

PERMIT PART 5

TREATMENT IN THE SURFACE IMPOUNDMENT

HIGHLIGHTS

This Part contains conditions for treatment by evaporation of hazardous waste in the Surface Impoundment at the Triassic Park Waste Disposal Facility (the Facility). Evaporation is the only treatment method permitted in the Surface Impoundment (Pond 1). The location of the Surface Impoundment within the Facility is shown at Permit Attachment L1, *Engineering Drawings*, Drawing No. 4. Surface Impoundment operations are described at Permit Attachments A, *General Facility Description and Information*, Section 2.6.4, *Operation of the Evaporation Pond*; and L, *Engineering Report*, Section 4.0, *Evaporation Pond*.

The universe of permitted waste that can be treated in the Surface Impoundment is identified at Table 2-1, *Permitted Hazardous Wastes*, unless specifically excluded below. The Surface Impoundment may treat non-ignitable liquids and solids with polychlorinated biphenyl (PCB) concentrations of less than 50 parts per million (ppm); these wastes are not regulated under the Toxic Substances Control Act (TSCA). The Surface Impoundment may also treat, under certain conditions, bulk PCB-contaminated remediation waste. Waste that is specifically prohibited from treatment in the Surface Impoundment is identified at Permit Condition 5.1.3. Hazardous waste that does not meet Land Disposal Restrictions (LDR) treatment standards will not be placed in the Surface Impoundment. In addition, the Facility will not treat waste in the Surface Impoundment that would require compliance with the requirements of 20.4.1.500 NMAC (incorporating 40 CFR 264, Subparts BB and CC).

This Permit authorizes only one Surface Impoundment (Pond 1), identified at Permit Attachment L1, Drawing No. 28, for treatment by evaporation. As shown in Table 5-1, Pond 1 is comprised of two cells, cells 1A and 1B, with a combined approximate capacity of 5.2 million gallons and an area of approximately 75,240 square feet. This Surface Impoundment is considered one permitted unit.

Two additional ponds may be constructed in the future to provide additional leachate storage and treatment capacity if demand for pond treatment capacity increases beyond that provided in the initial phase of construction. These two additional ponds are not authorized by this Permit.

The depth of cells 1A and 1B are approximately 12 feet maximum, with a bottom slope of approximately two percent toward a leakage collection sump located in the center of each cell. The two cells are separated by a dike (berm) and can be independently filled or drained. A transfer pump is located on the separator berm, and the contents of one cell can be transferred to the other cell if necessary in order to locate and repair a liner leak. Each cell is equipped with its own discharge station.

The Surface Impoundment receives waste from off-site generators, from on-site leachate collection systems, and from other activities at the Facility that may generate hazardous waste.

The Surface Impoundment liner system consists of a primary geomembrane liner above a geonet layer and a secondary geomembrane liner. A leak detection and removal system (LDRS) for detecting and removing leachate is located in the geonet layer between the two liners. One LDRS sump is located in the center of each cell. Leachate collected in the sump may be pumped to a tanker truck and returned to the Surface Impoundment, stored in a Liquid Waste Storage Tank, or transferred directly to the Stabilization Unit prior to disposal in the Landfill.

The vadose zone monitoring system (VZMS) for the Surface Impoundment consists of the following: Two vadose zone sumps, one for each cell, located below the secondary liner. The sumps contain pressure transducers to measure the presence and volume of fluids and pumping systems capable of removing any fluids. Two deep vadose zone monitoring wells shown at Permit Attachment I, *Vadose Zone Monitoring System Work Plan*, Figure No. 2, are located east of the Surface Impoundment. These wells monitor the accumulations of any escaped fluids down-gradient from the Surface Impoundment. A neutron probe access tube located northwest of the Surface Impoundment and three suction lysimeters located in association with the wells and probe holes. These technologies will monitor unsaturated flow.

The VZMS is described at Permit Part 7. Corrective Action requirements for leachate from the Surface Impoundment to the VZMS are contained at Permit Part 9.

1.1 GENERAL REQUIREMENTS FOR THE SURFACE IMPOUNDMENT

1.1.1 Permitted Treatment in the Surface Impoundment

The Permittee shall treat hazardous waste only by evaporation in the Surface Impoundment, as identified at Table 5-1, *Permitted Surface Impoundment*; and as specified at Permit Attachment A, Sections 2.6, *Treatment in Evaporation Pond*, and 2.6.3, *Nature of Waste*; and subject to the terms of this Permit Part. The volume of hazardous waste that may be treated is limited to the maximum capacity identified at Table 5-1; and as specified at Permit Attachment A, Section 2.6.1, *Design of Evaporation Pond*.

The Surface Impoundment, consisting of cells 1A and 1B, is one permitted unit.

1.1.2 Permitted Wastes in the Surface Impoundment

The Permittee shall treat only those hazardous wastes identified at Permit Condition 2.4.1 in the Surface Impoundment, subject to the prohibitions contained at Permit Condition 5.1.3.

1.1.3 Prohibited Wastes in the Surface Impoundment

1.1.3.a General Waste Prohibition

The Permittee is prohibited from treating in the Surface Impoundment those wastes identified at Permit Condition 2.4.2 and Permit Attachment F, *Waste Analysis Plan*, Section 4.1.2, *Prohibited Waste*.

1.1.3.b Land Disposal Restrictions

The Permittee is prohibited from treating any hazardous waste in the Surface Impoundment that does not meet the LDR treatment standards contained in the Table at 20.4.1.800 NMAC, (incorporating 40 CFR Subpart D), as specified at Permit Attachment A, Section 2.6.3.

1.1.3.c Wastes Containing Concentrations of Organic Compounds Greater than Ten Percent by Weight (40 CFR 264, Subpart BB)

The Permittee shall not place any hazardous waste in the Surface Impoundment that contains or contacts hazardous wastes with an organic concentration greater than or equal to ten percent by weight, in accordance with 20.4.1.500 NMAC (incorporating 40 CFR 264.1050(b)).

1.1.3.d Wastes Containing Concentrations of Volatile Organic Compounds Greater than 500 ppmw (40 CFR 264, Subpart CC)

The Permittee shall not place any hazardous waste in the Surface Impoundment that has an average volatile organic concentration at the point of waste origination equal to or greater than 500 parts per million by weight (ppmw), in accordance with 20.4.1.500 NMAC (incorporating 40 CFR 264.1082(c)(1)), unless the waste is one of the following, in accordance with 20.4.1.500 NMAC (incorporating 40 CFR 264.1082(c)(4)):

- organic waste that meets the numerical concentration limits for organic hazardous constituents, applicable to the hazardous waste, as specified at the Table contained at 20.4.1.800 NMAC (incorporating 40 CFR 268.40);
- organic waste that has been treated by the treatment technology established for the waste at 20.4.1.500 NMAC (incorporating 40 CFR 268.42(a)); or
- organic waste that has been treated by an equivalent method approved by the Secretary pursuant to a Permit modification.

1.2 SURFACE IMPOUNDMENT CONSTRUCTION REQUIREMENTS

1.2.1 Construction Requirements

The Permittee shall construct the Surface Impoundment and liner systems, truck transfer pad, and ancillary equipment, as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.221(c)); and as follows:

1.2.1.a Liner System

The Permittee shall install and maintain two liners, separated by a geonet layer containing an LDRS, to prevent releases from the Surface Impoundment, as specified at Permit Attachments A, Sections 2.6.1, *Design of Evaporation Pond*, and 2.6.2, *Construction*; L, Section 4.0; L1, Drawings Nos. 28 through 32; L2, *Specifications for Landfill, Surface Impoundment and Associated Facilities Liner and Cover System Construction*; and M, *Construction Quality Assurance Plan*; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.221(c)(1)).

The Surface Impoundment liners shall include the following components, from top to bottom, constructed to prevent migration of hazardous constituents outside of the liner system:

- a 60-mil thick high density polyethylene (HDPE) geomembrane primary top liner, as specified at Permit Attachment L2, Section 02775, *Geomembrane Liners*;
- a geonet leak detection and removal layer with transmissivity greater than or equal to 5×10^{-3} m²/sec, as specified at Permit Attachment L2, Section 02712, *Geonet*;
- a 60-mil thick HDPE secondary geomembrane liner as specified at Permit Attachment L2, Section 02775, *Geomembrane Liners*; and
- a minimum 3-foot thick compacted clay liner with a hydraulic conductivity, as constructed, of less than or equal to 1×10^{-7} cm/sec, as specified at Permit Attachment L2, Section 02221, *Clay Liner*.

1.2.1.b Leak Detection and Removal System (LDRS)

The Permittee shall install and maintain an LDRS in the geonet layer to detect and remove leakage through all areas of the primary liner, as specified at Permit Attachments A, Sections 2.6.1.2, *Leak Detection and Removal System/Vadose Monitoring System*, and 2.6.2.4, *Liner, LDRS, and Vadose System Installation*; L, Section 4.1.3, *Subgrade Excavation, Liner System, LDS Sump Design and Vadose Monitoring Sump Design*; L1, Drawing No. 32; L2; and M; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.221(c)(2)).

The LDRS shall include, for each Surface Impoundment cell, a centrally located sump positioned in the geonet layer between the primary and secondary geomembrane layers. The sumps shall consist of gravel with 12 inch piping and a 50 gallons per minute (gpm) pump with sufficient capacity to maintain less than 12 inches of head on the secondary liner, as specified at Permit Attachments A, Section 2.6.1.2; L, Section 4.1.3; and L1, Drawing No. 32.

1.2.1.c Dikes

The Permittee shall construct the perimeter dikes and earthen separator dike with sufficient structural integrity to prevent

massive failure, as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.221(h)). The Permittee shall construct all dikes so that the dike height will allow at least two feet of freeboard above the design water elevation of 4,121 feet above sea level.

1.2.1.c.i Separator Dike

The Permittee shall construct the separator dike with sideslopes of 2H:1V, as specified at Permit Attachments L, Section 4.1.2, *Evaporation Pond Layout and Phasing*; and L1, Drawing No. 28. The separator dike shall be constructed as specified at Permit Attachment L2, Section No. 02110, *Site Preparation and Earthwork*, and Section 02119, *Prepared Subgrade*.

1.2.1.c.ii Perimeter Dike

The Permittee shall construct the perimeter dikes with sideslopes of 3H:1V and shall be of height and width as specified at Permit Attachment L1, Drawing No. 30. They shall be constructed in accordance with appropriate specifications contained at Permit Attachment L2.

1.2.1.d Discharge Pads

The Permittee shall construct the Surface Impoundment discharge pads as specified at Permit Attachments A, Section 2.6.4.2, *Placement of Wastewater into the Evaporation Pond*; L, Section 4.1.4, *Evaporation Pond Discharge Pad Arrangement*; L1, Drawing No. 31; and L2.

1.2.1.e Vadose Zone Monitoring System Sumps

The Permittee shall install and maintain sumps below the Surface Impoundment liners to detect and remove leakage through all areas of the secondary liner, in accordance with Permit Condition 7.2.1.c; and as specified at Permit Attachments A, Section 2.6.2.4; I, Section 2.0, *Vadose Zone Monitoring System Installation*; L, Section 4.1.3; and L1, Drawing No. 32.

1.2.1.f Vadose Zone Monitoring Wells

The Permittee shall construct the Vadose Zone Monitoring Wells in accordance with Permit Conditions 7.2.1.a and 7.2.1.b; and as specified at Permit Attachment I, Section 2.2.2, *Vadose Zone Monitoring Well Construction*.

1.2.1.g Neutron Probe Access Probe Holes

The Permittee shall construct the neutron probe access probe holes in accordance with Permit Conditions 7.2.1.d.

1.2.1.h Suction Lysimeters

The Permittee shall construct the suction lysimeters in accordance with Permit Conditions 7.2.1.e.

1.2.1.i Run-On/Run-Off Control

The Permittee shall construct and maintain run-on/run-off controls for the Surface Impoundment as specified at Permit Attachments B, *Procedures to Prevent Hazards*, Section 5.4.2.2, *The Landfill and Evaporation Pond*; L, Section 2.1.4, *Facility Storm Water Control*; L1, Drawing No. 25; and N, *Operations and Maintenance Plan*, Section 2.2, *Evaporation Pond*.

1.2.2 Construction Quality Assurance Plan

The Permittee shall implement Permit Attachment M under the direction of a Construction Quality Assurance (CQA) officer who is a professional engineer registered in New Mexico to ensure that all construction required under Permit Condition 5.2.1 meets or exceeds all design criteria and specifications of this Permit, as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.19(a) through 264.19(d)).

1.2.3 As-Built Specifications

The Permittee shall submit to the Secretary as-built specifications for the Surface Impoundment in accordance with Permit Conditions 1.5.9.c and 1.10.

1.3 GENERAL OPERATING REQUIREMENTS FOR THE SURFACE IMPOUNDMENT

The Permittee shall operate and maintain the Surface Impoundment as specified at Permit Attachments A, Section 2.6.4.3, *Inspections, Monitoring, and Repairs*; L, Section 4.1.2; and N, Section 3.5, *Evaporation Pond Operation*. Operation and maintenance shall comply with 20.4.1.500 NMAC (incorporating 40 CFR 264, Subpart K), and the conditions set forth in this Permit.

1.3.1 Overtopping Prevention

The Permittee shall operate and maintain the Surface Impoundment to prevent overtopping, as specified at Permit Attachments A, Section 2.6.4.3; and L, Section 4.1.2; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.221(g)).

1.3.2 Dike Maintenance

The Permittee shall maintain the separator dike and the area around the Surface Impoundment, including the perimeter dikes, as specified at Permit Attachments A, Section 2.6.4.3; and N, Section 3.5.5, *Inspection and Monitoring*; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.221(h)).

1.3.3 Protective Netting

The Permittee shall ensure that protective netting in good condition is maintained over the Surface Impoundment to protect the bird life of the area, as specified at Permit Attachment A, Section 1.2, *Site Environment and Climate*; and as shown at Permit Attachment L1, Drawing No. 30.

1.3.4 Waste Placement and Removal

The Permittee shall ensure that waste is placed in and removed from the Surface Impoundment as specified at Permit Attachments L, Section 4.1.4; and N, Section 3.5.3, *Waste Placement*.

1.3.5 Leachate Management

Leachate collected from the leak detection systems at the Surface Impoundment may be retreated in the Surface Impoundment. Collected leachate that does not meet LDR treatment standards shall receive additional treatment by stabilization before it can be placed in the surface impoundment. If, after treatment by stabilization, the leachate cannot meet LDR standards, the Permittee shall ship the leachate off-site to an appropriate permitted hazardous waste management facility in compliance with all applicable regulations for generation and transport of hazardous waste.

1.4 WASTE ANALYSIS

1.4.1 Waste Characterization

The Permittee shall characterize waste entering and leaving the Surface Impoundment as specified at Permit Attachment F, *Waste Analysis Plan*, Sections 4.4, *Procedures for Incoming Waste*

Acceptance, 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.

1.4.2 Waste Analysis to Determine 40 CFR 264, Subpart BB Exemption

The Permittee shall make a determination of compliance with Permit Condition 5.1.3.c in accordance with the test methods specified at Permit Condition 2.15.1.b; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.1063(d)).

1.4.3 Waste Analysis to Determine 40 CFR 264, Subpart CC Exemption

The Permittee shall make a determination of compliance with Permit Condition 5.1.3.d in accordance with the test methods specified at Permit Conditions 2.15.2.b and 2.15.2.c; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.1083(a)(2)).

1.4.4 Leachate

1.4.4.a LDRS and VZMS Sumps Sampling and Analysis

The Permittee shall sample and analyze the leachate collected from the Surface Impoundment LDRS and VZMS sumps in accordance with Permit Attachment F, Section 4.5.6, *Waste Analysis Requirements for Waste Generated On-Site*, for all the multi-source leachate (EPA Hazardous Waste Number F039) constituents listed in the Table contained at 20.4.1.800 NMAC (incorporating 40 CFR 268.40).

1.4.4.b VZMS Sampling and Analysis

The Permittee shall sample and analyze any fluid collected from the VZMS in accordance with the appropriate conditions within Permit Part 7.

1.5 MANAGEMENT OF LEAKS OR SPILLS

1.5.1 Spills and Releases to the Land Surface

The Permittee shall ensure that spills and releases to the land surface are contained and remediated in a timely manner. Upon detection of a spill or release from the Surface Impoundment to the land surface, the Permittee shall determine the appropriate response in accordance with Permit Attachments A, Section

2.6.4.3; and C, *Contingency Plan, Section 6.3.5.2, Spills, Leaks, or Other Releases Control Procedure.*

If, in responding to a spill or release, the Permittee determines that the Contingency Plan should be implemented, implementation shall be conducted as specified at Permit Attachment C, Section 6.3, *Implementation Procedures.*

All analyses to determine the nature and concentration of the spilled or released waste constituents shall be performed as specified at Permit Attachment F, Section 4.5.6. All recovered spilled or released material along with other hazardous wastes generated in addressing the release shall be managed as specified at Permit Attachment C, Section 6.3.7, *Storage and Treatment of Released Hazardous Waste.*

1.5.2 Leachate Management

The Permittee shall completely remove all fluids from each sump in the LDRS and from the VZMS sump in a timely manner, as specified at Permit Attachments I, Section 4.0, *Monitoring Procedures*; and N, Section 3.5.4, *Operation of Leachate Detection and Vadose Zone Monitoring Systems.* The Permittee shall conduct a waste analysis of the removed fluids as specified at Permit Condition 5.4.4.a.

1.5.3 Action Leakage Rate

The Action Leakage Rate (ALR) for the Surface Impoundment, as approved by the Secretary in accordance with 20.4.1.500 NMAC (incorporating 40 CFR 264.222(a)), is 1,000 gallons per acre per day (gpac) as measured in the LDRS sumps for both cells; and as specified at Permit Attachments A, Section 2.6.4.7, *Action Leakage Rate*; and J, *Action Leakage Rate and Response Action Plan*, Section 5.3.4, *Discussion of Proposed Action Leakage Rates.*

To determine if the ALR has been exceeded, the Permittee shall calculate and record the average daily flow rate to each LDRS sump on a weekly basis during the active life and closure period of the Surface Impoundment, as specified at Permit Attachments A, Section 2.6.4.7, *Action Leakage Rate*; and J, Section 5.4, *Determination If the Action Leakage Rate Is Exceeded*; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.222(b)).

1.5.4 Flow Rates Less than or Equal to the ALR

The Permittee shall respond to leakage less than or equal to the ALR as specified at Permit Attachment A, Section 2.6.4.8, *Response Action Plan*.

1.5.5 Flow Rates Greater than the ALR

The Permittee shall respond to leakage greater than the ALR as specified at Permit Attachments A, Section 2.6.4.8; and J, Section 7.0, *Response Actions*; and shall meet all requirements of 20.4.1.500 NMAC (incorporating 40 CFR 264.223(b)(3) through (b)(5) and (c)). In addition, the Permittee shall respond to leakage greater than the ALR by complying with the following conditions, as specified at Permit Attachment I, Section 4.2:

1.5.5.a Removal of Cell from Service

The Permittee shall immediately remove from use the cell that is leaking in exceedance of the ALR; and

1.5.5.b VZMS Sampling

The Permittee shall immediately inspect each monitoring point in the VZMS for fluids in accordance with Permit Condition 7.4.1.b.

In addition, the Permittee shall increase the frequency of inspection of the VZMS wells from monthly to weekly in accordance with Permit Condition 7.4.1.b.

1.5.6 Response to Sudden Drop of Liquid Level

In the event of a sudden drop in the liquid level of one of the Surface Impoundment cells that is not known to be caused by changes in the flow into or out of that cell, expected evaporation rates, or dike leaks, the Permittee shall remove the leaking (or impacted) cell from service immediately and complete the following actions, as specified at Permit Attachment C, *Contingency Plan*, Section 6.3.5.3, *Evaporation Pond Failure Control Procedure*; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.227(a) and (b)):

- immediately shut off the flow or stop the addition of wastes into the leaking (or impacted) cell;
- immediately contain any surface leakage which has occurred or is occurring;

- immediately stop the leak;
- take any necessary steps to stop or prevent catastrophic failure; and
- if a leak cannot be stopped by any other means, empty the leaking (or impacted) cell.

1.5.7 Return of Surface Impoundment to Service

If one of the Surface Impoundment cells has been removed from service pursuant to Permit Conditions 5.5.5.a or 5.5.6, it may be returned to service only if the portion of the cell that was failing has been repaired and the repair recertified in accordance with Permit Condition 5.7.3.c.

1.5.8 Closure in Lieu of Repair

If one of the Surface Impoundment cells has been removed from service in accordance with Permit Condition 5.5.6 and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.227), and is not being repaired, the Surface Impoundment shall be closed as specified at Permit Attachment O, *Closure Plan*, Section 8.1.2, *Evaporation Pond*, and other applicable sections. Closure shall be in accordance with Permit Condition 5.10; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.228).

1.6 INSPECTION SCHEDULES AND PROCEDURES

1.6.1 Inspection Requirements

1.6.1.a General Inspection Requirements

The Permittee shall inspect the Surface Impoundment, liner and leachate systems, and ancillary equipment as specified at Permit Attachments D, *Inspection Procedures*, Section 5.2.3, *Evaporation Pond Inspection Procedures*; and D1, *Inspection Schedules and Checklists*; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.226).

1.6.1.b Inspection during Construction

The Permittee shall inspect the Surface Impoundment liners and cover systems during construction and installation for uniformity, damage, and imperfections (e.g., holes, cracks, thin spots, or foreign materials), as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.226(a)).

1.6.1.c Inspection after Construction

The Permittee shall inspect the Surface Impoundment immediately after construction. This inspection shall include the following, as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.226(a)):

- synthetic liners and cover systems (e.g., membranes, sheets or coatings) to ensure tight seams and joints and the absence of tears, punctures, or blisters; and
- soil-based and admixed liners and cover systems for imperfections including lenses, cracks, channels, root holes, or other structural non-uniformities that may cause an increase in the permeability of the liner or cover system.

1.6.1.d Inspections during Facility Operation

The Permittee shall inspect the Surface Impoundment, discharge pads, dikes, and ancillary equipment weekly and after storms, as specified at Permit Attachments A, Section 2.6.4.3; D, Section 5.2.3; D1; and N, Section 3.5.5; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.226(b)).

1.6.2 LDRS and VZMS Monitoring Requirements

The Permittee shall monitor each sump in the LDRS and VZMS daily and the vadose zone wells monthly for the presence of liquids during the active life and closure period of the Surface Impoundment, as specified at Permit Attachments A, Section 2.6.1.2; I, Sections 4.1, *Monitoring Frequency*, and 4.3, *Monitoring Method*, and Table 2; and N, Section 3.5.4.

The Permittee shall probe or inspect the neutron probe access tube for the presence of liquids twice annually during the active life and closure period of the Surface Impoundment as specified at Permit Part 7.4.1.b. The Permittee shall sample the appropriate suction lysimeters for the presence of liquids as specified at Permit Part 7.4.1.b during the active life and closure period of the Surface Impoundment.

The vadose zone wells shall continue to be monitored semi-annually for the presence of liquids during the post-closure care period, as specified at Permit Attachment P, *Post-Closure Care*, Section 8.2.5, *Vadose Zone Monitoring System*; and in accordance with Permit Condition 7.4.

If liquids are present, the Permittee shall sample and analyze the liquids as specified at Permit Attachment F, Section 4.5.6. The Permittee shall remove and properly dispose of all remaining liquids, as specified at Permit Attachment I, Section 4.2, *Response Actions*.

1.7 RECORDKEEPING AND REPORTING

1.7.1 Recordkeeping Requirements

The Permittee shall follow the recordkeeping requirements for the Surface Impoundment specified at Permit Attachment N, Section 3.5.1, *Records*. Records kept shall include, but are not limited to:

1.7.1.a Inspection Logs

In accordance with Permit Condition 2.7.3, the Permittee shall keep in the Operating Record for a minimum of three years the inspection logs and other records for the inspections conducted in accordance with Permit Condition 5.6.1; as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.15(d) and 40 CFR 264.73(b)(5)).

1.7.1.b Ignitable, Reactive, or Incompatible Waste

The Permittee shall document and place in the Operating Record the evidence of compliance with the requirements for ignitable, reactive, and incompatible waste contained at Permit Conditions 5.8 and 5.9; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.17(c) and 264.73(b)(3)), making references to published scientific or engineering literature, using data from trial tests, waste analyses, and/or the results of the treatment of similar wastes by similar treatment processes.

1.7.1.c LDRS and VZMS Data

The Permittee shall keep records for the LDRS and VZMS monitoring conducted in accordance with Permit Condition 5.6.2, including a record of the amount of liquids removed during the active life and closure period of the Surface Impoundment, in

accordance with Permit Condition 2.12.1.k.i; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.226(d)(1)).

1.7.1.d 40 CFR 264, Subpart BB Records

The Permittee shall record in a log that is kept in the Operating Record the results of the determination of exemption from the requirements of 20.4.1.500 NMAC (incorporating 40 CFR 264, Subpart BB), conducted in accordance with Permit Condition 5.4.2, and other information required under 20.4.1.500 NMAC (incorporating 40 CFR 264.1064(k) and (m)).

1.7.1.e 40 CFR 264, Subpart CC Records

The Permittee shall prepare and maintain in the Operating Record for a minimum of three years the information used for each waste determination required in accordance with Permit Condition 5.4.3 (e.g., test results, measurements, calculations, and other documentation).

1.7.2 Reporting and Notification Requirements

1.7.2.a Notification of Sudden Drop in a Cell Liquid Level

The Permittee shall submit the following information to the Secretary upon determination of a sudden drop in the liquid level of a Surface Impoundment cell that is not caused by changes in intentional flows into and out of the surface impoundment or expected evaporation rates:

1.7.2.a.i Oral Report

The Permittee shall make an oral report to the Secretary within 24 hours of becoming aware of a sudden drop in the liquid level of a Surface Impoundment cell, as specified at Permit Attachment C, *Contingency Plan, Section 6.3.5.3*; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 270.30(l)(6)(i) and (ii)); and

1.7.2.a.ii Written Report

The Permittee shall notify the Secretary in writing, within seven days of detecting either a leak in the Surface Impoundment dikes or a sudden drop in the liquid level, if the drop is not caused by changes in the flows into or out of the Surface Impoundment or expected evaporation rates, as specified at Permit Attachment C, *Section 6.3.5.3*; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.227(b)(6)).

1.7.2.b Submittals after ALR Exceedance

The Permittee shall submit the following information to the Secretary after becoming aware of an exceedance of the ALR for the Surface Impoundment:

1.7.2.b.i Written Notification of ALR Exceedance

The Permittee shall notify the Secretary in writing of an exceedance of the ALR at the Surface Impoundment within seven days of determination of the exceedance, as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.223(b)(1));

1.7.2.b.ii Preliminary Assessment

The Permittee shall submit a preliminary written assessment to the Secretary within 14 days after determination of the exceedance, as to the amount of liquids, possible location, size, and cause of any leaks, and short-term actions taken and planned, as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.223(b)(2)); and

1.7.2.b.iii Data Submittal

The Permittee shall submit to the Secretary the results of analyses required under 20.4.1.500 NMAC (incorporating 40 CFR 264.223(b)(6)), the results of actions taken, and actions planned, within 30 days after the written notification required in accordance with Permit Condition 5.7.2.b.i. Monthly thereafter, as long as the flow rate in the leak detection system exceeds the action leakage rate, the Permittee shall submit to the Secretary a report summarizing the results of any remedial actions taken and actions planned.

1.7.2.c Noncompliance with the 40 CFR 264, Subpart CC Exemption Requirements

The Permittee shall report to the Secretary each occurrence, within 15 calendar days of the time that the Permittee becomes aware of the occurrence, of the placement of hazardous waste in the Surface Impoundment that does not comply with the exemption contained at Permit Condition 5.1.3.d from the requirements of 20.4.1.500 NMAC (incorporating 40 CFR 264, Subpart CC); as specified at Permit Attachment G, *Air Quality*, Section 11.3.7.2, *Reporting*; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.1090(a)).

1.7.3 Certifications

1.7.3.a Surface Impoundment CQA Certification

As required by 20.4.1.500 NMAC (incorporating 40 CFR 264.19(d)), the Permittee shall submit a certification to the Secretary at least 60 days prior to the initiation of operations at the Facility in accordance with Permit Condition 1.10. The certification shall show that the approved CQA Plan has been successfully carried out and that the Surface Impoundment meets all regulatory requirements in accordance with Permit Condition 1.5.9.c.i. The certification shall be signed by the CQA officer and shall also attest that the Secretary's inspection, provided for at Permit Condition 1.5.9.c.ii, has been either completed or waived. The Permittee shall furnish documentation supporting this certification to the Secretary upon request.

1.7.3.b Dike Recertification

If one of the Surface Impoundment cells is removed from service for more than six months, the Permittee shall, prior to returning the cell to service, obtain a certification from a qualified, professional engineer registered in New Mexico that the Surface Impoundment dikes, including that portion of the dikes that provides freeboard, has structural integrity, as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.226(c)). The Permittee shall submit the certification to the Secretary.

The certification shall establish that the dike:

- shall withstand the stress of the pressure exerted by the types and amounts of wastes to be placed in that cell; and
- shall not fail due to scouring or piping, without dependence on any liner system included in the Surface Impoundment construction.

1.7.3.c Liner Recertification

If one of the Surface Impoundment cells is removed from service as the result of a sudden drop in the liquid level due to liner failure and the liner has been repaired, the Permittee shall not return that cell to service until the repaired liner system has been recertified by a qualified, professional engineer registered in New Mexico, as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.227(d)(2)), and the recertification has been submitted to the Secretary.

1.8 SPECIAL PROVISIONS FOR IGNITABLE OR REACTIVE WASTES

The Permittee shall not place ignitable and reactive waste in the Surface Impoundment at the same time, as specified at Permit Attachments A, Section 2.6.4.4, *Specific Requirements for Ignitable, Reactive, and/or Incompatible Wastes*, and B, *Procedures to Prevent Hazards*, Section 5.5, *Procedures to Prevent Ignition or Reaction of Ignitable, Reactive, or Incompatible Waste*; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.17 and 40 CFR 264.229).

1.9 SPECIAL PROVISIONS FOR INCOMPATIBLE WASTES

The Permittee shall ensure that incompatible wastes, or incompatible wastes and materials, are not placed in the Surface Impoundment at the same time, as specified at Permit Attachments A, Section 2.6.4.4, and B, Section 5.5; and as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.17(b) and (c) and 264.230).

1.10 CLOSURE

The Permittee shall follow the procedures for clean closure specified at Permit Attachment O, Section 8.1.2, *Evaporation Pond*, and other pertinent sections; and shall conduct closure activities in accordance with pertinent sections of Permit Part 8; and shall otherwise comply with the requirements of 20.4.1.500 NMAC (incorporating 40 CFR 264.228). The Permittee shall follow the time frame for closure specified at Permit Attachment O1, *Compliance Schedules for Closure*.

TABLE 5-1
PERMITTED SURFACE IMPOUNDMENT

CELL	DIMENSIONS	TOTAL CAPACITY
IA	285 feet long by 132 feet wide by 12 feet deep	2.6 million gallons
IB	285 feet long by 132 feet wide by 12 feet deep	2.6 million gallons
TOTAL		5.2 million gallons

