



State of New Mexico
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau
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RED TRDF G/CD

FAX COVER SHEET

DATE: 10/25/00

TO: Connie Walker

COMPANY: TechLaw

FAX #: 303/763-8889

TELEPHONE #: 303/763-7188

MESSAGE: Connie - Am sending you the BB/CC exemptions,
too. I think they will have to do these
on almost all waste received.

FROM: Stephanie Kruse

NO. OF PAGES: 8
(Including cover page)

If you did not receive all pages, please call me at (505) _____

HAVE A GREAT DAY

2.4.1.c Acceptance of Waste on an Emergency Basis

The Permittee may accept hazardous waste that is not identified at Permit Conditions 2.4.1.a or 2.4.1.b or that is prohibited at Permit Condition 2.4.2 only if the waste has been approved for receipt by the Secretary on an emergency basis.

2.4.2 Prohibited Waste Streams

2.4.2.a General Prohibition

The Permittee is prohibited from accepting, storing, treating, or disposing of the wastes specified at Permit Attachment F, Section 4.1.2, *Prohibited Waste*.

2.4.2.b Prohibited Waste at Specific Units

2.4.2.b.i 40 CFR, Subparts BB and CC

The Permittee is prohibited from managing hazardous wastes subject to the requirements of 20.4.1.500 NMAC, incorporating 40 CFR 264, Subparts BB and/or CC, in the Liquid Waste Storage Tank Area, the Stabilization Building, and the Surface Impoundment.

2.4.2.b.ii Land Disposal Restrictions

The Permittee is prohibited from managing any hazardous waste in the Surface Impoundment that does not meet the Land Disposal Restrictions (LDR) treatment standards contained at 20.4.1.800 NMAC, incorporating 40 CFR, Part 268.

2.5 WASTE ANALYSIS PLAN

2.5.1 General Waste Analysis Requirements

The Permittee shall keep a copy of Permit Attachment F at the Facility and shall follow the procedures and methods specified at Permit Attachment F, and shall otherwise comply with the requirements of 20.4.1.500 NMAC, incorporating 40 CFR 264.13 and 20.4.1.800 NMAC, incorporating 40 CFR 268.7.

The Permittee shall verify the analysis of each waste stream annually, as part of the Facility's quality assurance program, in accordance with Permit Attachment F, Section 4.4.3.2, *Annual Analysis*, and using methods contained at Permit Attachment F, Section 4.5, *Waste Analysis*, or contained in *Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods*, (EPA Publication SW-846, latest edition). If the Permittee wishes to use an alternative method, the Permittee shall demonstrate to the Secretary that such alternative method is equivalent to the approved method contained in EPA publication 846.

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.

2.5.2 Waste Characterization

2.5.2.a Waste Acceptance from Off-Site Generators

The Permittee shall accept hazardous waste from off-site generators only in accordance with Permit Attachment F, Sections 4.3, *Pre-Acceptance Procedures for Off-Site Waste*, and 4.4, *Procedures for Incoming Waste Acceptance*, and Permit Attachment N, *Operations and Maintenance Plan*, Section 3.0, *Operations*.

The Permittee shall make a waste determination for each waste stream before it is placed in a permitted unit to ensure that the waste management requirements specified at Permit Attachment F, Section 4.2, *Criteria for Waste Management at the Facility*, are met.

2.5.2.c Air Emissions Requirements

The Permittee shall comply with the air emissions testing requirements contained at Permit Conditions 2.15.2 and 2.15.3.

2.5.2.d Other Waste Management Requirements

The Permittee shall ensure that all waste analyses, reports, documentation, notifications, and certifications required under 20.4.1.800 NMAC, incorporating 40 CFR 268.7(a) and 268.7(b), are provided by off-site generators or off-site treatment facilities which ship waste to the Facility.

2.5.4 Sampling Plan

The Permittee shall submit the Sampling Plan specified at Permit Attachment F, Section 4.6, *Sampling Plan*, to the Secretary 60 days prior to accepting any hazardous waste at the Facility, in accordance with Permit Condition 1.10.

2.5.5 Laboratory Quality Assurance/Quality Control Plan

The Permittee shall submit the Laboratory Quality Assurance/Quality Control Plan discussed in Permit Attachment F, Section 4.9.2, *Facility Laboratory QA/QC Plan*, to the Secretary prior to accepting any hazardous waste, in accordance with Permit Condition 1.10.

2.5.6 Quality Assurance Objectives

The Permittee shall review, validate, and verify all analytical data; reconcile analytical results with data quality objectives; satisfy data reporting requirements; and identify, document, and report all nonconformances and operational variances.

2.5.7 Quality Control Checks

The Permittee shall take additional samples as quality control checks as specified at Permit Attachment F, Section 4.9.2.3, *Laboratory QA/QC Samples*. Upon request, the Permittee shall split samples with NMED.

2.5.8 Disposal of Laboratory Samples

The Permittee shall dispose of on-site laboratory samples with compatible waste batches.

2.5.9 Contract Laboratory Requirements

The Permittee shall inform each contract laboratory in writing that it shall operate under the waste analysis conditions set forth at Permit Attachment F and this Permit.

2.6 SECURITY

The Permittee shall comply with the security provisions specified at Permit Attachment B, *Procedures to Prevent Hazards*, Section 5.1, *Security Provisions to Prevent Hazards*. [20.4.1.500 NMAC, incorporating 40 CFR 264.14]

2.14.2.b Dust Control Procedures

2.14.2.b.i Dust suppression

The Permittee shall not use waste or used oil or any other material which is contaminated with dioxin, PCBs, or any other hazardous waste, other than a waste identified solely on the basis of ignitability, for dust suppression or road treatment, in compliance with 20.4.1.700 NMAC, incorporating 40 CFR 266.23(b).

2.14.2.b.ii Other dust control procedures

The Permittee shall apply the dust control procedures specified at Permit Attachment A, Section 2.5.1.7, *Wind Dispersal Control Procedures*, to control the dust generated by the vehicles carrying hazardous waste at the Facility.

2.14.2.c Decontamination of Equipment and Vehicles

The Permittee shall ensure that any vehicles or equipment which have come in contact with hazardous waste in any storage or treatment area and/or which have been in contact with hazardous waste in the Landfill are sufficiently decontaminated prior to their further movement to prevent contamination of uncontaminated areas of the Facility. Wash water generated from truck or equipment decontamination shall be collected, tested, and treated, and disposed of as specified at Permit Attachment F, Section 4.5.6, *Waste Analysis Requirements for Waste Generated On-Site*.

2.15 AIR QUALITY PROTECTION

2.15.1 Air Quality Permit

The Permittee shall obtain a New Source Air Emissions Permit from NMED or documentation that the Facility does not need to obtain a New Source Air Emissions Permit before the initiation of operations in accordance with Permit Condition 1.10. The Permittee shall submit complete information to NMED regarding dust suppression from operation activities at the Facility, emissions control at the Stabilization Building, Landfill gas monitoring, potential air emissions from the Surface Impoundment, and information regarding permitted waste containing an organic concentration equal to or greater than 10 percent by weight and permitted waste containing volatile organic concentrations at the point of waste origination equal to or greater than 500 parts per million by weight (ppmw).

2.15.2 40 CFR 264, Subpart BB

2.15.2.a Compliance and Exemption

The Permittee shall manage waste with an organic concentration of at least 10 percent by weight in compliance with the requirements of 20.4.1.500 NMAC, incorporating 40 CFR 264, Subpart BB, pursuant to 20.4.1.500 NMAC, incorporating 40 CFR 264.1050(b)(1). Waste with an organic concentration less than 10 percent by weight is exempt from the requirement to comply with 20.4.1.500 NMAC, incorporating 40 CFR 264, Subpart BB, in accordance with 20.4.1.500 NMAC, incorporating 40 CFR 264.101050(b).

Alternatively, the Permittee may elect to demonstrate compliance with this Permit Condition through compliance with a New Source Air Emissions Permit, to the extent that the documentation required under the New source Air Emissions Permit duplicates the documentation required under this Permit Condition, in accordance with 20.4.1.500 NMAC, incorporating 40 CFR 264.1064(m).

2.15.2.b Waste Determination

The Permittee shall use the test methods contained at 20.4.1.500 NMAC, incorporating 40 CFR 264.1063(d), to make a determination of compliance with Permit Conditions 2.4.2.b.i and 2.15.2.a for each waste stream managed at the Facility, as specified at Permit Attachment F, Section 4.5.1.3, *Additional analysis to ensure compliance with regulatory and operational limits.*

2.15.3 40 CFR 264, Subpart CC

2.15.3.a Compliance and Exemption

The Permittee shall manage waste with an average volatile organic concentration equal to or greater than 500 parts ppmw at the point of waste origination in compliance with 20.4.1.500 NMAC, incorporating 40 CFR 264, Subpart CC. Waste with an average volatile organic concentration less than 500 ppmw at the point of waste origination is exempt from the requirement to comply with 20.4.1.500 NMAC, incorporating 40 CFR 264, Subpart CC, in accordance with 20.4.1.500 NMAC, incorporating 40 CFR 264.1082(c)(1).

Alternatively, the Permittee may elect to demonstrate compliance with this Permit Condition by documentation of compliance with a New Source Air Emissions Permit, to the extent that the documentation required under the New Source Air Emissions Permit duplicates the documentation required under this Permit Condition, in accordance with 20.4.1.500 NMAC, incorporating 40 CFR 264.1089(h).

2.15.3.b Initial Waste Determination

The Permittee shall use the test methods contained at 20.4.1.500 NMAC, incorporating 40 CFR 264.1083, to make an initial determination of compliance with Permit Conditions 2.4.2.b.i and 2.15.3.a for each waste stream managed at the Facility, as specified at Permit Attachment F, Section 4.5.1.3. The initial determination shall be made before the first time a waste stream is placed in a permitted unit, and thereafter the determination for that waste stream shall be reviewed as necessary once every 12 months following the date of the initial determination, in compliance with 20.4.1.500 NMAC, incorporating 40 CFR 264.1082(c)(1).

2.15.3.c Waste Determination after Process Change

The Permittee shall perform a new waste determination of compliance with Permit Conditions 2.4.2.b.i and 2.15.3.a for any waste stream whenever changes to the source generating the waste stream is reasonably likely to cause the average volatile concentration of the hazardous waste to increase to a level that is equal to or greater than the applicable volatile organic concentration limit, in compliance with 20.4.1.500 NMAC, incorporating 40 CFR 264.1083(1)(ii).

2.15.3.d Waste Determination by the Secretary

The Secretary may at any time perform or request the Permittee to perform a waste determination for the average volatile organic concentration at the point of waste origination for a hazardous waste which is exempted from the requirements of 20.4.1.500 NMAC, incorporating 40 CFR 264, Subpart CC, in accordance with 20.4.1.500 NMAC, incorporating 40 CFR 264.1082(e).

5.4 WASTE ANALYSIS

5.4.1 Waste Characterization

The Permittee shall conduct a waste analysis for waste entering and leaving the Surface Impoundment as specified at Permit Attachment F, *Waste Analysis Plan*, Sections 4.4.3, *Procedures for Incoming Waste*, and 4.5.5.3, *Waste analysis requirements specific to the evaporation pond*, to ensure that the waste management requirements specified at Permit Attachment F, Section 4.2, *Criteria for Waste Management at the Facility*, are met.

5.4.2 Sampling Plan for the Surface Impoundment

The Permittee shall include a Sampling Plan for the Surface Impoundment in the Facility Sampling Plan required under Permit Condition 2.5.4. The Surface Impoundment Sampling Plan shall include details of sludge removal, and sampling requirements for sludge upon removal, and for any liquid which may be removed from the Surface Impoundment; and shall establish Data Quality Objectives for the sampling, methods of determining sample locations and number of samples required for sludges and liquids, the kind of samples taken (grab or composite), and the frequency of sampling.

5.4.3 Waste Determination for 40 CFR 264, Subpart BB Exemption

The Permittee shall make a determination of compliance with Permit Condition 5.1.2.b in accordance with Permit Condition 2.15.2.b, as specified at Attachment F, Section 4.5.1.3, *Additional analysis to ensure compliance with regulatory and operational limits*, and in compliance with 20.4.1.500 NMAC, incorporating 40 CFR 264.1063(d).

5.4.4 Waste Determination for 40 CFR 264, Subpart CC Exemption

The Permittee shall make a determination of compliance with Permit Condition 5.1.2.c in accordance with Permit Conditions 2.15.3.b and 2.15.3.c, as specified at Attachment F, Section 4.5.1.3, and in compliance with 20.4.1.500 NMAC, incorporating 40 CFR 264.1083(a)(2).