

## **PERMIT PART 3 STORAGE OF HAZARDOUS AND MIXED WASTE**

### **3.1 GENERAL CONDITIONS**

The Permittees shall store and otherwise manage containers of hazardous and mixed waste in accordance with 40 CFR Part 264, Subpart I (Use and Management of Containers), which is incorporated herein by reference, and Attachment A (Facility Description).

The Permittees shall store containers of hazardous and mixed wastes subject to this Permit only at the permitted units specified in Attachment J (Hazardous and Mixed Waste Management Units), Table J-1.1 (Units Permitted for Storage in Containers (Process Code SO1)). The Permittees are authorized to store only those wastes identified by EPA Hazardous Waste Numbers (waste codes) listed in Attachment B (Authorized Wastes). The Permittees shall not store containers of hazardous or mixed waste in excess of the maximum capacities listed in Attachment J, Table J-1.1.

#### **3.1.1 Storage Prohibitions**

Hazardous and mixed wastes are prohibited from land disposal unless they meet the applicable regulatory treatment standards. Prohibited wastes (i.e., wastes that do not meet the applicable treatment standards) may be stored for up to one year at the Permitted Units in compliance with 40 CFR § 268.50. The Permittees shall assume that all of the hazardous and mixed wastes at the Facility are prohibited from land disposal (i.e., they do not meet the applicable treatment standards) and shall apply the one-year storage limit to all hazardous and mixed wastes stored at any Permitted Unit except as noted below:

1. Mixed wastes that are subject to the Federal Facilities Compliance Order (FFCO) (NMED 1995, as amended) can be stored at Permitted Units for more than one year even if they do not meet the treatment standards, provided such storage meets the requirements of the FFCO.
2. Hazardous and mixed wastes that do not meet the treatment standard(s) can be stored at Permitted Units for more than one year, solely for the purpose of accumulating sufficient quantities of hazardous or mixed wastes to facilitate proper recovery, treatment, or disposal, in accordance with 40 CFR § 268.50(c). Information regarding proper recovery, treatment, or disposal shall be maintained in the Operating Record described in Permit Part 2 Section 2.14.2. The Permittees shall bear the burden of proof that the storage beyond one year is necessary for proper recovery, treatment, or disposal.
3. Hazardous and mixed wastes that meet the treatment standards are not subject to the one-year storage limit. Analytical data or other information demonstrating compliance with the applicable treatment standard(s) shall be maintained in the Operating Record described in Permit Part 2 Section 2.14.2.

### **3.2 CONDITION OF CONTAINERS**

The Permittees shall ensure that all containers used to store hazardous or mixed wastes subject to this Permit are in good condition (e.g., no severe rusting or structural defects) in accordance with 40 CFR § 264.171, which is incorporated herein by reference. If a container is not in good condition or begins to leak, the Permittees shall transfer the waste from such a container into a

container that is in good condition upon discovery of the problem, and in accordance with 40 CFR § 264.171.

### **3.3 ACCEPTABLE STORAGE CONTAINERS**

The Permittees shall only use containers that comply with 40 CFR Part 264 Subpart I for storage of hazardous or mixed waste at Permitted Units.

### **3.4 COMPATIBILITY OF WASTE WITH CONTAINERS**

The Permittees shall use containers made of, or lined with materials that will not react with, and are otherwise compatible with the hazardous or mixed waste to be stored so that the ability of the container to contain the waste is not impaired. (*See* 40 CFR § 264.172).

### **3.5 MANAGEMENT OF CONTAINERS**

1. The Permittees shall ensure that all containers are kept closed during storage except when waste is added to or removed from the container or when a container's contents need to be repackaged (*see* 40 CFR § 264.173(a)), except as provided in 40 CFR § 264.1086(c)(3). The Permittees shall not open, handle, or store a container holding hazardous or mixed waste in a manner that may rupture the container or cause the container to leak. (*See* 40 CFR § 264.173(b)).
2. The Permittees shall mark containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers.
3. The Permittees shall ensure that when waste containers are moved during storage, the location of each hazardous or mixed waste and the quantity at each location is documented in accordance with Permit Section 2.12. (*See* 40 CFR § 264.73(b)(2)).

#### **3.5.1 Storage Configuration and Required Aisle Space**

1. The Permittees shall maintain adequate aisle space at all times to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment within the permitted units. Additionally, emergency egress aisles with a minimum aisle space of two feet must be maintained at all personnel doors. (*See* 40 CFR § 264.35).
2. Containers shall be placed on pallets as appropriate, and shall be stored in a stable configuration.
3. The stacking configuration of waste containers shall not exceed the load-bearing capacity of the floor or metal grating.
4. The Permittees shall store gas cylinders containing waste in a manner that provides support and restraint, (e.g., racks, baskets, or specially constructed pallets).
5. The Permittees shall store containers in a manner that allows for their inspection, as specified in Section 3.7 of this Permit Part, and such that their container labels are visible.

#### **3.5.2 Outdoor Storage**

The Permittees shall ensure that hazardous and mixed waste containers that are stored outdoors and are not being actively managed are protected from degradation caused by precipitation using weather protective equipment (e.g., secured tarp) or are protected by the design of the equipment.

### **3.6 CONTAINMENT SYSTEMS**

#### **3.6.1 Containers with Free Liquids**

The Permittees shall maintain secondary containment systems in all permitted units used to store wastes which contain free liquids in compliance with 40 CFR § 264.175. Secondary containment systems shall also:

1. Have sufficient capacity to contain at least 10 percent of the volume of containers or the volume of the largest container, whichever is greater;
2. Prevent contact between containers and spilled material or waste;
3. Prevent run-on and run-off; and
4. Prevent releases of liquids.

The containment systems at the Permitted Units shall be designed to be sufficiently impervious to contain leaks, spills, or accumulated precipitation until the liquid is removed. Asphalt or asphaltic pavement shall not be used to construct secondary containment systems without the use of a sealing material that prevents adsorption or infiltration of hazardous or mixed waste or hazardous constituents into the asphalt or asphalt pavement.

Unless waste is removed or another form of secondary containment is provided, the Permittees shall immediately repair any damage to a secondary containment system. The Permittees shall perform any concrete or asphalt repair using an appropriate repair method (e.g., ACI standards or manufacturer's recommendations), on a schedule that will prevent harm to human health or the environment. (*See* 40 CFR §§ 264.15(c), 270.32(b)(2)). The Permittees shall apply coatings or sealants, if applicable, to the repaired area before waste storage activities resume. The Permittees must record any damage or repair to containment systems in the inspection logs required by Permit Section 3.7.

Spilled or leaked waste and accumulated precipitation must be removed from the sump or collection area in as timely a manner as necessary to prevent overflow of the collection system. (*See* 40 CFR § 264.175(b)(5)). The Permittees shall determine the source of liquids that accumulate in secondary containment systems. If the source of the release can be clearly identified (e.g., a leaking container) the Permittees shall characterize the liquid based on knowledge of the source of leakage, and shall remove it and manage it appropriately. If the source cannot be identified, or if the liquid cannot be characterized based on knowledge of the source of the leakage, the Permittees shall follow the process described in Permit Attachment C to characterize the liquid for appropriate management. The liquid shall then be pumped into containers, or absorbed onto absorbent material, swept up, and placed into containers as appropriate.

Accumulated liquids or water generated during fire suppression activities in the Permitted Units shall be characterized using the process described in the Waste Analysis Plan contained in Permit Attachment C.

Accumulated liquids present in secondary containment systems from precipitation or snowmelt shall be characterized in accordance with Permit Attachment C and managed appropriately.

#### **3.6.2 Containers that do not Contain Free Liquids**

For containers that do not contain free liquids the Permittees shall ensure that:

1. The containers are stored in storage areas that are sloped or otherwise designed and operated to drain and remove liquid resulting from precipitation (*see* 40 CFR § 264.175(c)(1)); or
2. The containers are elevated or otherwise protected from contact with accumulated liquids (*See* 40 CFR § 264.175(c)(2)).

The Permittees shall comply with the secondary containment requirements for containers that do not contain free liquids and contain wastes that have the following waste codes: F020, F021, F022, F023, F026 and F027. (*See* 40 CFR § 264.175(d)(1)).

### **3.7 INSPECTIONS**

The Permittees shall inspect the permitted units for the condition of containers and secondary containment systems, safety equipment, and aisle space for evidence of leaks; deterioration of the containment system by corrosion, cracking, differential settlement or other factors; and to ensure safety equipment and aisle space are adequate in the event of an emergency as specified in Attachment E (Inspection Plan). (*See* 40 CFR § 264.174).

Containers in which hazardous waste is placed shall be visually inspected at the time they first arrive at a Unit. A visual inspection shall be done to ensure that there are no cracks, holes, gaps, or other defects and that the cover or other closure devices are secured in the closed position. At each Permitted Unit where containers will be stored, the Permittees shall:

1. Check the condition of containers and the placement of their covers or other closure devices;
2. For containers subject to air emission standards in 40 CFR 264.1086(c), when a defect is detected for the container cover or closure devices, the Permittees shall make first efforts at repair of the defect no later than 24 hours after detection, and repair is to be completed as soon as possible but no later than 5 calendar days after detection. If a repair of a defect cannot be completed within 5 calendar days, then the hazardous waste shall be removed from the container and the container shall not be used to manage hazardous waste until the defect is repaired.
3. For containers not subject to air emission standards in 40 CFR 264.1086(c), the Permittees shall take corrective action in a timely manner upon discovery of a defect in a container or cover to ensure the problem does not lead to an environmental or human health hazard or noncompliance with this Permit.
4. Document container condition and any remedial actions taken.

### **3.8 AIR EMISSIONS**

The Permittees shall control air emissions from each hazardous waste container at a permitted unit in accordance with the applicable regulations in 40 CFR Part 264 Subpart CC.