use and must be removed from the tank immediately after the job is finished.

- p. For all "hot work" inside a tank, a properly executed flame permit, if needed, must be displayed at the job site and standard welding and burning safety precautions will always be followed.

#### II.7.1.3. Removal of the Tank

To safely remove the tank :

- a. Disconnect all appurtenant piping.
- b. Disconnect all appurtenant pumping equipment.
- c. The tanks and piping shall be removed and disposed of at a properly permitted landfill. The final rinsate must be sampled and analyzed for volatile organic compounds to determine the cleanliness of the tank and its piping. If any volatile organic compounds are present above detection limits, the washing and rinsing must be repeated until they are no longer detectable.
- d. Sample and analyze for mineral spirits and TCLP contaminants (except pesticides) beneath the tank farm. If contamination is indicated, it will be confirmed with an extent of contamination soil study. The sampling and analytical methods in this study will require prior approval by NMED and must be submitted as a permit modification in accordance with HWMR-6, Pt. IX, sec. 270.42. The soil will be overexcavated or otherwise treated to eliminate the contamination. Soil samples must be collected and analyzed after clean-up to insure decontamination has been achieved.
- e. Backfill the excavation with clean fill materials and grade to ground level.
- f. Repave with asphalt or concrete as needed.
- g. Wastes (such as contaminated soil, rinsate and tank pieces) generated during the cleanup are hazardous unless it can be demonstrated they are not.

Closure documentation must include proof that these wastes were disposed of at a properly permitted facility, analyses of the waste, quantities and the disposal location.

#### II.7.2. DRUM STORAGE AREAS IN WAREHOUSE

The drum storage areas are used for the storage of drums of used immersion cleaner and dry cleaning waste. At closure, all the drums will be removed and transported to a reclaimer after

proper packaging, labeling and manifesting. The contents of the drums will be reclaimed and the drums will be cleaned for reuse.

The concrete floor and spill containment sumps will be cleaned with a detergent solution and the final rinsate will be analyzed for volatile organic compounds to determine the effectiveness of the cleaning. If any volatile organic compounds are detected, the washing and rinsing must be repeated until they are no longer detectable or to levels agreed upon with NMED. If any cracks are present soil samples must be collected from beneath the cracks and analyzed for volatile organic compounds. If contamination is present, a workplan must be developed to determine the extent of contamination and proper remedial action. This workplan will be submitted as a permit modification in accordance with HWMR-6, Pt. IX, sec. 270.42. Any other wastes generated in the closure process will be reclaimed or properly disposed of.

#### **II.7.3. SOLVENT RETURN AND FILL STATION**

The return and fill station is used to collect and return the used mineral spirits to the waste storage tank. Closure of the return and fill station will be made prior to the cleaning and removal of the storage tank. At closure, the sediment in the dumpsters will be removed and drummed, labeled, and manifested for proper treatment and disposal at a Safety-Kleen recycle center.

The dumpster and the dock area will be thoroughly rinsed with a detergent solution. The rinsate is discharged through the appurtenant piping system into the storage tank (after it has been emptied but before disconnection), which will be subjected to a separate closure procedure as described earlier. The final rinsate must be analyzed for volatile organic compounds. The washing and rinsing will be repeated until contaminants are not present above detection levels. The clean dumpster and dock structure will be reused by Safety-Kleen or scrapped.

#### **II.7.4. H-3 FLAMMABLE STORAGE BUILDING**

The H-3 Flammable Storage Building is used to store containers of paint waste and dumpster sediment prior to shipment to a reclaimer. At closure, any residual waste will be removed from the shelter and shipped to a reclaimer. The shelter will be thoroughly cleaned with a detergent solution and the rinsate will be collected, sampled and analyzed for volatile compounds. The washing and rinsing will be repeated until contaminants are not present above detection limits. The generated waste and rinseate will be properly documented and disposed of.

**II.7.5. FACILITY CLOSURE SCHEDULE AND CERTIFICATION**

Safety-Kleen will notify the Secretary of plans to begin closure 45 days prior to the date on which final closure is expected to begin, and final closure will begin no later than 30 days after receipt of the known last volume of hazardous waste. Within 90 days after receipt of the final volume of hazardous waste, Safety-Kleen will remove all hazardous wastes from the site in accordance with the approved closure plan, and final closure will be complete within 180 days after receipt of the final volume of hazardous waste (See time line for closure in table 1 below). The Secretary may approve a longer period if Safety-Kleen demonstrates 30 days prior to the expiration of the required time periods described above, that the activities required to comply with this paragraph will, of necessity, take longer than required or the following requirements are met:

- a. the facility has the capacity to receive additional wastes;
- b. there is a likelihood that a person other than Safety-Kleen will recommence operation of the site; and/or
- c. closure of the facility is incompatible with continued operation of the site. In this case, Safety-Kleen will take all steps necessary to prevent threats to human health and the environment.

Within 60 days of the completion of final closure, Safety-Kleen shall submit by registered mail certification to the Secretary, both by the operator and by an independent registered professional engineer, that the facility has been closed in accordance with the approved closure plan. Documentation supporting the independent registered professional engineer's certification must be furnished upon request to the Secretary in accordance with HWMR-6, Pt. V, sec. 264.115.

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**TABLE 1. TIME LINE FOR CLOSURE ACTIVITIES**

Day -45	Notify Secretary in writing of partial or final closure activities.
Day 0	Receipt of known final volume of hazardous waste.

Before Day 30 Begin closure described in the Closure Cost Estimate in Appendix A, as Phase 1 under Tank Closure, Closure of Drum Storage Areas and Closure of Return and Fill Station.

Before Day 90 All hazardous waste generated during closure described in the Closure Cost Estimate in Appendix A, as Phase II and III under Tank Closure, Closure of Drum Storage Areas and Closure of Return and Fill Station, must be removed from the facility in accordance with this closure plan.

Before Day 180 Partial or Final Closure activities must be completed in accordance with this Closure Plan.

Within 60 days of closure activities completion, certification shall be submitted.

**ATTACHMENT II-7**

**APPENDIX A**

ALBUQUERQUE, NEW MEXICO FACILITY  
CLOSURE COST ESTIMATE

1. Tank Closure - Open, remove contents of, clean, remove, and dispose of a 12,000-gallon underground storage tank.

Phase I - Remove Contents and Clean

1. Ship contents to a reclaimer.

Crew:	
2 Truck Dr. \$17.56/hr. x 8 hrs. -	\$ 281.28
2 Trucks \$500 lump sum	500.00
Tank size - 12,000 gal. - 7,500 gal/truck = 2 trucks	
2 trucks x 300 miles x 1.75/mile -	1,050.00
Reclamation costs (\$0.30/gal.)	3,600.00

2. Squeegee Clean Tank

Crew:	
1 Foreman \$18.30/hr. x 24 hrs. -	439.20
1 Laborer (\$17.00/hr. & \$3.00/hr. hazard pay) x 24 hrs. -	480.00

- |   |                 |
|---|-----------------|
| 3. Use of high pressure water for two days  | 300.00          |
| 4. Disposal and transportation of Wash Water<br>(1,200 gallons @ \$0.70/gallon) - | 840.00          |
| 5. Transportation of wastewater<br>300 miles x \$1.75/mile -                      | 525.00          |
| 6. Test final rinsate (2 samples)   | <u>2,000.00</u> |

Total - Phase I                    \$10,515.00

Phase II - Remove and Dispose of Tank

1. Disconnect and Remove Appurtenant Equipment

Crew:	
1 Foreman \$18.30/hr. x 8 hrs. -	\$ 146.40
2 Laborers \$17.00/hr. x 8 hrs. -	272.00

2. Torch Tank

Crew:	
1 Foreman \$18.30/hr. x 8 hrs. -	146.40
1 Laborer \$17.00/hr. x 8 hrs.	136.00

3. Remove Tank

Crew:

1 Foreman	\$18.30/hr. x 2 hrs. -	36.60
4 Laborers	\$16.80/hr. x 2 hrs. -	134.40
1 Backhoe	\$28.97/hr. x 2 hrs. -	57.94
Equipment	\$200 Lump Sum -	200.00

Total Phase II - \$1,130.00

Phase III - Concrete Demolition

1. Demolition of concrete pad		\$ 750.00
2. Removal and disposal of concrete 200 cyd at \$4.50/cyd		<u>900.00</u>
		\$1,650.00

Phase IV - Backfilling, Regrading, Soil Testing

1. Test for soil contamination 4 samples		\$4,000.00
2. Regrading		

Crew:

1 F.E. Loader	\$27.38/hr. x 1 hr. -	27.38
Equipment	\$200.00 lump sum -	200.00
Backfill	10 c.y. x \$2.00 c.y. -	<u>20.00</u>

Total - Phase IV - \$1,247.00

Summary of Closure Cost for 12,000-gallon tank:

Phase I -	\$10,515.00
Phase II -	1,130.00
Phase III -	1,650.00
Phase IV -	<u>4,247.00</u>

\$17,542.00

2. CLOSURE OF DRUM STORAGE AREA - Remove and return drums to a reclaimer, clean the drum storage areas, and dispose of wash water generated.

a. 2 Truck Dr. \$17.56/hr. x 8 hrs.	\$ 280.96
2 Trucks - \$ 500 lump sum	500.00
Hauling cost = 2 loads x 300 miles x \$1.75/mile -	1,050.00

b. Clean drum storage areas

Crew:

1 Foreman \$18.30/hr. x 10 hrs. -	183.00
1 Laborer (\$17.00/hr. & \$3.00/hr. hazard pay) x 20 hrs. -	200.00

c. Dispose of wash water 700 gallons x \$0.12/gallon -	84.00
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d. Dispose of used solvents - 378 16-gallon drums x \$30/drum -	11,340.00
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e. Testing rinsate for contamination 2 samples x \$1,000.00 each	<u>2,000.00</u>
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\$15,638.00

3. CLOSURE OF RETURN AND FILL STATION - Remove, package and dispose of sediment, clean the dumpster and dock area, remove dumpster and dock structure for reuse or scrap.

a. 1 Truck @ \$250 lump sum each	\$ 250.00
Hauling Cost - 300 miles x \$1.75/mile	525.00
1 Truck Dr. \$17.56/hr. x 8 hrs.	140.48

Crew:

1 Foreman \$18.30/hr. x 8 hrs. -	146.40
1 Laborer (17.00/hr. & \$3.00/hr. hazard pay) x 8 hrs. -	160.00

b. Clean Dumpster and Dock Areas

Crew:

1 Foreman \$18.30/hr. x 8 hrs. -	146.40
1 Laborer (\$17.00/hr. & \$3.00/hr. hazard pay) x 8 hrs. -	160.00
Use of high pressure water for one day -	400.00

c. Disposal of wash water 200 gallons x \$0.70/gallon -	140.00
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d. Dispose of dumpster mud 15 55-gallon drums x \$300/drum -	4,500.00
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e. Test rinsate for contamination 2 samples x \$1000 each	2,000.00
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f. Disassemble, and remove dumpsters and docks

Crew:

1 Foreman \$18.30/hr. x 8 hrs. -	146.40
2 Laborers \$17.00/hr. x 8 hrs. -	272.00
Equipment \$ 5.20/hr. x 8 hrs. -	41.60

Total Dock Closure Cost - \$9,028.00

4. PE CERTIFICATION - \$1,000.00

5. TOTAL CLOSURE COST:

12,000-gallon tank -	\$17,542.00
Drum storage area -	15,638.00
Return and fill station and paint waste shelter -	9,028.00
P.E. certification -	<u>1,000.00</u>

Total \$43,208.00

**MODULE III**  
**CONTAINER STORAGE**

## MODULE III - CONTAINER STORAGE

### III.A. CONTAINER STORAGE - MODULE HIGHLIGHTS

- III.A.1 This permit authorizes storage of hazardous wastes in containers in the Main Warehouse and the H-3 Flammable Storage Building. The secondary containment system for each building is described briefly below. More complete information is provided in Permit Attachment III-I.
- III.A.2. The Main Warehouse is located in the south central portion of Safety-Kleen's property. This building has 2,500 square feet of floor space divided into offices and two contained areas for drum storage. Spent Immersion Cleaner, Dry Cleaning Wastes and Safety Kleen products will be stored in the Main Warehouse Storage Areas. The wastes will be stored in 16-, 20-, and 30-gallon drums. Storage capacity of the two contained areas is 6,048 gallons and spill containment is provided by flat, sealed concrete floors surrounded by collection trenches and six-inch wide by four-inch high steel reinforced concrete slabs.
- III.A.3. The H-3 Flammable Storage Building is located in the central eastern third of Safety-Kleen's property with a minimum of 50 feet distance to any Safety-Kleen property line. This building has 1242 square feet of floor space and the storage capacity is 1,092 gallons. Paint wastes, dumpster sediments and dry cleaning wastes, which are considered ignitable, will be stored on pallets no more than two levels high in the H-3 Flammable Storage Building. The wastes will be stored in 5-gallon pails and 16-gallon drums. Spill containment is provided by sloping, sealed concrete floors and collection trenches. The floors slope toward a 10 ft X 2 ft X 2 ft deep trench that has an overflow pipe connected to an underground storage tank. The underground storage tank is used to retain water overflow from the fire suppression system if needed
- III.A.4 The Permittee may store hazardous materials in the storage units. However, materials storage is

subject to several restrictions to prevent compromising the safe storage of waste. These restrictions are set forth in Permit Conditions III.K., and include requirements that hazardous materials be stored in the proper compatibility area and be counted in the inventory of available liquid storage volume.

III.A.5. The Permittee will store waste in containers equivalent to the containers specified for each waste by DOT at 49 CFR 173. These containers will meet or exceed the requirements for strength and integrity specified by DOT at 49 CFR 178 for each container class.

**III.B. PERMITTED AND PROHIBITED WASTE IDENTIFICATION**

III.B.1. The Permittee may store the following wastes in containers at the facility, subject to the terms of this Permit and as follows:

<u>Description of Hazardous Waste</u>	<u>EPA Hazardous Waste Number</u>	<u>Maximum Volume</u>	<u>Maximum Number and Type of Containers</u>
Spent Immersion Cleaner and Dry Cleaning Waste	F002, F004	6,048 gallons	378 sixteen-gallon drums or equivalent volume in different size containers, none of which exceed 30-gallon capacity
Paint Waste, Dumpster Sediment and Ignitable Dry Cleaning Waste	D001, D006, D007, D008, F003, F005	1,092 gallons	52 sixteen-gallon drums and 52 five gallon pails or the equivalent volume in different size containers

III.B.2. The Permittee is prohibited from storing hazardous waste that is not identified in Permit Condition III.B.1.

III.B.3. The Permittee must also comply with the following regarding storage of its wastes in containers which are presently prohibited from land disposal. These restrictions are imposed on any waste as it becomes prohibited from land disposal. (HWMR-6, Pt. VIII, sec. 268.50.)

- III.B.3.a. Time period
  - i. A storage period of one year is permitted.
  - ii. A storage period beyond one year is permitted provided there is proof that such storage 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. Nullification of the prohibition
  - i. Hazardous wastes meeting the treatment standards in HWMR-6, Pt. VIII, sections 268.41, 268.42, 268.43 are not subject to the storage prohibition

**III.C. CONDITION OF CONTAINERS**

If a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects) or if it begins to leak, the Permittee shall transfer the hazardous waste from such container to a container that is in good condition or otherwise manage the waste in compliance with the conditions of this Permit. (HWMR-6, Pt. V, sec. 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, as required. (HWMR-6, Pt. V, sec. 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, sec. 264.173)

**III.F. CONTAINMENT SYSTEMS**

The Permittee shall maintain the containment system in accordance with the attached plans and specifications, contained in Permit Attachment III-1. (HWMR-6, Pt. V, sec. 264.175)

**III.G. INSPECTION SCHEDULES AND PROCEDURES**

The Permittee shall inspect the container area daily, in accordance with the Inspection Schedule, Permit Attachment II-3, to detect leaking containers and deterioration of containers and the containment system caused by corrosion and other factors. (HWMR-6, Pt. V, sec. 264.174)

**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, secs. 264.17(b) and 264.177 in the facility operating record. (HWMR-6, Pt. V, sec. 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 the Closure Plan, Permit Attachment II-7. (HWMR-6, Pt. V, sec. 264.178)

**III.J. SPECIAL CONTAINER 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, sec. 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 Attachment II-5. [HWMR-6, Pt. V, sections 264.17(a) and 264.176]

**III.K. STORAGE OF CHEMICAL PRODUCTS**

The Permittee may store chemical products in the permitted storage units, subject to the conditions set forth below:

1. Products are stored in the storage area they would be assigned to if they were wastes.
2. A distinct and easily identifiable location within each storage area or compatibility area is set aside for products, when they are present.
3. Products are clearly identifiable as such rather than wastes.

4. The volume of all liquids is included in determining the remaining available storage capacity for liquid wastes.
5. The Permittee complies with Permit Conditions III.C, III.D, and III.E, substituting the word "product" for the word "wastes" when handling chemical products.
6. The current inventory of stored chemical products (type, quantity and location) is included in the facility inventory required by Permit Condition II.H.6.

**ATTACHMENT III-1**  
**CONTAINER STORAGE**

## ATTACHMENT III-1

### CONTAINER STORAGE

#### ABSTRACT

This section describes the Albuquerque Safety-Kleen facility's container and storage area management to comply with the requirements of the New Mexico Hazardous Waste Regulations (HWMR-6) Part V, 40 CFR Subpart I.

#### III.1.1. Container Storage Management

The container storage areas in the warehouse are used only for the storage of (1) spent immersion cleaner and (2) dry cleaning wastes. The wastes are not mixed while on site and different wastes are segregated in color-coded drums to indicate their contents: immersion cleaner in gray 16-gallon drums, and dry cleaning waste in blue steel 20- and 30-gallon drums and 16-gallon black polyethylene drums with blue lock rings. While the wastes are not incompatible with one another, it is necessary to segregate them for inventory and quality control purposes.

The drum storage area in the east side of the warehouse has secondary containment in the form of a six inch wide by four inch high steel reinforced concrete curb with a 12' x 2' x 2.5' (448.8 gallons) collection trench. No more than 2,592 gallons of spent solvents will be stored in this drum storage area at any time.

The drum storage in the west side of the warehouse has secondary containment in the form of a six inch wide by four inch high steel reinforced concrete slab with a 12'L x 1'9"W x 3'6"D (549.8 gallons) collection trench. No more than 3,456 gallons of spent solvent will be stored in this drum storage area at any given time.

The slab, curbing and collection trenches for the drum storage areas in the warehouse are made of steel-reinforced concrete and the concrete has been poured so that no cracks or gaps exist between them. The curbing is four inches high and six inches wide and encompasses the storage area except where there is a trench. Steel grates cover the trench to facilitate the movement of drums across it. The concrete is coated with chemical-resistant epoxy and urethane so as to be impermeable. The solvents in storage are only incompatible with strong

**MODULE IV**  
**TANK STORAGE**

MODULE IV - TANKS

**IV.A.        MODULE HIGHLIGHTS**

Spent mineral spirit solvents and sediments from Safety-Kleen customers will be stored in a double-walled underground storage tank with leak detection and a high-level alarm system. Ancillary equipment to the tank include the return and fill station where the spent mineral spirit solvents will be drained into the tank. Steel piping to the tank from the return and fill station is provided with secondary containment. Above-ground piping within the secondary containment of the Return and Fill Shelter are assembled with threaded joints, and underground piping will be double walled with leak detection provided. Fill pipes used during loading and unloading operations are secondarily contained. Capacity of the tank is 12,000 gallons although the high-level alarm system is set to sound when the tank is 600 gallons from being full.

**IV.B.        PERMITTED AND PROHIBITED WASTE IDENTIFICATION**

IV.B.1.    The Permittee may store a maximum volume of 11,400 gallons of spent mineral spirit solvent in the double-walled tank designated as the waste storage tank, subject to the terms of this Permit and as follows:

<u>Tank No.</u>	<u>Allowed Volume</u>	<u>Dimensions of Tank</u>	<u>Secondary Containment</u>	<u>Waste</u>
Waste Tank	11,400	8.0 ft (diam) X 32.5 ft (length)	yes	organic solvents, D004, D005, D006, D007, D008, D009, D010, D011, D018, D019, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, and D043

- IV.B.2. The Permittee is prohibited from storing hazardous waste that is not identified in Permit Condition IV.B.1.

**IV.C. SECONDARY CONTAINMENT AND INTEGRITY ASSESSMENTS**

- IV.C.1. The Permittee shall design, construct, maintain and operate the secondary containment system for the waste tank system, to prevent the release of hazardous waste or hazardous constituents to the environment, as described in Permit Attachment IV-I, and as required by HWMR-6, Pt. V, sec. 264.193.
- IV.C.2. If a tank system or component is found to be leaking or unfit for use as a result of the leak test or assessment, the Permittee shall comply with Permit Condition IV.E. of this Permit and shall notify the Secretary, in accordance with Permit Condition IV.G. of this Permit. [HWMR-6, Pt. V, sec. 264.193(i)(4)]

**IV.D. OPERATING REQUIREMENTS**

- IV.D.1. The Permittee shall not place hazardous wastes or treatment reagents in the tank system if they could cause the tank, its ancillary equipment, or a containment system to rupture, leak, corrode, or otherwise fail. [HWMR-6, Pt. V, sec. 264.194(a)]
- IV.D.2. The Permittee shall prevent spills and overflows from the tank or containment systems using the methods described in Permit Attachment IV-1. [HWMR-6, Pt. V, sec. 264.194(b)]

**IV.E. RESPONSE TO LEAKS OR SPILLS**

In the event of a leak or a spill from the tank system, from a secondary containment system, or if a system becomes unfit for continued use, the Permittee shall remove the system from service immediately and complete the following actions: [HWMR-6, Pt. V, sec. 264.196(a) through (f)]

- IV.E.1. Stop the flow of hazardous waste into the system and inspect the system to determine the cause of the release.
- IV.E.2. Remove waste and accumulated precipitation from the system within 24 hours of the detection of the leak to prevent further release and to allow

inspection and repair of the system. If the Permittee finds that it will be impossible to meet this time period, the Permittee shall notify the Secretary and demonstrate that the longer time period is required.

If the collected material is a RCRA hazardous waste, it must be managed in accordance with all applicable requirements of HWMR-6, Pts. III, IV, and V. The Permittee shall note that if the collected material is discharged through a point source to U.S. waters or to a publicly owned treatment works, it is subject to requirements of the Clean Water Act. If the collected material is released to the environment, it may be subject to reporting under Part 302.

- IV.E.3. Contain visible releases to the environment. The Permittee shall immediately conduct a visual inspection of all releases to the environment and based on that inspection: (1) prevent further migration of the leak or spill to soils or surface water and (2) remove and properly dispose of any visible contamination of the soil or surface water.
- IV.E.4. Close the system in accordance with the Closure Plan, Permit Attachment II.7, unless the following actions are taken:
  - IV.E.4.a. For a release caused by a spill that has not damaged the integrity of the system, the Permittee shall remove the released waste and make any necessary repairs to fully restore the integrity of the system before returning the tank system to service.
  - IV.E.4.b. For a release caused by a leak from the primary tank system to the secondary containment system, the Permittee shall repair the primary system prior to returning it to service.
  - IV.E.4.c. For a release to the environment caused by a leak from the aboveground portion of the tank system that does not have secondary containment, and can be visually inspected, the Permittee shall repair the tank system before returning it to service.
  - IV.E.4.d. For a release to the environment caused by a leak from the portion of the tank system

component that is not readily available for visual inspection, the Permittee shall provide secondary containment that meets the requirements of HWMR-6, Pt. V, sec. 264.193 before the component can be returned to service.

IV.E.4.e. If the Permittee replaces a component of the tank system to eliminate the leak, that component must satisfy the requirements for new tank systems or components in HWMR-6, Pt. V, sections 264.192 and 264.193.

IV.E.5. For all major repairs to eliminate leaks or restore the integrity of the tank system, the Permittee must obtain a certification by an independent, qualified, registered professional engineer that the repaired system is capable of handling hazardous wastes without release for the intended life of the system before returning the system to service. Examples of major repairs are: installation of an internal liner, repair of a ruptured tank, or repair or replacement of a secondary containment vault.

#### **IV.F. INSPECTION SCHEDULES AND PROCEDURES**

IV.F.1. The Permittee shall inspect the tank systems, in accordance with the Inspection Schedule, Permit Attachment II-3, and shall complete the items in Permit Conditions IV.F.2. and IV.F.3. as part of those inspections:

IV.F.2. The Permittee shall inspect the overfill controls, in accordance with the schedule in Permit Attachment II-3. [HWMR-6, Pt. V, sec. 264.195(a)]

IV.F.3. The Permittee shall inspect the following components of the tank system once each operating day: [HWMR-6, Pt. V, sec. 264.195(b)]

IV.F.3.a. Above ground portions of the tank system, if any, to detect corrosion or releases of waste;

IV.F.3.b. Data gathered from monitoring and leak detection equipment (e.g., pressure or temperature gauges, monitoring wells) to ensure that the tank system is being operated according to its design;

IV.F.3.c. Construction materials and the area immediately surrounding the externally accessible portion of the tank system, including the secondary containment system, to detect erosion or signs of releases of hazardous waste (e.g., wet spots, dead vegetation).

IV.F.4. The Permittee shall document compliance with Permit Conditions IV.F.2. through IV.F.3. and place this documentation in the operating record for the facility. [HWMR-6, Pt. V, sec. 264.195(d)]

**IV.G. RECORDKEEPING AND REPORTING**

IV.G.1. The Permittee shall report to the Secretary, within 24 hours of detection, when a leak or spill occurs from the tank system or secondary containment system to the environment. [HWMR-6, Pt. V, sec. 264.196(d)(1)] A leak or spill of one pound or less of hazardous waste, that is immediately contained and cleaned-up, need not be reported. [HWMR-6, Pt. V, sec. 264.196(d)(2)] Releases that are contained within a secondary containment system need not be reported. If the Permittee has reported the release pursuant to Part 302, this report satisfies the requirements of this Permit Condition. [HWMR-6, Pt. V, sec. 264.196(d)(1)]

IV.G.2. Within 30 days of detecting a release to the environment from the tank system or secondary containment system, the Permittee shall report the following information to the Secretary: [HWMR-6, Pt. V, sec. 264.196(d)(3)]

- a. Likely route of migration of the release;
- b. Characteristics of the surrounding soil (including soil composition, geology, hydrogeology, and climate);
- c. Results of any monitoring or sampling conducted in connection with the release. If the Permittee finds it will be impossible to meet this time period, the Permittee should provide the Secretary with a schedule of when the results will be available. This schedule must be provided before the required 30-day submittal period expires;

- d. Proximity of downgradient drinking water, surface water, and populated areas; and
- e. Description of response actions taken or planned.

IV.G.3. The Permittee shall submit to the Secretary all certifications of major repairs to correct leaks within seven days from returning the tank system to use. [HWMR-6, Pt. V, sec. 264.196(f)]

IV.G.4. The Permittee shall obtain and keep on file, at the facility, the written statements by those persons required to certify the design and installation of the tank system. [HWMR-6, Pt. V, sec. 264.192(g)]

IV.G.5. The Permittee shall keep on file, at the facility, the written assessment of the tank system's integrity. [HWMR-6, Pt. V, sec. 264.191(a)]

IV.G.6. The Permittee shall maintain, at the facility, a record of the results of leak tests and integrity tests conducted, in accordance with Permit Condition IV.C.2.

**IV.H. CLOSURE AND POST-CLOSURE CARE**

IV.H.1. At closure of the tank system(s), the Permittee shall follow the procedures in the Closure Plan, Permit Attachment II-7. [HWMR-6, Pt. V, sec. 264.197(a)]

IV.H.2. If the Permittee demonstrates that not all contaminated soils can be practically removed or decontaminated, in accordance with the Closure Plan, then the Permittee shall close the tank system and perform post-closure care following the contingent procedures in the Closure Plan, Permit Attachment II.7. [HWMR-6, Pt. V, sec. 264.197(b)]

**IV.I. SPECIAL TANK PROVISIONS FOR IGNITABLE OR REACTIVE WASTES**

IV.I.1. The Permittee shall not place ignitable or reactive waste in the tank system or in the secondary containment system, unless the procedures specified in Permit Attachment IV-1 are followed. [HWMR-6, Pt. V, sec. 264.198(a)]

IV.I.2. The Permittee shall comply with the requirements for the maintenance of protective distances

between the waste management area and any public ways, streets, alleys, or an adjoining property line that can be built upon, as required in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code" (1977 or 1981). [HWMR-6, Pt. V, sec. 264.198(b)]

**IV.J. COMPLIANCE SCHEDULE**

The Permittee shall provide the following information to the Secretary within 30 days from the effective date of the permit for the Double-Walled Underground Waste Solvent Storage Tank and its associated equipment. Submission of late or deficient information will be grounds to terminate the permit.(HWMR-6, Pt. IX, sec. 270.32 and 270.33):

<u>Item</u>	<u>Date Due to the Secretary</u>
1. An installation description certified by a qualified underground storage tank specialist, as required by HWMR-6, Pt. V, sec. 264.192(b);	permit effective date + 30 days
2. A description of the backfill material and support for the tank and ancillary equipment, as required by HWMR-6, Pt. V, secs. 264.192(c) and 264.192(e);	permit effective date + 30 days
3. A description of the tightness tests performed and results obtained prior to being covered, as required by HWMR-6, Pt. V, sec. 264.192(d); and	permit effective date + 30 days
4. A description of the type and degree of corrosion protection recommended by an independent corrosion expert, as required by HWMR-6, Pt. V, sec. 264.192(f).	permit effective date + 30 days
5. A description of how the fluid sensing devices in the leak detection and high-level alarm systems will be inspected to determine continued proper operation.	permit effective date + 30 days

**ATTACHMENT IV-1**  
**UNDERGROUND STORAGE TANK**

## ATTACHMENT IV-1

### DOUBLE-WALLED UNDERGROUND WASTE SOLVENT STORAGE TANK

#### ABSTRACT

This section describes the Albuquerque Safety-Kleen facility's design, construction, maintenance, and operation procedures for the secondary containment system for the Double-Walled Underground Waste Solvent Storage Tank System, to prevent the release of hazardous waste or hazardous constituents to the environment, as required by the New Mexico Hazardous Waste Regulations (HWMR-6) Part V, 40 CFR section 264.193. Methods are also described for preventing spills and overflows from the tank or containment systems, as required by (HWMR-6, Pt. V, sec. 264.194(a)).

#### IV.1.1. TANK SYSTEM DESCRIPTION

Spent mineral spirits from parts washers is accumulated in a 12,000 gallon underground double-walled storage tank via the return and fill station. 16- and 30-gallon drums containing seven and twelve gallons of spent solvent, respectively, are poured into the dumpsters in the return and fill station, and material in the dumpster is pumped into the storage tank for spent solvent. The return and fill station has secondary containment in the form of a 20 ft X 14 ft 8 in X 1 ft epoxy coated, reinforced concrete floor sloping to a 1 cubic foot blind sump. Containment volume provided is at least 2,215 gallons. That volume will accommodate 20 minutes of fire fighting water from the fire suppression sprinkler system and the 375 gallon volume of the dumpster. This is designed to contain any spill during the filling and draining of drums as product is prepared for delivery and solvent waste is returned to the facility.

The underground double-walled tanks have been designed in accordance with Underwriter's Laboratory Standard 58 and are constructed of carbon steel with a fiberglass exterior cladding. Two tanks holding 12,000 gallons each are installed underground; one is for clean and one is for spent mineral spirits. Each tank is equipped with an audiovisual high level alarm.

The 12,000 gallon storage tank is 8 ft in diameter and 32.5 ft long. It is constructed of 1/4" thick carbon steel and is double-walled. It is constructed in accordance with Underwriters Laboratories Standard 58 and is located more than 5 feet from the

building foundation, in accordance with NFPA requirements. A liquid-sensing leak detector is between the two walls, and must be checked daily (see Sheet 1 of 3 of drawing D13617).

The exterior of the outside tank is coated with a plastic-fiberglass mixture so that no metal is exposed and the tank is isolated from electrical currents.

A manually-controlled waste feed cut-off valve located adjacent to the wet dumpsters at the return and fill station, can prevent the tank from being overfilled. The tank is equipped with an aural (siren) and visual (strobe light) high level alarm system which will alert employees when the tank is approximately 600 gallons from being full. The 300 gpm pump on the tanker truck can be turned off immediately when the alarm sounds. A manual button can be used to test the alarm to insure the system is operable. The fill pipes are secondarily contained to prevent spills during loading and unloading operations.

The return and fill station is a cinder block structure, the dumpster is sheet steel and the secondary containment is epoxy coated, reinforced concrete. A barrel washer, located inside the dumpster, uses piped-in spent solvent to rinse mineral spirits waste from the barrel and returns the rinse and spent solvent to the waste mineral spirits tank. The dumpsters are tight piped to the tank. All piping is provided with secondary containment. Aboveground pipes located with the secondary containment provided for the return and fill station can be assembled with threaded joints. Piping between the return and fill station and the underground tank is double walled and provided with leak detection in the tank manway.

#### **IV.1.2. SECURITY**

The tanks are inaccessible in that material can not be added to or removed from them without activating the pumps, the controls for which are inside the warehouse. The pumps are not activated unless mineral spirits product or waste is being added to or removed from the tanks by Safety-Kleen personnel

#### **IV.1.3. INSPECTIONS**

- a. Tank inspections--At a minimum, the tank holding the solvent product and that holding the spent solvent are inspected daily. The daily inspections include checks of the high level alarm and of the volume held in the tank and checks of the leak detection system for any releases. Sudden deviations in the solvent volumes will be investigated and their causes determined. If necessary, repairs must be initiated immediately. When the tank used to store spent solvent is 85% fill, a pickup must be scheduled with the Solvent Control Department in Safety-Kleen's corporate

headquarters. The solvent must not exceed 95% of the tank volume at any time.

- b. Solvent dispensing equipment--The solvent dispensing hose, connections and valves must be inspected for damage (such as cracks or leaks) and proper functioning on a daily basis. Any solvent in the hoses must be drained after use. The pumps, pipes and fittings must also be checked daily for damage and proper functioning. Any damage to the solvent dispensing equipment must be noted and repaired.
- c. Dumpsters--The two wet dumpsters (in the return and fill station), the two associated valves and each joint in the piping must be inspected daily for leaks and sediment buildup. A barrel washer, located inside the dumpster, uses piped-in spent solvent to rinse mineral spirits waste from the barrel and returns the rinse and spent solvent to the waste mineral spirits tank. Any leaks must be noted and repaired immediately and excess sediment must be removed from the dumpster.

#### IV.1.4. BULK LOADING AND UNLOADING PROCEDURES

The following procedures are followed when loading and unloading solvent into the tanks:

1. Secure the tractor-trailer for unloading or loading in a location which has easy access to the pump or curb side of the unit. Set brakes, engage governor and hook up grounding equipment.
2. Check available tank volumes via gauges or measure with a stick to verify that there is enough volume to transfer each load safely and prevent overfills. Leave all hatches open on storage tanks and on the tanker truck.
3. Make hose connections between storage tank and tanker truck in proper sequence (i.e., to empty vessel first). Double check to insure all connections are tight and locked.
4. Engage pump and move clean product to storage tank. Check for leaks along hose, piping and at connections. If a leak is noted, stop the operation immediately and make repairs or make arrangements for repairs.
5. Check the available tanker-truck volume. Reverse hose connections and move dirty solvent from storage to tanker truck. (Again, check for leaks and repair as needed).
6. Drain all hoses before disconnecting to prevent spillage.

7. In the event of a spill, follow the emergency procedures outlined in the Contingency Plan.
8. Check all paperwork; document proper quantities of material delivered and picked up. Insure all manifests, bills of lading and other related paperwork are in order.

#### **IV.1.5. Preparedness and Prevention**

In the event of a spill or leak, the procedures described in the Contingency Plan will be followed. A minor spill will be handled as described in section II.6.3.1 and a major spill as in section II.6.3.2. All accumulated material will be pumped to the used solvent storage tank. Any solvents or oil dry used in the cleanup will be containerized, labeled and handled as hazardous waste. All equipment used will be decontaminated and the rinse water will be handled as a hazardous waste.

##### **IV.1.5.1. Potential Minor Spill Sources**

The following is a list of activities that have the potential for a minor (one that can be remediated without the assistance from a clean-up contractor) pollution incident:

- a. Pouring of drummed solvent into the dumpster--As the 16- and 30-gallon drums are poured into the dumpster, solvent can splash out. Employee training emphasizes the importance of taking care in emptying the drums. The return and fill station is underlain by a curbed, sealed, concrete floor sloping toward a blind sump. This design will contain this type of spill.
- b. Filling of drums with solvent product--A low pressure hose with an automatic shut-off valve, similar to those used at automotive service stations, is used to fill the drums with solvent. Leaking fittings, a damaged hose or carelessness could lead to the discharge of solvent outside of the drum. Manual emergency shut-off valves are on each hose, should the equipment not function properly. In addition, employee training emphasizes the importance of inspection, maintenance and reporting of conditions with pollution incident potential.

##### **IV.1.5.2. Potential Major Spill Sources**

The following activities have the potential for a major (one for which remedial action will require assistance) pollution incident:

- a. Overfilling of storage tanks--Both product and spent solvent tanks can be overfilled with a resulting discharge of solvent. A high level alarm and daily checks of tank volumes will prevent this type of incident.
- b. Leaking pipelines--The pipelines and other equipment present a potential for leaks and resultant pollution. Regular inspection of this equipment and the solvent inventory will detect any leaks.

**IV.1.6. Potential Fire, Incompatibility and Vapor Build Up Sources**

The following is a list of fire prevention and minimization measures:

- a. All wastes and products are kept away from ignitable sources. Personnel must confine smoking and open flames to remote areas, separate from any solvent (e.g., the office or locker room). The mineral spirits handling area, H-3 Flammable Storage Building and the storage tanks are separated from the warehouse building area to minimize the potential for a fire to spread or injury to personnel to occur.
- b. Ignitable wastes are handled so that they do not:
  - 1. become subject to extreme heat or pressure, fire or explosion, or a violent reaction. The mineral spirits waste is stored in a tank or in drums, none of which are near sources of extreme heat, fire, potential explosion sources or subject to violent reactions. The tanks are vented and the drums kept at room temperature to minimize the potential for pressure build up.
  - 2. produce uncontrolled toxic mists, fumes, dusts or gases in quantities sufficient to threaten human health. The vapor pressure of mineral spirits is low (2 mm) and it is reactive with strong oxidizers only. Toxic mists, fumes, dusts or gases will not form in quantities sufficient to threaten human health since strong oxidizers are not handled at this facility and the solvent vaporization will be minimal under normal working conditions. The tanks operate under atmospheric temperature and pressure and are vented to prevent the accumulation of vapors. Monitoring of vapors is not necessary as, under normal circumstances, the 6% concentration of the lower explosive level is not possible. The H-3 Flammable Storage

Building was built in accordance with local and national fire codes to minimize the potential for fires and explosions.

3. produce uncontrolled fires or gases in quantities sufficient to pose a risk of fire or explosion. See 'a' above and 'c' below.
  4. damage the structural integrity of the Safety-Kleen facility. The mineral spirits and paint wastes will not cause deterioration of the tank, drums or other structural components of the facility.
- c. Adequate aisle space is maintained to allow the unobstructed movement of personnel, fire protection equipment, and decontamination equipment to any area of the facility operation in an emergency.
  - d. "No Smoking" signs are posted in areas where solvents are handled or stored.
  - e. Fire extinguishers must be checked once per week and tested by the fire extinguisher company once per year.

The solvents stored on-site are only incompatible with strong oxidizers and reactive metals, none of which are present on-site. They are therefore compatible with one another and their mixing will not cause a strong reaction. The exhaust fans in the warehouse, the H-3 Flammable Storage Building and the return and fill station must be turned on five minutes before entering the areas and remain on all day, until operations cease for the day, to prevent the accumulation of toxic vapors. Industrial hygiene studies have been performed at Safety-Kleen facilities and employees have not been found to be over-exposed to air contaminants.

#### **IV.1.7. Tank Evaluation and Repair Plan**

Any release to the environment must be reported to the Secretary within 24 hours of its detection and certification of major repairs is required.

The product stored in the tanks at this facility is mineral spirits which is compatible with the carbon steel structure; in fact, mineral spirits is often used as a light hydrocarbon coating to prevent rusting of metal parts.

1. The facility capacity is in gallons
2. The annual amount is in thousands of gallons.

**HSWA CONDITIONS**

**MODULE V**

Module V

NOTE: The HSWA portion of this permit is issued by U.S. Environmental Protection Agency, Region VI. The text that follows is the draft text; the final revised text will be included when available from EPA.

V. **SPECIAL CONDITIONS PURSUANT TO THE  
1984 HAZARDOUS AND SOLID WASTE AMENDMENTS (HSWA) TO RCRA  
FOR SAFETY KLEEN CORPORATION - ALBUQUERQUE - NMD000804294**

A. **DEFINITIONS**

For purposes of Section V, the following definitions shall apply:

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

**"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 a facility at which solid wastes have been routinely and systematically released.

**"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.

**"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.

**"Administrative Authority"** means the Director of the New Mexico Environmental Improvement Division or, in case of HSWA provisions (Module Y) for which the State is not authorized, the U.S. Environmental Protection Agency shall be the Administrative Authority.

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

The Permittee shall submit a certified report (according to 40 CFR 270.11) in writing annually by December 1, for the previous year ending September 30, that:

- a. the Permittee 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 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. This certified report must address the items below:
  - i) Any written policy or statement that outlines goals, objectives, and/or methods for source reduction and recycling of hazardous waste at the facility;
  - ii) Any employee training or incentive programs designed to identify and implement source reduction and recycling opportunities;
  - iii) Any source reduction and/or recycling measures implemented in the last five years or planned for the near future;
  - iv) An itemized list of the dollar amounts of capital expenditures (plant and equipment) and operating costs devoted to source reduction and recycling of hazardous waste;
  - v) Factors that have prevented implementation of source reduction and/or recycling;
  - vi) Sources of information on source reduction and/or recycling received at the facility (e.g., local government, trade associations, suppliers, etc.);

- vii) An investigation of additional waste minimization efforts which could be implemented at the facility. This investigation shall analyze the potential for reducing the quantity and toxicity of each waste stream through production reformulation, recycling, and all other appropriate means. The analysis shall include an assessment of the technical feasibility, cost and potential waste reduction for each option;
- viii) The Permittee shall submit a flow chart or matrix detailing all hazardous wastes it produces, by quantity and type and by building/area;

The Permittee shall include this certified report in the operating record.

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, polychlorinated biphenyls (PCBs), or any other hazardous waste (other than a waste identified solely on the basis of ignitability), for dust suppression or road treatment.

3. 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.

4. Compliance with Permit

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 Parts 260, 261, 262, and 263 to the extent the requirements of those Parts are applicable.

5. 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 the all the requirements of 40 CFR 268.7 as amended. Changes to the waste analysis plan will be considered permit modifications at the request of the Permittee, pursuant to 40 CFR 270.42.
- d. The Permittee shall perform a waste analysis at least annually or when a process changes, to determine whether the waste meets applicable treatment standards. Results shall be maintained in the operating record.
- e. Compliance with a 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 this chapter restricting the placement of hazardous wastes in or on the land.

#### C. LAND DISPOSAL CONDITIONS

##### 6. Additional Waste Ban Requirements

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

- a. the waste meets treatment standards specified in 40 CFR 268.40, .41, .42, or .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; or
- d. a "no-migration" petition has been granted pursuant to 40 CFR 268.6.

7. Operation of Land Disposal

The Permittee shall not place hazardous waste in any surface impoundment or landfill unless such unit has a permit meeting the Minimum Technological Requirements outlined in Section 3004(o) of the Resource Conservation and Recovery Act. The Administrative Authority must approve the plans and specifications for retrofitting prior to commencement of construction.

**D. 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. Failure to submit the information required in Section V or falsification of any submitted information, is grounds for termination of this Permit (40 CFR 270.43). The Permittee shall ensure that all plans, reports, notifications, and other submissions to the Administrative Authority required in Section V are signed and certified in accordance with 40 CFR

270.11. Two (2) copies and one (1) compatible disk copy each of these plans, reports, notifications or other submissions shall be submitted by Certified Mail or hand delivered to both:

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

Louisiana Department of  
Environmental Quality  
Hazardous Waste Division  
P.O. Box 44307  
Baton Rouge, Louisiana  
70804

3. All plans and schedules required by these conditions are, upon approval of the Administrative Authority, incorporated into this permit by reference and become an enforceable part of this permit. Any noncompliance with such approved plans and schedules shall be shall be termed noncompliance with this Permit. Extensions of the due dates for submittals may be granted by the Administrative Authority in accordance with the permit modification process under 40 CFR 270.42.

The required information shall include each item specified under RFI Tasks I-V and CMS Tasks VI-IX. Since these required items are essential elements of this permit, failure to submit any of these elements or submission of inadequate or insufficient information may subject the Permittee to enforcement action under Section 3008 of RCRA which may include fines, suspension, or revocation of the permit.

If the Administrative Authority determines that further actions beyond those provided in Section V or changes to that which is stated here in, are warranted, the Administrative Authority may modify Section V either according to procedures in Condition V.P. of this Permit or according to the permit modification processes under 40 CFR 270.41.

4. All raw data, such as laboratory reports, drilling logs, bench-scale or pilot-scale data, and other supporting information gathered or generated during activities undertaken pursuant to Section V shall be maintained at the facility during the term of this Permit, including any reissued Permits.
5. For purposes of this Module V, should the Permittee take exception to all or part of a disapproval, or

conditional approval of any plan or report required by this module, the Permittee may invoke dispute resolution as outlined below:

- a. The parties shall in good faith attempt to resolve expeditiously and informally all disputes or differences of opinion. If the parties are unable to informally resolve the dispute within ten business days of the receipt of the disapproval decision or directive which is the subject of dispute, the permittee shall provide the written notice of the invocation of dispute resolution. The permittee shall provide the written notice no later than the twentieth calendar day after receipt of the disapproval decision or directive. The notice shall set forth the specific points of the dispute, the position the permittee is maintaining should be adopted as consistent with the permit's requirements, the basis therefore, and any matters which it considers necessary for the Administrative Authority's proper determination. Within ten business days of receipt of the written notice, the Administrative Authority will provide to the permittee a written statement of its decision on the pending dispute, which will be incorporated into the final permit unless the permittee requests an opportunity for a conference in accordance with paragraph 2 of this section. The existence of a dispute as defined herein, and the consideration of such matters which are placed into dispute shall not excuse, toll or suspend any compliance obligation or deadline not in dispute during the pendency of the dispute resolution process.
  
- b. If the permittee objects to any Administrative Authority determination regarding the disputed issue(s), the permittee shall within ten days of its receipt of the Administrative Authority's decision, pursuant to paragraph 1 of this section, notify the Administrative Authority in writing of its objections and may request the Director to convene an informal conference for the purpose of discussing the permittee's objections and the reasons for the Administrative Authority's determination. After this conference, the Director will

state in writing his decision regarding the factual issues in dispute. Such decision shall be the final resolution of the dispute and shall be implemented immediately by the permittee.

#### E. REPORTING REQUIREMENTS

1. The Permittee shall submit to the Administrative Authority signed quarterly progress reports of all activities (i.e., SWMU Assessment, Interim Measures, RCRA Facility Investigation, Corrective Measures Study) conducted pursuant to the provisions of Section V beginning no later than ninety (90) calendar days from the effective date of this permit. These reports shall contain:
  - a. a description of the work completed;
  - b. summaries of all findings, including summaries of laboratory data;
  - c. summaries of all problems or potential problems encountered during the reporting period and actions taken to rectify problems; and
  - d. projected work for the next reporting period.
2. Copies of other reports (e.g., inspection reports), drilling logs and laboratory data shall be made available to the Administrative Authority upon request.
3. As specified under Permit Conditions F.G., or K., the Administrative Authority may require the Permittee to conduct new or more extensive assessments, investigations, or studies, as needed, based on information provided in these progress reports or other supporting information.
4. The Permittee, in addition to the written reports, shall provide, at the request of the Administrative Authority, status review through semi-annual briefings with the Administrative Authority.

**F. 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 RCRA Facility Assessment (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. The notification shall include the following items, to the extent available:
  - 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; and
  - f. 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 this unit.
2. Based on the results of this Notification, the Administrative Authority will determine the need for further investigations or corrective measures at any newly-identified SWMU(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. This plan will be reviewed for approval as part of the RFI Work Plan under Condition V.J. of this section.

**G. NOTIFICATION REQUIREMENTS FOR NEWLY-DISCOVERED RELEASES AT SWMU(s)**

The Permittee shall notify the Administrative Authority, in writing, of any release(s) of hazardous waste or hazardous constituents discovered during the course of ground water monitoring, field investigation, environmental auditing, or other activities undertaken after the commencement of the RFI, 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).

**H. DESCRIPTION OF CURRENT CONDITIONS REPORT AND RCRA FACILITY INVESTIGATION (RFI) WORK PLAN**

1. On or before one hundred twenty (120) days of the effective date of this Permit, the Permittee shall submit to the Administrative Authority a Description of Current Conditions Report describing the current conditions at the facility as outlined in the RFI Scope of Work, Condition R, Task I. This Report may be limited to information not in the Part B or to recent information not addressed in the RCRA Facility Assessment (RFA). Results of any previous investigations and any other investigations required by state or local authorities may be included in this Report if they address any of the requirements of this Permit. The Report shall address the background information pertinent to the facility and the nature and extent of contamination.

TABLE 1

**LIST OF SOLID WASTE MANAGEMENT UNITS - Numbering is from the RFA of April 18, 1990, by Planning Research Corporation**

SWMU #	4	Underground Storage Tank for Spent Solvent Sediments
	2.	<p>On or before one hundred twenty (120) days of the effective date of this Permit, the Permittee shall submit a RFI Work Plan to the Administrative Authority for approval as outlined in the RFI Scope of Work, Task II thru Task V. The RFI Work Plan must address those units, releases of hazardous waste containing hazardous constituents, and media of concern which, based on the results of the RFA or other information require further investigation. The scope of the RFI shall include, but not be limited to, the units listed in Table 1 and releases to all media.</p> <p>a. The RFI Work Plan shall describe the objectives of the investigation and the overall technical and analytical approach to completing all actions necessary to characterize the nature, direction, rate, movement, and concentration of releases of hazardous waste or hazardous constituents from specific units or groups of units, and their actual or potential receptors. The RFI Workplan shall detail all proposed activities and procedures to be conducted at the facility, the schedule for implementing and completing such investigations, the qualifications of personnel performing or directing the investigations, including contractor personnel, and the overall management of the RFI. The Scope of Work for a RCRA Facility Investigation (RFI) is in Condition V.R.</p> <p>b. In addition, the RFI Work Plan shall discuss sampling and data collection, quality assurance and data management procedures, including formats for documenting and tracking data and other</p>

results of investigations, and health and safety procedures.

3. After the Permittee submits the RFI Work Plan, the Administrative Authority will either approve, disapprove, or modify the RFI Work Plan in writing.

If the Administrative Authority approves the plan, the Permittee shall immediately initiate implementation of the plan according to the schedule contained therein. All approved work plans become incorporated into this permit.

In the event of disapproval (in whole or in part) of the plan, the Administrative Authority will specify any deficiencies in writing. The Permittee shall modify the plan to correct these within 30 days of receipt of the disapproval by the Administrative Authority. The modified plan shall be submitted in writing to the Administrative Authority for review. Should the Permittee take exception to all or part of the disapproval, the Permittee shall invoke the dispute resolution clause under permit conditions D.5.a. and b. If disagreements cannot be resolved, the Administrative Authority may make further modifications as required. If the Administrative Authority modifies the plan, this modified plan becomes the approved RFI Work Plan. The Permittee shall immediately initiate implementation of the approved RFI Work Plan according to the schedule contained therein.

4. The Administrative Authority will review for approval, as part of the RFI Work Plan, any plans developed pursuant to Section V.F addressing further investigations of newly-identified SWMUs, or Section V.G addressing new releases from previously-identified units. The Administrative Authority may modify this Permit either according to procedures in this Permit, or according to the permit modification procedures under 40 CFR 270.41, to incorporate these units and releases into the RFI Work Plan.

**I. RCRA FACILITY INVESTIGATION WORK PLAN IMPLEMENTATION**

Upon receipt of written approval from the Administrative Authority for the RFI Work Plan, the Permittee shall begin implementation of the RCRA Facility Investigation according to the Schedules specified in the RFI Work Plan. The RFI shall be conducted in accordance with the approved RFI Work Plan. The Permittee shall prepare the RFI Work Plan and undertake the facility investigation in accordance with the following:

1. Development of the RFI Work Plan and reporting of data shall be consistent with the RCRA Facility Investigation Guidance Document (OSWER Directive 9502.00-6 (D)) May 1989 or the equivalent thereof;
2. EPA and NMEID reserve the right to split samples. The Permittee shall notify EPA and NMEID at least 10 days prior to any sampling activity;
3. When developing ground water related investigations, the Permittee shall be consistent with the RCRA Groundwater Monitoring Technical Enforcement Guidance Document (EPA OSWER Directive 9950-1, September 1986) or the equivalent thereof to determine methods and materials that are acceptable to EPA;
4. Any deviations from the approved RFI Work Plan which are necessary during implementation of the investigations must be approved by the Administrative Authority and fully documented and described in the progress reports and in the RFI report.

**J. RCRA FACILITY INVESTIGATION REPORT AND SUMMARY**

1. As specified in the approved RFI Workplan, the Permittee shall submit an RFI Report and a Summary Report. The RFI Report shall describe the procedures, methods, and results of all investigations of SWMUs and their releases, including information on the type and extent of contamination at the facility, sources and migration pathways, and actual or potential receptors. The RFI Report shall present all information gathered under the approved RFI Work Plan. The Report must contain adequate information to support further corrective action decisions at the facility. The Summary shall describe more briefly the procedures, methods, and results from the facility investigation described in the Scope of Work for RFI, Task III.

2. After the Permittee submits the RFI Report and a Summary, the Administrative Authority will either approve or disapprove the Reports in writing.

If the Administrative Authority approves the RFI Report and Summary, the Permittee shall mail the approved Summary Report to all individuals on the facility mailing list established pursuant to 40 CFR 124.10(c) (1)(ix), within fifteen (15) calendar days of receipt of approval.

If the Administrative Authority determines the RFI Final Report and Summary do not fully detail the objectives stated under Condition V.R. , the Administrative Authority may disapprove the RFI Final Report and Summary. If the Administrative Authority disapproves the Report, the Administrative Authority will notify the Permittee in writing of the Report's deficiencies and specify a due date for submittal of a revised Final Report and Summary. Once approved, the Summary shall be mailed to all individuals on the facility mailing list.

#### K. INTERIM MEASURES

1. If during the course of any activity initiated under Section V of this Permit, the Administrative Authority determines that a release or potential release of hazardous constituents from a SWMU poses a threat to human health and the environment, the Administrative Authority may specify interim measures. The Administrative Authority may determine the specific measure, including potential permit modifications and the schedule for implementing the required measures. The Administrative Authority will notify the Permittee in writing of the requirement to perform such interim measures. The Administrative Authority will modify Section V of the Permit either according to procedures in this Permit, or according to the permit modification procedures under 40 CFR 270.41, to incorporate such interim measures into the Permit.
2. The following factors will be considered by the Administrative Authority in determining the need for interim measures:
  - a. time required to develop and implement a final remedy;

- b. actual and potential exposure to human and environmental receptors;
- c. actual and potential contamination of drinking water supplies and sensitive ecosystems;
- d. the potential for further degradation of the medium absent interim measures;
- e. presence of hazardous waste in containers that may pose a threat of release;
- f. presence and concentration of hazardous waste including hazardous constituents in soil that have the potential to migrate to ground water or surface water;
- g. weather conditions that may affect the current levels of contamination;
- h. risks of fire, explosion, or accident; and
- i. other situations that may pose threats to human health and the environment.

#### L. DETERMINATION OF NO FURTHER ACTION

1. Based on the results of the RFI and other relevant information, the Permittee may submit an application to the Administrative Authority for a Class III permit modification under 40 CFR 270.42(c) to terminate the RFI/CMS process for a specific unit. This permit modification application must contain information demonstrating that there are no releases of hazardous wastes or hazardous constituents from a particular SWMU at the facility that poses a threat to human health and the environment, as well as information required in 40 CFR 270.42.(c), which incorporates by reference 40 CFR 270.13 through 270.21, 270.62, and 260.63.

If, based upon review of the Permittee's request for a permit modification, the results of the RFI, and other information, including comments received during the sixty (60) day public comment period required for Class III permit modifications, the Administrative Authority determines that releases or suspected releases which were investigated either are non-existent or do not pose a threat to human health

and the environment, the Administrative Authority will grant the requested modification.

2. A determination of no further action shall not preclude the Administrative Authority from requiring continued or periodic monitoring of air, soil, ground water, or surface water, when site-specific circumstances indicate that release of hazardous wastes including hazardous constituents are likely to occur, if necessary to protect human health and the environment.
3. A determination of no further action shall not preclude the Administrative Authority from requiring further investigations, studies, or remediation at a later date, if new information or subsequent analysis indicates a release or likelihood of a release from a SWMU at the facility that is likely to pose a threat to human health or the environment. In such a case, the Administrative Authority may initiate either a modification to Section V of this Permit according to procedures in this Permit, or a major permit modification according to 40 CFR 270.41, to rescind the determination made in accordance with Permit Condition V.L.

#### **M. CORRECTIVE MEASURES STUDY (CMS) PLAN**

1. If the Administrative Authority has reason to believe that a SWMU has released concentrations of hazardous constituents, or if the Administrative Authority determines that contaminants present a threat to human health and the environment given site-specific exposure conditions, the Administrative Authority may require a Corrective Measures Study (CMS) and shall notify the Permittee in writing. The notification may also specify remedial alternatives to be evaluated by the Permittee during the CMS.
2. The Permittee shall submit a draft CMS Plan to the Administrative Authority within ninety (90) calendar days from notification of the requirement to conduct a CMS. The Scope of Work for a Corrective Measure Study (CMS) is in Section V.S.

The CMS Plan shall provide the following information:

- a. a description of the general approach to investigation and potential remedies;
- b. a definition of the overall objectives of the study;

- c. the specific plans for evaluating remedies to ensure compliance with remedy standards;
  - d. the schedules for conducting the study; and
  - e. the proposed format for the presentation of information.
3. After the Permittee submits the draft CMS Plan, the Administrative Authority will either approve or disapprove the Plan. If the Plan is not approved, the Administrative Authority will notify the Permittee in writing of the Plan's deficiencies and specify a due date for submittal of the revised Plan. If this Plan is not approved, the Administrative Authority may revise the Plan and notify the Permittee of the revisions. This Administrative Authority revised Plan becomes the approved Plan.
4. After the Permittee submits the CMS Plan, the Administrative Authority will either approve, disapprove, or modify the CMS Plan in writing.

If the Administrative Authority approves the CMS Plan, the Permittee shall immediately initiate implementation of the CMS Plan according to the schedule contained therein. The approved CMS Plans become incorporated into this permit.

In the event of disapproval (in whole or in part) of the plan, the Administrative Authority will specify any deficiencies in writing. The Permittee shall modify the plan to correct these within 30 days of receipt of the disapproval by the Administrative Authority. The modified CMS Plan shall be submitted in writing to the Administrative Authority for review. Should the permittee take exception to all or part of the disapproval, the Permittee shall submit to the Administrative Authority a written statement of the grounds for the exception within 15 days of receipt of the disapproval by the Administrative Authority. If disagreements cannot be resolved, the Administrative Authority may make further modifications as required. If the Administrative Authority modifies the CMS Plan, this modified CMS Plan becomes the approved CMS Plan. The Permittee shall immediately initiate implementation of the approved CMS Plan according to the schedule contained therein.

**N. CORRECTIVE MEASURES STUDY (CMS) IMPLEMENTATION**

No later than fifteen (15) calendar days after the Permittee has received written approval from the Administrative Authority for the CMS Plan, the Permittee shall begin to implement the Corrective Measures Study according to the schedules specified in the CMS Plan. The CMS shall be conducted in accordance with the approved Plan.

**O. CORRECTIVE MEASURES STUDY (CMS) FINAL REPORT**

1. Within sixty (60) calendar days after the completion of the CMS, the Permittee shall submit a CMS Final Report. The CMS Final Report shall summarize the results of the investigations for each remedy studied and of any bench-scale or pilot tests conducted. The CMS Report must include an evaluation of each remedial alternative. The CMS Report shall present all information gathered under the approved CMS Plan. The final report must contain adequate information to support the Administrative Authority in the remedy selection decision-making process.
2. If the Administrative Authority determines that the CMS Final Report does not fully satisfy the information requirements specified under Permit Condition V.U, the Administrative Authority may disapprove the CMS Final Report. If the Administrative Authority disapproves the Final Report, the Administrative Authority will notify the Permittee in writing of deficiencies in the Report and specify a due date for submittal of a revised Final Report.
3. After the Permittee submits the Final CMS Report, the Administrative Authority will either approve or disapprove the Report. If the Report is not approved, the Administrative Authority will notify the Permittee in writing of the Report's deficiencies and specify a due date for submittal of the revised Report. If this Report is not approved, the Administrative Authority may revise the Report and notify the Permittee of the revisions. The CMS Report revised by the Administrative Authority becomes the approved Report.
4. Based on preliminary results and the final CMS report, the Administrative Authority may require the Permittee to evaluate additional remedies or particular elements of one or more proposed remedies.

**P. MODIFICATION OF THE HSWA PERMIT**

1. If at any time the Administrative Authority determines that modification of Section V of this Permit is necessary, a modification may be initiated according to the procedures of 40CFR 270.41 and 42.
2. Modifications to the Section V of this Permit do not constitute a reissuance of the Permit.

**Q. RFI/CMS SUBMISSION SUMMARY**

Below is a summary of the planned reporting requirements pursuant to Section of this Permit:

<u>Actions</u>	<u>Due Date</u> (examples)
Notification of newly-discovered SWMUs	fifteen (15) calendar days after discovery
Notification of newly-discovered releases	fifteen (15) calendar days after discovery
Progress reports on all activities	quarterly -- no later than ninety (90) calendar days after effective date of permit
Description of Current Conditions Report	one-hundred twenty (120) days from effective date of permit
RFI Workplan for SWMU(s) identified at time of permit issuance	one hundred twenty (120) calendar days after the effective date of the permit
RFI Report and Summary	As required in the approved RFI Workplan by the Administrative Authority
Interim Measures Plan for interim measures required after permit issuance	thirty (30) calendar days after notification
CMS Plan	ninety (90) calendar days after notification of requirement to perform CMS
CMS Report	sixty (60) calendar days after completion of CMS
Revised CMS Report	thirty (30) calendar days after notification of deficiency
Demonstration of Financial Assurance at Facility	one hundred and twenty (120) calendar days after permit modification.



**TASK I: PRELIMINARY REPORT: DESCRIPTION OF CURRENT CONDITIONS**

The Permittee shall submit to the Administrative Authority a Description of Current Conditions providing the background information pertinent to the facility, contamination and any type of on-going corrective action as set forth below. This report is limited to information not in the Part B permit application or to recent information not addressed in the RCRA Facility Assessment (RFA).

**A. Facility Background**

The report shall summarize the regional location, pertinent boundary features, general facility physiography, hydrogeology, and historical use of the facility for the treatment, storage or disposal of solid and hazardous waste. Information from existing reports and studies is acceptable for any requirement in this permit, as long as the source of this information is documented and it is pertinent and reflective of current conditions, and meets the format for the RFI investigations. The report shall include:

1. Map(s) depicting the following:
  - a. General geographic location;
  - b. Property lines, with the owners of all adjacent property clearly indicated;
  - c. Topography, waterways, all wetlands, floodplains, water features, drainage patterns;
  - d. All solid waste management units;
  - e. All known past solid or hazardous waste treatment, storage and disposal areas regardless of whether they were active on November 19, 1980;
  - f. Surrounding land uses (residential, commercial, agricultural, recreational); and
  - g. The location of all production and ground water monitoring wells. These wells shall be clearly labeled and ground and top of casing elevations included (these elevations may be included as an attachment).

All maps shall be of sufficient detail and accuracy to locate and report all current and future work performed at the site.

2. A history and description of ownership and operation, solid and hazardous waste generation, treatment, storage and disposal activities at the facility.
3. Approximate dates or periods of past waste spills, identification of the materials spilled, the amount spilled, the location where spilled, and a description of the response actions conducted (local, State, or Federal response units or private parties), including any inspection reports or technical reports generated as a result of the response.
4. Documentation of all interim measures which were or are being undertaken at the facility other than those specified in this permit.
5. A reference of all environmental, geologic, and hydrogeologic studies performed by all parties, at or near the facility, with a short summary of purpose scope and significant findings thereof.
6. A reference of all environmental permits, applied for and/or received, the purpose thereof, and a short summary of requirements.

B. Nature and Extent of Contamination

The Permittee shall include in the Preliminary Report the existing information on the nature and extent of contamination.

1. The Permittee's report shall summarize all possible source areas of contamination, including all solid waste management units. For each area, the Permittee shall identify the following:
  - a. location of unit/area (which shall be depicted on a facility map);
  - b. quantities of solid and hazardous wastes;
  - c. hazardous waste, radiochemical and hazardous constituents, to the extent know; and
  - d. identification of areas where additional information is necessary.
2. The Permittee shall prepare an assessment

and description of the existing degree and extent of contamination. This should include:

- a. available monitoring data and qualitative information on locations and levels of contamination at the facility;
- b. all potential migration pathways including information on geology, pedology, hydrogeology, physiography, hydrology, water quality, meteorology, and air quality; and
- c. the potential impact(s) on human health and the environment, including demography, ground water and surface water use, and land use.

C. Current and Past Interim Measures

The permittee shall document and report on all interim measures which were or being undertaken at the facility other than those specified in the permit. This shall include:

1. objectives of the interim measures (how the measure is mitigating a potential threat to human health and the environment and/or is consistent with and integrated into any long term solution at the facility);
2. design, construction, operation, and maintenance requirements;
3. schedules for design, construction and monitoring; and
4. schedule for progress reports.

**TASK II: RFI WORKPLAN REQUIREMENTS**

The Permittee shall prepare an RFI Work Plan. The RFI Work Plan shall include the development of several plans, which shall be prepared concurrently. During the RFI, it may be necessary to revise the RFI Work Plan to increase or decrease the detail of information collected to accommodate the facility specific situation. The RFI Work Plan shall include the following:

**A. Collection Quality Assurance Plan**

1. The strategy section of the Data Collection Quality Assurance Plan shall include but not be limited to the following:
  - a. description of the intended uses for the data, and the necessary level of precision and accuracy for these intended uses;
  - b. description of methods and procedures to be used to assess the precision, accuracy and completeness of the measurement data;
2. Sampling and Field Measurements

The Sampling Field Measurements Section of the Data Collection Quality Assurance Plan shall at least discuss:

- a. selecting appropriate sampling and field measurements locations, depths, etc;
- b. providing a statistically sufficient number of sampling and field measurements sites;
- c. determining conditions under which sampling or field measurements should be conducted;
- d. determining which parameters are to be measured and where;
- e. selecting the frequency of sampling and length of sampling period;
- f. selecting the types of sample (e.g., composites vs. grabs) and number of samples to be collected;
- g. measures to be taken to prevent contamination of sampling or field measurements equipment and cross contamination between sampling points;

- h. documenting field sampling operations and procedures;
  - i. selecting appropriate sample containers;
  - j. sample preservation; and
  - k. chain-of-custody.
3. The Sample Analysis shall include;
- a. chain-of custody
  - b. sample storage procedures and holding times
  - c. sample preparation methods;
  - d. analytical procedures;
  - f. calibration procedures and frequency;
  - g. data reduction, validation and reporting;  
and
  - h. internal quality control checks, laboratory performance and systems audits and frequency.

B. Data Management Plan

The Permittee shall develop and initiate a Data Management Plan to document and track investigation data and results. This plan shall identify and set up data documentation materials and procedures, project file requirements, and project-related progress reporting procedures and documents. The plan shall also provide the format to be used to present the raw data and conclusions of the investigation, such as:

- 1. Data Record;
- 2. Tabular Displays; and
- 3. Graphical Displays

C. Health and Safety Plan

The Permittee shall prepare a facility Health and Safety Plan.

1. Major elements of the Health and Safety Plan shall include:
  - a. facility description including availability of resources such as roads, water supply electricity and telephone service.
  - b. a description of the known hazards and evaluation of the risks associated with the incident and with each activity conducted;
  - c. list key personnel and alternatives responsible for site safety, responses operations, and for protection of public health;
  - d. delineate work area;
  - e. describe levels of protection to be worn by personnel in work areas;
  - f. establish procedures to control site access;
  - g. describe decontamination procedures for personnel and equipment;
  - h. establish site emergency procedures;
  - i. address emergency medical care for injuries and toxicological problems;
  - j. describe requirements for an environmental field monitoring program;
  - k. specify any routine and special training required for responders; and
  - l. establish procedures for protecting workers from weather-related problems.
2. The Facility Health and Safety Plan shall be consistent with:

- a. NIOSH Occupation Safety and Health Guidance Manual for Hazardous Waste Site Activities 1985);
- b. EPA Order 1440.1 - Respiratory Protection;
- c. EPA Order 1440.3 - Health and Safety Requirements for Employees engaged in Field Activities;
- d. approved Facility Contingency Plan;
- e. EPA Operating Safety Guide (1984);
- f. OSHA regulations particularly in 29 CFR 1910 and 1926;
- g. State and local regulations; and
- h. other EPA guidance as provided.

D. Community Relations Plan

The Permittee shall prepare for the dissemination of information to the public regarding investigation activities and results.

E. Project Management Plan

The Permittee shall prepare a Project Management Plan which will include a discussion of the technical approach, schedules, budget, and key project personnel. The project management plan will also include a description of qualifications of key project personnel performing or directing the RFI, including contractor personnel. This plan shall also document the overall management approach to the RFI.

### TASK III: FACILITY INVESTIGATION

The Permittee shall conduct those investigation of SWMUs previously identified with known or suspected releases of contamination as necessary to protect human health and the environment to: characterize the facility (Environmental Setting); define the source (Source Characterization); define the degree and extent of contamination (Contamination Characterization); and identify actual or potential receptors.

Investigations should result in data of adequate technical quality to support the development and evaluation of the corrective measure alternative or alternatives during the Corrective Measures Study, when necessary.

The facility investigation activities shall when conducted follow the plans set forth in Task II. All sampling and analyses shall be conducted in accordance with the Data Collection Quality Assurance Plan. All sampling locations shall be documented in a log and identified on a detailed site map.

#### A. Environmental Setting

The Permittee shall collect information to supplement and verify existing information on the environmental setting at the facility. The Permittee shall characterize the following:

##### 1. Hydrogeology

The Permittee shall conduct a program to evaluate hydrogeologic conditions at the facility. This program shall provide the following information:

- a. A description of the regional and SWMU specific geologic and hydrogeologic characteristics affecting ground water flow beneath the facility.
- b. An analysis of any topographic features that might influence the ground water flow system. (Note: Stereographic analysis of aerial photographs may aid in this analysis).
- c. Based on field data, tests, (e.g., gamma and neutron logging of existing and new wells, piezometers and borings) and cores, a representative and accurate classification and description of the hydrogeologic units which may be part of the migration pathways at the facility (i.e.,

the aquifers and any intervening saturated and unsaturated units).

- d. Based on field studies and cores, structural geology and hydrogeologic cross sections showing the extend (depth, thickness, lateral extent) of hydrogeologic units which may be part of the migration pathways identifying:
  - i) unconsolidated sand and gravel deposits;
  - ii) zones of fracturing or channeling in consolidated or unconsolidated deposits; and
  - iii) zones of high permeability that might direct and restrict the flow of contaminants.
- e. Based on data obtained from ground water monitoring wells and piezometers installed upgradient and downgradient of the potential contaminant source, a representative description of water level or fluid pressure monitoring.
- f. A description of man-made influences that may affect the hydrogeology of the site.

## 2. Soils

The Permittee shall conduct a program to characterize the soil and rock units above the water table in the vicinity of the contaminant release(s). Such characterization shall include, but not be limited to, the following information:

- a. Surface soil distribution;
- b. Soil profile, including ASTM classification of soils;
- c. Transects of soils stratigraphy;
- d. Saturated hydraulic conductivity;
- e. Porosity;

- f. Cation exchange capacity (CEC);
- g. Soil pH;
- h. Particle size distribution;
- i. Depth of water table;
- j. Moisture;
- k. Effect of stratification on unsaturated flow;
- l. Infiltration
- m. Evapotranspiration;
- n. Residual concentration of contaminants in soil; and
- o. Mineral and metal content.

B. Source Characterization

The Permittee shall collect analytical data to completely characterize the wastes and the areas where wastes have been placed, including: type; quantity; physical form; disposition (containment or nature of deposits); and the facility characteristics affecting release (e.g., facility security, and engineered barriers). This shall include quantification of the following specific characteristics, at each source area:

- 1. Unit/Disposal Area Characteristics:
  - a. Location of unit/disposal area;
  - b. Type of unit/disposal area;
  - c. Design features;
  - d. Operating practices (past and present);
  - e. Period of operation;
  - f. Age of unit/disposal area;
  - g. General physical conditions;
  - h. Method used to close the unit/disposal area;  
and
  - i. Thoroughly evaluate all available aerial photography and other records from the 1945 to 1990 period to aid

in unit locations/characteristics.

2. Waste Characteristics:

- a. Type of waste placed in unit;
- b. Physical and chemical characteristics; and
- c. Migration and dispersal characteristics of the waste.

The Permittee shall document the procedures used in making the above determinations.

C. Contamination Characteristics

The Permittee shall collect analytical data on ground water, soils, surface water, sediment, and subsurface gas contamination when necessary to characterize contamination from a SWMU. This data shall be sufficient to define the extent, origin, direction, and rate of movement of contaminant plumes. Data shall include time and location of sampling, media sampled, concentrations found, conditions during sampling, and the identity of the individual(s) performing the sampling and analysis. Each media must be investigated, if the Permittee believes certain media could not be affected by a release from a specific unit, a detailed justification for not investigating the media must be provided. The Permittee shall address the following types of contamination at the facility:

1. Ground Water Contamination

The Permittee shall conduct a Ground Water Investigation to characterize any plumes of contamination at the facility. This investigation shall, at a minimum, provide the following information:

- a. A description of the horizontal and vertical extent of any immiscible or dissolved plume(s) originating from the facility;
- b. The horizontal and vertical direction of contamination movement;
- c. The velocity of contaminant movement;
- d. The horizontal and vertical concentration profiles of any Appendix IX constituents and radiochemical constituents in the plume (s);
- e. An evaluation of factors influencing the plume movement; and

- f. An extrapolation of future contaminant movement.

The Permittee shall document the procedures used in making the above determinations (e.g., well design, well construction, geophysics, modeling, etc.).

## 2. Soil Contamination

The Permittee shall conduct an investigation to characterize the contamination of the soil and rock units above the water table in the vicinity of the contaminant release. The investigation shall include the following information:

- a. A description of the vertical and horizontal extent of contamination;
- b. A description of contaminant and soil chemical properties within the contaminant source area and plume migration and transformation;
- c. Specific contaminant concentrations;
- d. The velocity and direction of contaminant movement; and
- e. An extrapolation of future contaminant movement.

The Permittee shall document the procedures used in making the above determinations.

## 3. Surface Water Contamination

The Permittee shall conduct a surface water investigation to characterize contamination in surface water bodies resulting from contaminant releases at the facility. The investigation shall include the following:

- a. A description of the horizontal and vertical extent of any immiscible or dissolved plumes originating from the facility, and the extent of contamination in the underlying sediments;
- b. The horizontal and vertical direction and velocity of contaminant movement;
- c. An evaluation of the physical, biological, chemical, and radiochemical factors influencing contaminant movement;
- d. An extrapolation of future contaminant movement;
- e. A description of the chemistry and radiochemistry of

the contaminated surface waters and sediments. This includes determining the pH, total dissolved solids, specific contaminant concentrations, etc; and

- f. Identification of all major rainfall and runoff events during the 1941 to 1990 period which had the potential to transport runoff of hazardous constituents/waste downstream off the facility property.

The Permittee shall document the procedures used in making the above determinations.

#### 4. Air Contamination

The Permittee shall conduct an investigation to characterize the particulate and gaseous contaminants released into the atmosphere.

This investigation shall provide the following information:

- a. A description of the horizontal and vertical direction and velocity of contaminant movement;
- b. The rate and amount of the release; and
- c. The chemical, radiochemical, and physical composition of the contaminants releases, including horizontal and vertical concentration profiles.

#### 5. Subsurface Gas

The Permittee shall provide information characterizing the nature, rate and extent of releases of reactive gases from the units. Such information shall include, but not be limited to: provisions for monitoring subsurface gases released from the unit; and an assessment of the potential for these releases to have a threat to human health and environment.

The Permittee shall document the procedures used in making the above determination.

#### D. Potential Receptors

The Permittee shall collect data describing the human populations and environmental systems that are susceptible to contaminant exposure from the facility. Chemical and radiochemical analysis of biological samples may be needed. Data on observable effects in ecosystems may also be obtained.

**TASK IV: INVESTIGATIVE ANALYSIS**

The Permittee shall prepare an analysis and summary of all facility investigations and their results. The objective of this task shall be to ensure that the investigation data are sufficient in quality (e.g., quality assurance procedures have been followed) and quantity to describe the nature and extent of contamination, potential threat to human health and/or the environment, and to support the Corrective Measures Study, if one is required.

The Permittee shall analyze all facility investigation data outlined in Task III and prepare a report on the type and extent of contamination at the facility including sources and migration pathways. The report shall describe the extent of contamination (qualitative/quantitative) in relation to the background levels indicative for the area. The Permittee shall identify all relevant and applicable standards for the protection of human health and the environment (e.g. National Ambient Air Quality Standards, federally-approved State water quality standards, ground water protection standards, etc).

**TASK V: REPORTS****A. Preliminary and Workplan**

The Permittee shall submit to the Administrative Authority the Preliminary Report (Task I) and the RCRA Facility Investigation Workplan (Task II) as described in the Permit.

**B. Progress**

Within 90 days of the effective date of this permit, the Permittee shall provide the Administrative Authority with signed, quarterly progress reports containing:

1. A description and estimate of the percentage of the RFI completed;
2. Summary of contacts pertaining to corrective action or environmental matters with representatives of the local community, public interest groups or State government during the reporting period;
3. Summary of problems or potential problems encountered during the reporting period;
4. Actions being taken to rectify problems;
5. Changes in key project personnel during the reporting period;
6. Projected work for the next reporting period;

7. Summaries of all findings to date; and
8. Summaries of all changes made in the RFI during the reporting period.

**C. Draft and Final**

The RFI Report shall be developed in draft form for the Administrative Authority's review. The RFI Report shall be developed in final format incorporating comments received on the Draft RFI Report.

Two hard copies and one compatible disk copy of all reports, including the Task I report (OTET), Task II workplan (OTET) and both the Draft and Final RFI Reports (Task III-IV) (OTET) shall be provided by the Permittee to the Administrative Authority.

### Facility Submission Summary

A summary of the information reporting requirements contained in the RCRA Facility Investigation Scope of Work is presented below:

<u>Facility Submission</u>	<u>Due Date</u>
Description of Current Conditions (Task I)	120 days*
RFI Workplan (Task II)	120 days
Draft RFI Report	As specified by the Administrative Authority
Final (Revised) RFI Report (Tasks III and IV)	As specified by the Administrative Authority
Progress reports on Tasks I through V and interim measures	Quarterly

\* Dates are calculated from the effective date of this permit unless otherwise specified.

**S. SCOPE OF WORK FOR A CORRECTIVE MEASURE STUDY (CMS)  
AT  
SAFETY KLEEN CORPORATION - ALBUQUERQUE - NMD000804294**

**PURPOSE**

The purpose of this Corrective Measure Study (CMS) is to develop and evaluate the corrective action alternative or alternatives and to recommend the corrective measure or measures to be taken at Safety Kleen - Albuquerque, New Mexico.

The Permittee will furnish the personnel, materials, and services necessary to prepare the CMS, except as otherwise specified.

If the Permittee believes that certain requirements of the scope of work are not applicable, the specific requirements shall be identified and a detailed rationale for inapplicability shall be provided.

**SCOPE**

The Corrective Measure Study consists of four tasks:

Task VI: Identification and Development of the Corrective Measure Alternative or Alternatives

- A. Description of Current Situation
- B. Establishment of Corrective Action Objectives
- C. Laboratory and Bench-Scale Study
- D. Screening of Corrective Measures Technologies
- E. Identification of the Corrective Measure Alternative or Alternatives

Task VII: Evaluation of the Corrective Measure Alternative(s)

- A. Technical/Environmental/Human Health/Institutional
- B. Cost Estimate

Task VIII: Justification and Recommendation of the Corrective Measure(s)

- A. Technical
- B. Human Health
- C. Environmental

TASK VI: IDENTIFICATION AND DEVELOPMENT OF THE CORRECTIVE ACTION ALTERNATIVE OR ALTERNATIVES

Based on the results of the RCRA Facility Investigation (RFI) and consideration of the identified Preliminary Corrective Measure Technologies (Task I) the Permittee shall identify, screen, and develop the alternative(s) for removal, containment, treatment and/or other remediation of the contamination based on the objectives established for the corrective action.

A. Description of Current Conditions

The Permittee shall submit an update to the information describing the current situation at the facility and the known nature and extent of the contamination as documented by the RFI report. The Permittee shall provide an update to information presented in Task I of the RFI to the Administrative Authority regarding previous response activities and any interim measures which have or are being implemented at the facility. The Permittee shall also make a facility-specific statement of the purpose for the response, based on the results of the RFI. The statement of purpose should identify the actual or potential exposure pathways that should be addressed by corrective measures.

B. Establishment of Corrective Action Objectives

The Permittee, in conjunction with the Administrative Authority, shall establish site specific objectives for the corrective action. These objectives shall be based on public health and environmental criteria, information gathered during the RCRA Facility Investigation, EPA guidance and the requirements of any applicable Federal statutes. At a minimum, all corrective actions concerning ground water releases from solid waste management units must be consistent with, and as stringent as, those required under 40 CFR 264.100.

C. Laboratory and Bench-Scale Study

When a new technology is being proposed or similar waste streams have not routinely been treated or disposed using the technology the Permittee shall conduct laboratory and/or bench-scale studies to determine the applicability of a corrective measure technology or technologies to the facility conditions. The Permittee shall analyze the technologies, based on literature review, vendor contracts, and past experience to determine the testing requirements.

The Permittee shall develop a testing plan identifying the type(s) and goal(s) of the study(ies), the level of effort needed, and the procedures to be used for data management and interpretation.

Upon completion of testing, the Permittee shall evaluate the testing results to assess the technology or technologies with respect to the site-specific questions identified in the test plan.

The Permittee shall prepare a report summarizing the testing program and its results, both positive and negative.

D. Screening of Corrective Measure Technologies

The Permittee shall review the results of the RFI and reassess the technologies specified in Task II and identify any additional technologies which are applicable to the facility. The Permittee shall screen the preliminary corrective measure technologies identified in Task II of the RFI and any supplemental technologies to eliminate those that may prove infeasible to implement, that rely on technologies unlikely to perform satisfactorily or reliably, or that do not achieve the corrective measure objective within a reasonable time period. This screening process focuses on eliminating those technologies which have severe limitations for a given set of waste and site-specific conditions. The screening step may also eliminate technologies based on inherent technology limitations.

Site, waste, and technology characteristics which are used to screen inapplicable technologies are described in more detail below:

1. Site Characteristics

Site data should be reviewed to identify conditions that may limit or promote the use of certain technologies. Technologies whose use is clearly precluded by site characteristics should be eliminated from further consideration;

2. Waste Characteristics

Identification of waste characteristics that limit the effectiveness or feasibility of technologies is an important part of the screening process. Technologies clearly limited by these waste characteristics should be eliminated from consideration. Waste characteristics particularly affect the feasibility of in-situ methods, direct treatment methods, and land disposal (on/off-site); and

3. Technology Limitations

The level of technology development, performance record, and inherent construction, operation and maintenance

problems shall be identified for each technology considered. Technologies that are unreliable, perform poorly, or are not fully demonstrated may be eliminated in the screening process. For example, certain treatment methods have been developed to a point where they can be implemented in the field without extensive technology transfer or development.

E. Identification of the Corrective Measure Alternatives

The Permittee shall develop the corrective measure alternatives based on the corrective measure objectives and analysis of Preliminary Corrective Measure Technologies, as presented in Task I of the RFI as supplemented following the preparation of the RFI report. The Permittee shall rely on engineering practice to determine which of the previously identified technologies appear most suitable for the site. Technologies can be combined to form the overall corrective action alternatives. The alternatives developed should represent a workable number of options that each appear to adequately address all site problems and corrective action objectives. Each alternative may consist of an individual technology or a combination of technologies. The Permittee shall document the reasons for excluding technologies, identified in Task I, as supplemented in the development of the alternative.

TASK VII: EVALUATION OF THE CORRECTIVE MEASURE ALTERNATIVE OR ALTERNATIVES

The Permittee shall describe each corrective measure alternative that passed the Initial Screening in Task VI and evaluate each corrective measure alternative and its components. The evaluation shall be based on technical, environmental, human health and institutional concerns. The Permittee shall also develop cost estimates for each corrective measure.

A. Technical/Environmental/Human Health/Institutional

The Permittee shall provide a description of each corrective measure alternative which includes but is not limited to the following preliminary process flow sheets; preliminary sizing and type of construction for buildings and structures; and rough quantities of utilities required. The Permittee shall evaluate each alternative in the four following areas:

1. Technical

The Permittee shall evaluate each corrective measure alternative based on performance, reliability, implementability and safety.

a. The Permittee shall evaluate performance based on the effectiveness and useful life of the corrective measure.

- i) Effectiveness shall be evaluated in terms of the ability to perform intended functions such as containment, diversion, removal, destruction, or treatment. The effectiveness of each corrective measure shall be determined either through design specifications or by performance evaluation. Any specific waste or site characteristics which could potentially impede effectiveness shall be considered. The evaluation should also consider the effectiveness of combinations of technologies.
- ii) Useful life is defined as the length of time the level of effectiveness can be maintained. Most corrective measure technologies, with the exception of destruction, deteriorate with time. Often, deterioration can be slowed through proper system operation and maintenance, but the technology eventually may require replacement. Each corrective measure shall be evaluated in terms of the projected service lives of its component technologies. Resource availability in the future life of the

technology, as well as appropriateness of the technologies, must be considered in estimating the useful life of the project.

- b. The Permittee shall provide information on the reliability of each corrective measure including their operation and maintenance requirements and their demonstrated reliability:
  - i) Operation and maintenance requirements include the frequency and complexity of necessary operation and maintenance. Technologies requiring frequent or complex operation and maintenance activities should be regarded as less reliable than technologies requiring little or straightforward operation and maintenance. The availability of labor and materials to meet these requirements shall also be considered; and
  - ii) Demonstrated and expected reliability is a way of measuring the risk and effect of failure. The Permittee should evaluate whether the technologies have been used effectively under analogous conditions; whether the combination of technologies have been used together effectively; whether failure of any one technology has an immediate impact on receptors; and whether the corrective measure has the flexibility to deal with uncontrollable changes at the site.
- c. The Permittee shall describe the implementability of each corrective measure including the relative ease of installation (constructibility) and the total time required to achieve a given level of response:
  - i) Constructibility is determined by conditions both internal and external to the facility conditions and includes such items as location of underground utilities, depth to water table, heterogeneity of subsurface materials, and location of the facility (i.e., remote location vs. a congested urban area). The Permittee shall evaluate what measures can be taken to facilitate construction under these conditions. External factors which affect implementation include the need for special permits or agreements, equipment availability, and the location of suitable off-site treatment or disposal facilities;

ii) Two components of time shall be addressed: the time it takes to implement a corrective measure and the time it takes to actually see beneficial results. Beneficial results are defined as the reduction of contamination to some acceptable, pre-established level.

d. The Permittee shall evaluate each corrective measure alternative with regard to safety. This evaluation shall include threats to the safety of nearby communities and environments as well as those to workers during implementation. Factors to consider include fire, explosion, and exposure to hazardous substances.

## 2. Environmental

The Permittee shall perform an Environmental Assessment for each alternative. The Environmental Assessment shall focus on facility conditions and pathways of contamination actually addressed by each alternative. The Environmental Assessment for each alternative will include, at a minimum, an evaluation of: the short- and long-term beneficial and adverse effects of the response alternative; any adverse effects on environmentally sensitive areas; and an analysis of measures to mitigate adverse impacts.

## 3. Human Health

The Permittee shall assess each alternative in terms of the extent which it mitigates short- and long-term potential exposure to any residual contamination and protects human health both during and after implementation of the corrective measure. The assessment will describe the levels and characterizations of contaminants on-site, potential exposure routes, and potentially affected populations. Each alternative will be evaluated to determine the level of exposure to contaminants and the reduction over time. For management of mitigation measures, the relative reduction of impact will be determined by comparing residual levels of each alternative with existing criteria, standards, or regulations acceptable to the Administrative Authority.

## 4. Institutional

The Permittee shall assess relevant institutional needs for each alternative. Specifically, the effects of Federal, State, and local environmental and public health standards, regulations, guidance, advisories, ordinances, or community relations on the design, operation, and timing of each alternative.

B. Cost Estimate

The Permittee shall develop an estimate of the cost of each corrective measure alternative (and for each phase or segment of the alternative). The cost estimate shall include capital, and operation and maintenance costs.

1. Capital costs consist of direct (construction) and indirect (nonconstruction and overhead) costs.

- a. Direct capital costs include:

- i) Construction costs: Cost of materials, labor (including fringe benefits and worker's compensation), and equipment required to install the corrective measure alternative.
- ii) Equipment costs: Costs of treatment, containment, disposal and/or service equipment necessary to implement the action; these materials remain until the corrective action is completed;
- iii) Land and site development costs: Expenses associated with purchase of land and development of existing property; and
- iv) Building and services costs: Costs of process and nonprocess buildings, utility connections, purchased services, and disposal costs.

- b. Indirect capital costs include:

- i) Engineering expenses: Costs of administration, design construction supervision, drafting, and testing of corrective measure alternatives;
- ii) Legal fees and license or permit costs: Administrative and technical costs necessary to obtain licenses and permits for installation and operation;
- iii) Start-up and shakedown costs: Costs incurred during corrective measure start-up; and
- iv) Contingency allowances: Funds to cover costs resulting from unforeseen circumstances, such as adverse weather conditions, strikes, and inadequate facility characterization.

2. Operation and maintenance costs are post-construction costs necessary to ensure continued effectiveness of a corrective measure. The Permittee shall consider the following operation and maintenance cost components:
  - a. Operating labor costs: Wages, salaries, training, overhead, and fringe benefits associated with the labor needed for postconstruction operation;
  - b. Maintenance materials and labor costs: Costs for labor, parts, and other resources required for routine maintenance of facilities and equipment;
  - c. Auxiliary materials and energy: Costs of such items as chemicals and electricity for treatment plant operations, water and sewer service, and fuel;
  - d. Purchased services: Sampling costs, laboratory fees, and professional fees for which the need can be predicted;
  - e. Disposal and treatment: Costs of transporting, treating, and disposing of waste materials, such as treatment plant residues generated during operation;
  - f. Administrative costs: Costs associated with administration of corrective measure operation and maintenance not included under other categories;
  - g. Insurance, taxes, and licensing costs: costs of such items as liability and sudden accidental insurance; real estate taxes on purchased land or rights-of-way; licensing fees for certain technologies; and permit renewal and reporting costs;
  - h. Maintenance reserve and contingency funds: annual payments into escrow funds to cover (1) costs of anticipated replacement or rebuilding of equipment and (2) any large unanticipated operation and maintenance costs; and
  - i. Other costs: items that do not fit any of the above categories.

TASK VIII. JUSTIFICATION AND RECOMMENDATION OF THE CORRECTIVE MEASURE OR MEASURES

The Permittee shall justify and recommend a corrective measure alternative using technical, human health, and environmental criteria. This recommendation shall include summary tables which allow the alternative or alternatives to be understood easily. Tradeoffs among health risks, environmental effects, and other pertinent factors shall be highlighted, and the corrective measure alternative or alternatives to be implemented based on the results of Tasks VI and VII must be approved by the Administrative Authority before implementation. At a minimum, the following criteria will be used to justify the final corrective measure or measures:

A. Technical

1. Performance - corrective measure or measures which are most effective at performing their intended functions and maintaining the performance over extended periods of time will be given preference;
2. Reliability - corrective measure or measures which do not require frequent or complex operation and maintenance activities and have proven effective under waste and facility conditions similar to those anticipated will be given preference;
3. Implementability - corrective measure or measures which can be constructed and operated to reduce levels of contamination to attain or exceed applicable standards in the shortest period of time will be preferred; and
4. Safety - corrective measure or measures which pose the least threat to the safety of nearby residents and environments as well as workers during implementation will be preferred.

B. Human Health

The corrective measure or measures must comply with existing U.S. EPA criteria, standards, or regulations for the protection of human health. Corrective measures which provide the minimum level of exposure to contaminants and the maximum reduction in exposure with time are preferred.

C. Environmental

The corrective measure or measures posing the least adverse impact (or greatest improvement) on the environment over the shortest period of time will be favored.

**TASK IX: REPORTS**

The Permittee shall prepare a Corrective Measure Study Report presenting the results of Tasks V through IX recommending a corrective measure alternative. Two (2) copies and one compatible disk copy of the draft and final reports shall be provided to the Administrative Authority by the Permittee.

**A. Progress**

The Permittee shall, at a minimum, provide the Administrative Authority with signed quarterly progress reports containing:

1. A description and estimate of the percentage of the CMS completed;
2. Summary of contacts relevant to corrective action with representatives of the local community, public interest groups or State government during the reporting period;
3. Summary of problems or potential problems relevant to corrective action encountered during the reporting period;
4. Actions being taken to rectify problems;
5. Changes in key project personnel during the reporting period;
6. Projected work for the next reporting period; and
7. Summaries of changes made in the CMS during the reporting period.

**B. Draft**

The Report shall, at a minimum, include:

1. A summary of the corrective measure or measures and rationale
  - a. Description of the corrective measure or measures and rationale for selection;
  - b. Performance expectations;
  - c. Preliminary design criteria and rationale;
  - d. General operation and maintenance requirements;
  - e. Long-term monitoring requirements
2. Design and Implementation Precautions:

- a. Special technical problems;
  - b. Additional engineering data required;
  - c. Permits and regulatory requirements;
  - d. Access, easements, right-of-way;
  - e. Health and safety requirements; and
  - f. Community relations activities.
3. Cost Estimates and Schedules:
    - a. Capital cost estimate;
    - b. Operation and maintenance cost estimate; and
    - c. Project schedule (design, construction, operation).

C. Final

The Permittee shall finalize the Corrective Measure Study Report (OTET) incorporating comments received from the Administrative Authority on the Draft Corrective Measure Study Report (OTET).

U. EMISSION STANDARDS FOR PROCESS VENTS AND EQUIPMENT LEAKS

1. The Permittee shall comply with the air emissions requirements of 40 CFR 264, Subpart AA (for process vents) and Subpart BB (for equipment leaks).
2. The Permittee shall submit to EPA, upon request, all of the information required under 264.1064 and 264.1035, as applicable, within 15 days of the request.

**NEW MEXICO HAZARDOUS WASTE MANAGEMENT REGULATION'S (HWMR-6)**

**ATTACHMENT V.1**

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

EIB/HWMR-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, HWMR-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.

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**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.

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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.

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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.