FINAL HAZARDOUS WASTE OPERATING RENEWAL PERMIT

CLEAN HARBORS COLFAX, LLC
OPEN BURNING/OPEN DETONATION (OB/OD) FACILITY
CONTAINER STORAGE, PREPERATIONS BUILDING AND
OPEN BURNING/OPEN DETONATION
LAD 981 055 791-RN-OP-1
AGENCY INTEREST #32096/PER19970003

RECORDS CENTER COPY

DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO
GOVERNOR

MIKE D. McDANIEL, Ph.D.
SECRETARY

September 27, 2007

VIA FEDERAL EXPRESS

Mr. Ken Michels, Facility Manager
Clean Harbors Colfax, LLC
3763 Highway 471
Colfax, Louisiana 71417

RE: Clean Harbors Colfax, LLC - Colfax Facility - Grant Parish
AI# 32096/ PER19970003
LAD 981 055 791-RN-OP-1
Final Decision on Hazardous Waste Operating Renewal Permit

Dear Mr. Michels:

Attached, is your copy of the Clean Harbors Colfax, LLC, Final Hazardous Waste Operating Renewal Permit, LAD 981 055 791 RN-OP-1. In accordance with Louisiana Revised Statute (La. R.S.) 30:2024, the Permittee may file with the Secretary, a request for hearing no later than thirty (30) days after the notice of the action is served. Under La. R.S. 30:2050.21, any person aggrieved by a final permit action may appeal to the Nineteenth Judicial District Court within thirty (30) days after the notice of the action has been given.

Please reference your Agency Interest Number 32096, EPA Identification Number LAD 981 055 791, and Permit Activity Number PER 19970003 on all future correspondence pertaining to this issue. Should you have any questions concerning this matter, please contact Ms. Karla Vidrine of the Waste Permits Division at (225) 219-3061.

Sincerely,

Bijan Sharafkhani, P.E.
Administrator
Waste Permits Division

kav

Attachment

ENVIRONMENTAL **SERVICES**
: PO BOX 4313, BATON ROUGE, LA 70821-4313
P:225-219-3181 F:225-219-3309
WWW.DEQ.LOUISIANA.GOV

PUBLIC PARTICIPATION

PUBLIC NOTICE
LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ)
CLEAN HARBORS COLFAX, LLC
OPEN BURNING/OPEN DETONATION (OB/OD) FACILITY
FINAL HAZARDOUS WASTE OPERATING PERMIT RENEWAL

The LDEQ, Office of Environmental Services, has made the decision to issue the final hazardous waste operating permit renewal for Clean Harbors Colfax, LLC, 3763 Highway 471, Colfax, Louisiana 71417, for the Colfax Open Burning/Open Detonation (OB/OD) Facility. **The facility is located at 3763 Highway 471, Colfax, Louisiana, Grant Parish.**

Under this final hazardous waste operating permit, Clean Harbors Colfax, LLC will operate an Open Burning/Open Detonation (OB/OD) Facility which stores and thermally treats reactive and explosive waste via open burning / open detonation.

The final permitting action and related documents are available for review and copying (all documents copied will be subject to a $0.25 charge per copied page) at the LDEQ, Public Records Center, Room 127, 602 North 5th Street, Baton Rouge, LA. Viewing hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday (except holidays). **The available information can also be accessed electronically on the Electronic Document Management System (EDMS) on the DEQ public website at www.deq.louisiana.gov.**

An additional copy may be reviewed at the Grant Parish Library, Colfax Branch, 300 Main Street, Colfax, Louisiana 71417.

In accordance with Louisiana Revised Statutes (La R.S.) 30:2024, the Permittee may file with the secretary a request for a hearing no later than thirty (30) days after the notice of the action is served. Under La. R.S. 30:2050.21, any person aggrieved by a final permit action may appeal to the Nineteenth Judicial District Court within 30 days after the notice of the action has been given.

Previous notices have been published in The Advocate, The Alexandria Town Talk and The Chronicle on Thursday February 15, 2007 and June 7, 2007. It was also broadcast on KVDP-FM Radio on February 15, 2007 and June 11, 2007. A pre-hearing conference was held in Colfax on March 15, 2007 and an evidentiary hearing was held at LDEQ in Baton Rouge on March 22, 2007.

Inquiries or requests for additional information regarding this permit action, should be directed to Ms. Karla Vidrine, LDEQ, Waste Permits Division, P.O. Box 4313, Baton Rouge, LA 70821-4313, phone (225) 219-3061.

Persons wishing to be included on the LDEQ permit public notice mailing list or for other public participation related questions should contact the Public Participation Group in writing at LDEQ, P.O. Box 4313, Baton Rouge, LA 70821-4313, by email at deqmaillistrequest@la.gov or contact the LDEQ Customer Service Center at (225) 219-LDEQ (219-5337).

form_7125_r01
04/30/07

Permit public notices including electronic access to the issued permit and associated information can be viewed at the LDEQ permits public notice webpage at www.deq.louisiana.gov/apps/pubNotice/default.asp and general information related to the public participation in permitting activities can be viewed at www.deq.louisiana.gov/portal/tabid/2198/Default.aspx

Alternatively, individuals may elect to receive the permit public notices via email by subscribing to the LDEQ permits public notice List Server at www.doa.louisiana.gov/oes/listservpage/ldeq_pn_listserv.htm

All correspondence should specify AI Number 32096, Permit Number LAD 981 055 791, and Activity Number PER19970003.

Scheduled Publication Date: September 27, 2007

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04/30/07

DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO
GOVERNOR

MIKE D. McDANIEL, Ph.D.
SECRETARY

September 20, 2007

Phone: (800) 523-8391 / (318) 487-6397
Fax: (318) 487-2972
E-mail: pbryant@thetowntalk.com

Ms. Peggy Bryant
Legal Advertising
The Town Talk
P.O. Box 7558
Alexandria, LA 71306

Re: REQUEST FOR PUBLIC COMMENT ON THE FINAL HAZARDOUS WASTE OPERATING PERMIT RENEWAL CLEAN HARBORS COLFAX, LLC, OPEN BURNING/OPEN DETONATION FACILITY AI NUMBER 32096, PERMIT NUMBER LAD 981 055 791, PER19970003

Dear Ms. Bryant:

Please publish the attached legal notice regarding the above referenced facility as a regular legal ad in The Town Talk *once only* on **Thursday, September 27, 2007.** You will also receive a copy of the legal notice itself via email at pbryant@thetowntalk.com.

State regulations require that we provide notification to the public and allow sufficient time for public comments. For this department to be assured that adequate notification is provided, we are requesting that you sign and date the enclosed 'Verification by Newspaper', and fax it to the attention of Ms. Laura Ambeau (225) 325-8157 immediately upon publication. If the notice cannot be published on the date requested, please contact Ms. Ambeau (225) 219-3277or email laura.ambeau@la.gov.

The invoice for this public notice should be sent to:
Mr. Kenneth R. Michels, General Manager
Clean Harbors Colfax
3763 Highway 471
Colfax, LA 71417
Phone (318) 627-3443

The **official proof of publication** in the form of a tear sheet should be mailed to my attention LDEQ, Environmental Assistance Division, P.O. Box 4313, Baton Rouge, LA 70821-4313.

Thank you for assisting in our effort to serve the public.

Sincerely,

Laura M. Ambeau
Environmental Scientist, Public Participation Group

LA/Attachments/2

ENVIRONMENTAL **SERVICES**
: PO BOX 4313, BATON ROUGE, LA 70821-4313
P:225-219-3181 F:225-219-3309
WWW.DEQ.LOUISIANA.GOV

VERIFICATION BY NEWSPAPER

The undersigned verifies that the following public notice was published in the _____(date of publication) edition of **The Town Talk**:

Re: REQUEST FOR PUBLIC COMMENT ON THE
FINAL HAZARDOUS WASTE OPERATING PERMIT RENEWAL
CLEAN HARBORS COLFAX, LLC, OPEN BURNING/OPEN DETONATION FACILITY
AI NUMBER 32096, PERMIT NUMBER LAD 981 055 791, PER19970003

THE TOWN TALK:

By: _____ Date: _____

Immediately upon publication please fax this form, along with a copy of the public notice as it appeared in the newspaper, to Ms. Laura Ambeau (225) 325-8157.

PLEASE NOTE:

THIS VERIFICATION DOES NOT RELIEVE THE NEWSPAPER OF THE RESPONSIBILITY OF PROVIDING OFFICIAL PROOF OF PUBLICATION, IN THE FORM OF A TEAR SHEET, TO THE LDEQ AS REQUESTED IN OUR COVER LETTER.

DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO
GOVERNOR

MIKE D. McDANIEL, Ph.D.
SECRETARY

September 20, 2007

Via Fax (225) 388-0164

Ms. Susan Bush
Legal Advertising
The Advocate
Post Office Box 588
Baton Rouge, LA 70821-0588

Re: **REQUEST FOR PUBLIC COMMENT ON THE FINAL HAZARDOUS WASTE OPERATING PERMIT RENEWAL CLEAN HARBORS COLFAX, LLC, OPEN BURNING/OPEN DETONATION FACILITY AI NUMBER 32096, PERMIT NUMBER LAD 981 055 791, PER19970003**

Dear Ms. Bush:

Please publish the attached legal notice regarding the above referenced facility as a regular legal ad in The Advocate *once only* on **Thursday, September 27, 2007.** You will also receive a copy of the legal notice itself via email at legal.ads@theadvocate.com .

State regulations require that we provide notification to the public and allow sufficient time for public comments. For this department to be assured that adequate notification is provided, we are requesting that you sign and date the enclosed 'Verification by Newspaper', and fax it to the attention of Ms. Laura Ambeau (225) 325-8157 immediately upon publication. If the notice cannot be published on the date requested, please contact Ms. Ambeau (225) 219-3277or email laura.ambeau@la.gov.

The invoice for this public notice should be sent to:
Mr. Kenneth R. Michels, General Manager
Clean Harbors Colfax
3763 Highway 471
Colfax, LA 71417
Phone (318) 627-3443

The **official proof of publication** in the form of a tear sheet should be mailed to my attention LDEQ, Environmental Assistance Division, P.O. Box 4313, Baton Rouge, LA 70821-4313.

Thank you for assisting in our effort to serve the public.

Sincerely,

Laura M. Ambeau
Environmental Scientist, Public Participation Group

LA/Attachments/2

ENVIRONMENTAL **SERVICES**
: PO BOX 4313, BATON ROUGE, LA 70821-4313
P:225-219-3181 F:225-219-3309
WWW.DEQ.LOUISIANA.GOV

VERIFICATION BY NEWSPAPER

The undersigned verifies that the following public notice was published in the _____(date of publication) edition of **The Advocate**:

Re: REQUEST FOR PUBLIC COMMENT ON THE
FINAL HAZARDOUS WASTE OPERATING PERMIT RENEWAL
CLEAN HARBORS COLFAX, LLC, OPEN BURNING/OPEN DETONATION FACILITY
AI NUMBER 32096, PERMIT NUMBER LAD 981 055 791, PER19970003

THE ADVOCATE:

By: _____ Date: _____

Immediately upon publication please fax this form, along with a copy of the public notice as it appeared in the newspaper, to Ms. Laura Ambeau (225) 325-8157.

PLEASE NOTE:

THIS VERIFICATION DOES NOT RELIEVE THE NEWSPAPER OF THE RESPONSIBILITY OF PROVIDING OFFICIAL PROOF OF PUBLICATION, IN THE FORM OF A TEAR SHEET, TO THE LDEQ AS REQUESTED IN OUR COVER LETTER.

DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO
GOVERNOR

MIKE D. McDANIEL, Ph.D.
SECRETARY

September 20, 2007

Phone: (318) 627-3737
Fax: (318) 627-3019
E-mail: mwchronicle@aol.com

Ms. Mabel Woods
Legal Advertising
The Chronicle
305 Main Street
Colfax, LA 71417

Re: REQUEST FOR PUBLIC COMMENT ON THE FINAL HAZARDOUS WASTE OPERATING PERMIT RENEWAL CLEAN HARBORS COLFAX, LLC, OPEN BURNING/OPEN DETONATION FACILITY AI NUMBER 32096, PERMIT NUMBER LAD 981 055 791, PER19970003

Dear Ms. Woods:

Please publish the attached legal notice regarding the above referenced facility as a regular legal ad in The Chronicle *once only* on **Thursday, September 27, 2007.** You will also receive a copy of the legal notice itself via email at mwchronicle@aol.com .

State regulations require that we provide notification to the public and allow sufficient time for public comments. For this department to be assured that adequate notification is provided, we are requesting that you sign and date the enclosed 'Verification by Newspaper', and fax it to the attention of Ms. Laura Ambeau (225) 325-8157 immediately upon publication. If the notice cannot be published on the date requested, please contact Ms. Ambeau (225) 219-3277or email laura.ambeau@la.gov .

The invoice for this public notice should be sent to:
Mr. Kenneth R. Michels, General Manager
Clean Harbors Colfax
3763 Highway 471
Colfax, LA 71417
Phone (318) 627-3443

The **official proof of publication** in the form of a tear sheet should be mailed to my attention LDEQ, Environmental Assistance Division, P.O. Box 4313, Baton Rouge, LA 70821-4313.

Thank you for assisting in our effort to serve the public.

Sincerely,

Laura M. Ambeau
Environmental Scientist, Public Participation Group

LA/Attachments/2

ENVIRONMENTAL **SERVICES**
: PO BOX 4313, BATON ROUGE, LA 70821-4313
P:225-219-3181 F:225-219-3309
WWW.DEQ.LOUISIANA.GOV

VERIFICATION BY NEWSPAPER

The undersigned verifies that the following public notice was published in the _____(date of publication) edition of **The Chronicle**:

Re: REQUEST FOR PUBLIC COMMENT ON THE
FINAL HAZARDOUS WASTE OPERATING PERMIT RENEWAL
CLEAN HARBORS COLFAX, LLC, OPEN BURNING/OPEN DETONATION FACILITY
AI NUMBER 32096, PERMIT NUMBER LAD 981 055 791, PER19970003

THE CHRONICLE:

By: _____ Date: _____

Immediately upon publication please fax this form, along with a copy of the public notice as it appeared in the newspaper, to Ms. Laura Ambeau (225) 325-8157.

PLEASE NOTE:

THIS VERIFICATION DOES NOT RELIEVE THE NEWSPAPER OF THE RESPONSIBILITY OF PROVIDING OFFICIAL PROOF OF PUBLICATION, IN THE FORM OF A TEAR SHEET, TO THE LDEQ AS REQUESTED IN OUR COVER LETTER.

DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO
GOVERNOR

MIKE D. McDANIEL, Ph.D.
SECRETARY

September 20, 2007

Phone (318) 627-3157
Fax (318) 487-5755

Mr. Garland McCracken
President, Grant Parish Police Jury
200 Main Street
Colfax, LA 71417

Re: **REQUEST FOR PUBLIC COMMENT ON THE FINAL HAZARDOUS WASTE OPERATING PERMIT RENEWAL CLEAN HARBORS COLFAX, LLC, OPEN BURNING/OPEN DETONATION FACILITY AI NUMBER 32096, PERMIT NUMBER LAD 981 055 791, PER19970003**

Dear Mr. McCracken:

The Louisiana Department of Environmental Quality (LDEQ) is enclosing for your reference, a copy of the final hazardous waste operating permit renewal and legal notice that is scheduled to be published in The Advocate, The Town Talk, and The Chronicle on September 27, 2007.

Should you have any questions regarding the facility, additional permit information may be obtained from Ms. Karla Vidrine, LDEQ, Permits Division, P.O. Box 4313, Baton Rouge, LA 70821-4313, telephone (225) 219-3061.

Sincerely,

Laura M. Ambeau
Environmental Scientist, Public Participation Group

LA

Enclosures/2

ENVIRONMENTAL **SERVICES**
: PO BOX 4313, BATON ROUGE, LA 70821-4313
P:225-219-3181 F:225-219-3309
WWW.DEQ.LOUISIANA.GOV

VERIFICATION BY PARISH GOVERMENT

The undersigned verifies that the Parish President, Grant Parish has received a copy of the final hazardous waste operating permit renewal regarding:

Re: REQUEST FOR PUBLIC COMMENT ON THE
FINAL HAZARDOUS WASTE OPERATING PERMIT RENEWAL
CLEAN HARBORS COLFAX, LLC, OPEN BURNING/OPEN DETONATION FACILITY
AI NUMBER 32096, PERMIT NUMBER LAD 981 055 791, PER19970003

Grant Parish Government:

By: _____ Date: _____

Please complete and return this form promptly to the address listed below:

Ms. Laura Ambeau
Louisiana Department of Environmental Quality
Office of Environmental Services
Environmental Assistance Division
PO Box 4313
Baton Rouge, LA 70821-4313
PHONE (225) 219-3277

FAX (225) 325-8157

DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO
GOVERNOR

MIKE D. McDANIEL, Ph.D.
SECRETARY

September 20, 2007

Telephone (318) 627-9920

Doris Lively, Branch Manager
Grant Parish Library, Colfax Branch
300 Main Street
Colfax, LA 71417-1830

Re: **REQUEST FOR PUBLIC COMMENT ON THE FINAL HAZARDOUS WASTE OPERATING PERMIT RENEWAL CLEAN HARBORS COLFAX, LLC, OPEN BURNING/OPEN DETONATION FACILITY AI NUMBER 32096, PERMIT NUMBER LAD 981 055 791, PER19970003**

Dear Ms. Lively:

We request that the enclosed copy of the final hazardous waste operating permit renewal and public notice for the referenced facility be made available for public review upon receipt. It is imperative that the information is available for review at all times; therefore, it cannot be checked out by anyone at any time.

The material should be retained during the permitting process. At the close of the permitting period, the Louisiana Department of Environmental Quality, Office of Environmental Services (LDEQ-OES), Permits Division, will provide written notice to you requesting that the information be removed.

Please complete the attached 'Verification by Library' and mail to Ms. Laura Ambeau, LDEQ-OES, Environmental Assistance Division, PO Box 4313, Baton Rouge, LA 70821-4313, or Fax to (225) 219-3309.

We appreciate your assistance in our efforts to serve the public. If you have any questions, please call Ms. Ambeau at (225) 219-3277.

Sincerely,

Laura Ambeau
Environmental Scientist, Public Participation Group

LA/Attachments/2

ENVIRONMENTAL **SERVICES**
: PO BOX 4313, BATON ROUGE, LA 70821-4313
P:225-219-3181 F:225-219-3309
WWW.DEQ.LOUISIANA.GOV

VERIFICATION BY LIBRARY

The undersigned verifies that the Grant Parish Library, Colfax Branch has received a final hazardous waste permit renewal application and related information associated with the following public notice:

Re: **REQUEST FOR PUBLIC COMMENT ON THE FINAL HAZARDOUS WASTE OPERATING PERMIT RENEWAL CLEAN HARBORS COLFAX, LLC, OPEN BURNING/OPEN DETONATION FACILITY AI NUMBER 32096, PERMIT NUMBER LAD 981 055 791, PER19970003**

GRANT PARISH LIBRARY, COLFAX BRANCH:

By: _____ Date: _____

Please complete and return this form promptly to the address listed below:

Ms. Laura Ambeau
Louisiana Department of Environmental Quality
Office of Environmental Services
Environmental Assistance Division
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313
Phone (225) 219-3277

FAX (225) 325-8157

VERIFICATION BY FACILITY

The undersigned verifies that Clean Harbors Colfax, LLC has received a copy of the final hazardous waste operating permit renewal and public notice regarding:

Re: REQUEST FOR PUBLIC COMMENT ON THE
FINAL HAZARDOUS WASTE OPERATING PERMIT RENEWAL
CLEAN HARBORS COLFAX, LLC, OPEN BURNING/OPEN DETONATION FACILITY
AI NUMBER 32096, PERMIT NUMBER LAD 981 055 791, PER19970003

CLEAN HARBORS COLFAX, LLC

By: _____ Date: _____

Please complete and return this form promptly to the address listed below:

Ms. Laura Ambeau
Louisiana Department of Environmental Quality
Office of Environmental Services
Environmental Assistance Division
PO Box 4313
Baton Rouge, LA 70821-4313
Phone (225) 219-3277

FAX (225) 325-8157

VERIFICATION FOR DELIVERY OF MATERIAL TO BE SCANNED

THIS INFORMATION IS EXPECTED TO BE AVAILABLE ON EDMS
48 HOURS FROM THE DELIVERY DATE

Public Notice Date: Thursday, September 27, 2007

The undersigned verifies that a copy of the final hazardous waste permit renewal and public notice for the referenced facility has been received by the First Floor Scanning Center:

Re: **REQUEST FOR PUBLIC COMMENT ON THE FINAL HAZARDOUS WASTE OPERATING PERMIT RENEWAL CLEAN HARBORS COLFAX, LLC, OPEN BURNING/OPEN DETONATION FACILITY AI NUMBER 32096, PERMIT NUMBER LAD 981 055 791, PER19970003**

FIRST FLOOR SCANNING CENTER:

The Material Was Delivered:
By: _____ Date: _____ Time _____

.....

The Public Participation Group contact for this packet of information is
Laura Ambeau, Rm. 321-31, 2-3277

DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO
GOVERNOR

MIKE D. McDANIEL, Ph.D.
SECRETARY

September 20, 2007

Phone: (214) 665-6750

Mr. Kishor Fruitwala
U. S. EPA, Region VI
1445 Ross Avenue, Suite 1200
Mail Code: 6PDA
Dallas, Texas 75202-2733

Re: REQUEST FOR PUBLIC COMMENT ON THE FINAL HAZARDOUS WASTE OPERATING PERMIT RENEWAL CLEAN HARBORS COLFAX, LLC, OPEN BURNING/OPEN DETONATION FACILITY AI NUMBER 32096, PERMIT NUMBER LAD 981 055 791, PER19970003

Dear Mr. Fruitwala:

The Louisiana Department of Environmental Quality (LDEQ) is enclosing for your reference, a copy of the final hazardous waste operating permit renewal and legal notice that is scheduled to be published in The Advocate, The Town Talk and The Chronicle on September 27, 2007.

Should you have any questions regarding the facility, additional permit information may be obtained from Ms. Karla Vidrine, LDEQ, Permits Division, P.O. Box 4313, Baton Rouge, LA 70821-4313, telephone (225) 219-3061.

Sincerely,

Laura Ambeau
Environmental Scientist, Public Participation Group

LA
Enclosures

ENVIRONMENTAL **SERVICES**
: PO BOX 4313, BATON ROUGE, LA 70821-4313
P:225-219-3181 F:225-219-3309
WWW.DEQ.LOUISIANA.GOV

VERIFICATION BY EPA

The undersigned verifies that the EPA Region VI Office has received a copy of the final hazardous waste operating permit renewal and public notice regarding:

Re: **REQUEST FOR PUBLIC COMMENT ON THE FINAL HAZARDOUS WASTE OPERATING PERMIT RENEWAL CLEAN HARBORS COLFAX, LLC, OPEN BURNING/OPEN DETONATION FACILITY AI NUMBER 32096, PERMIT NUMBER LAD 981 055 791, PER19970003**

EPA Region VI:

By: _____ Date: _____

Please complete and return this form promptly to the address listed below:

Ms. Laura Ambeau
Louisiana Department of Environmental Quality
Office of Environmental Services
Environmental Assistance Division
PO Box 4313
Baton Rouge, LA 70821-4313
Phone (225) 219-3277

FAX (225) 325-8157

DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO
GOVERNOR

MIKE D. McDANIEL, Ph.D.
SECRETARY

September 20, 2007

Phone: (318) 487-5811
Fax: (318) 487-5927

Mr. Theron Magers
Kisatchie Central Regional Office
402 Rainbow Drive, Bldg. 402
Pineville, La. 71360

Re: REQUEST FOR PUBLIC COMMENT ON THE FINAL HAZARDOUS WASTE OPERATING PERMIT RENEWAL CLEAN HARBORS COLFAX, LLC, OPEN BURNING/OPEN DETONATION FACILITY AI NUMBER 32096, PERMIT NUMBER LAD 981 055 791, PER19970003

Dear Mr. Magers:

The Louisiana Department of Environmental Quality (LDEQ) is enclosing for your reference, a copy of the final hazardous waste operating permit renewal and legal notice that is scheduled to be published in The Advocate, The Town Talk and The Cronicle on September 27, 2007.

Should you have any questions regarding the facility, additional permit information may be obtained from Ms. Karla Vidrine, LDEQ, Permits Division, P.O. Box 4313, Baton Rouge, LA 70821-4313, telephone (225) 219-3061.

Sincerely,

Laura Ambeau
Environmental Scientist, Public Participation Group

LA
Enclosures

ENVIRONMENTAL **SERVICES**
: PO BOX 4313, BATON ROUGE, LA 70821-4313
P:225-219-3181 F:225-219-3309
WWW.DEQ.LOUISIANA.GOV

VERIFICATION BY REGIONAL OFFICE

The undersigned verifies that the Kisatchie Regional Office has received a copy of the final hazardous waste operating permit renewal and public notice regarding:

Re: **REQUEST FOR PUBLIC COMMENT ON THE FINAL HAZARDOUS WASTE OPERATING PERMIT RENEWAL CLEAN HARBORS COLFAX, LLC, OPEN BURNING/OPEN DETONATION FACILITY AI NUMBER 32096, PERMIT NUMBER LAD 981 055 791, PER19970003**

Kisatchie Regional Office:

By: _____ Date: _____

Please complete and return this form promptly to the address listed below:

Ms. Laura Ambeau
Louisiana Department of Environmental Quality
Office of Environmental Services
Environmental Assistance Division
PO Box 4313
Baton Rouge, LA 70821-4313
Phone (225) 219-3277

FAX (225) 325-8157

SIGNATURE PAGE

FINAL OPERATING RENEWAL PERMIT

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY

OPERATING RENEWAL PERMIT
FOR HAZARDOUS WASTE OPEN BURNING/OPEN DETONATION (OB/OD)
THERMAL TREATMENT AND STORAGE
CLEAN HARBORS COLFAX, LLC FACILITY

PERMITTEE: CLEAN HARBORS COLFAX, LLC

PERMIT NUMBER: LAD 981 055 791-OP-RN-1
Agency Interest #32096
PER #19970003

FACILITY LOCATION: 3763 HIGHWAY 471, GRANT PARISH
COLFAX, LOUISIANA 71417

This permit is issued by the Louisiana Department of Environmental Quality (LDEQ) under the authority of the Louisiana Hazardous Waste Control Law R.S. 30:2171 et seq., and the regulations adopted thereunder and the 1984 Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA), to Clean Harbors Colfax, LLC, (hereafter called the Permittee), to operate a hazardous waste treatment and storage facility located at Colfax, Louisiana, at latitude 31° 34' 05" North and longitude 92° 43' 21" West.

This renewal applies to the hazardous waste operating permit that became effective on May 16, 1993, issued to the former R & D Fabricating and Manufacturing, Inc.

For the purposes of this permit, the "Administrative Authority" shall be the Secretary of the Louisiana Department of Environmental Quality, or his/her designee.

The Permittee must comply with all terms and conditions of this permit. This permit consists of the conditions contained herein and the applicable regulations as specified in the permit. Applicable regulations are those which are in effect on the date of issuance of this permit.

This permit is based on the assumption that the information provided to LDEQ by the Permittee is accurate. Further, this permit is based in part on the provisions of Sections 206, 212, and 224 of HSWA of 1984, which modify Sections 3004 and 3005 of RCRA. In particular, Section 206 requires corrective action for all releases of hazardous waste or constituents from any solid waste management unit at a treatment, storage or disposal facility seeking a permit, regardless of the time at which waste was placed in such unit.

Section 212 provides authority to review and modify the permit at any time. Any inaccuracies found in the submitted information may be grounds for the termination, modification or revocation and reissuance of this permit (see LAC 33:V.323) and potential enforcement action. The Permittee must inform the LDEQ of any deviation from or changes in the information in the application which would affect the Permittee's ability to comply with the applicable regulations or permit conditions.

This renewed permit shall be effective as of October 26, 2007, and shall remain in effect until October 26, 2017, unless revoked and reissued, modified or terminated in accordance with the LAC 33:V.323 and 705 of the Louisiana Hazardous Waste Regulations. The Administrative Authority may issue any permit for a duration that is less than the maximum term of ten (10) years and the term shall not be extended beyond the maximum duration by modification in accordance with LAC 33:V.315.

Provisions of this permit may be appealed in writing pursuant to La. R.S. 30:2024(A) within thirty (30) days from receipt of the permit. Only those provisions specifically appealed will be suspended by a request for hearing, unless the secretary or the assistant secretary elects to suspend other provisions as well. A request for hearing must be sent to the following:

Louisiana Department of Environmental Quality
Office of the Secretary
Attention: Hearing Clerk, Legal Services Division
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302

Chuck Carr Brown, Ph.D., Assistant Secretary
Louisiana Department of Environmental Quality

9/21/07
Date

PART A

United States Environmental Protection Agency

HAZARDOUS WASTE PERMIT INFORMATION FORM

1. Facility Permit Contact (See instructions on page 35)	First Name: James	MI: E	Last Name: Gallion
	Phone Number: 318-627-3443		Phone Number Extension:
2. Facility Permit Contact Mailing Address (See instructions on page 35)	Street or P.O. Box: 3763 Highway 471		
	City, Town, or Village: Colfax		
	State: LA		
	Country: USA		Zip Code: 71417
1. Legal Owner Mailing Address and Telephone Number (See instructions on page 36)	Street or P.O. Box: 3763 Highway 471		
	City, Town, or Village: Colfax		
	State: LA		
	Country: USA	Zip Code: 71417	Phone Number 318-627-3443
. Operator Mailing Address and Telephone Number (See instructions on [illegible])	Street or P.O. Box: 3763 Highway 471		
	City, Town, or Village: Colfax		
	State: LA		
	Country: USA	Zip Code: 71417	Phone Number 318-627-3443
Facility Existence Date (See instructions on page 36)	Facility Existence Date (mm/dd/yyyy): 06/20/1985		

Other Environmental Permits (See instructions on page 36)

A. Permit Type (Enter code)	B. Permit Number	C. Description
P	1 1 2 0 - 0 0 0 1 0 - 0 1	State Air Permit
N	L A R 0 0 B 1 4 3	Federal NPDES General Permit

lature of Business (Provide a brief description; see instructions on page 37)

Thermal treatment of reactive wastes.

ess Codes and Design Capacities (See instructions on page 37)

A. PROCESS CODE - *Enter the code from the list of process codes below that best describes each process to be used at the facility. Thirteen lines are provided for entering codes. If more lines are needed, attach a separate sheet of paper with the additional information. For "other" processes (i.e., D99, S99, T04 and X99), describe the process (including its design capacity) in the space provided in Item 9.*

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 in a closure/post-closure or enforcement action) enter the total amount of waste for that process.*
2. UNIT OF MEASURE - *For each amount entered in column B(1), enter the code in column B(2) from the list of unit of measure codes below that describes the unit of measure used. Select only from the units of measure in this list.*

C. PROCESS TOTAL NUMBER OF UNITS - *Enter the total number of units for each corresponding process code.*

PROCESS CODE	PROCESS	APPROPRIATE UNITS OF MEASURE FOR PROCESS DESIGN CAPACITY
	Disposal:	
D79	Underground Injection Well Disposal	allons; Liters; Gallons Per Day; or Liters Per Day
D80	Landfill	Acre-feet; Hectare-meter; Acres; Cubic Meters; Hectares; Cubic Yards
D81	Land Treatment	Acres or Hectares
D82	Ocean Disposal	Gallons Per Day or Liters Per Day
D83	Surface Impoundment Disposal	Gallons; Liters; Cubic Meters; or Cubic Yards
D99	Other Disposal	Any Unit of Measure Listed Below
	Storage:	
S01	Container	Gallons; Liters; Cubic Meters; or Cubic Yards
S02	Tank Storage	Gallons; Liters; Cubic Meters; or Cubic Yards
S03	Waste Pile	Cubic Yards or Cubic Meters
S04	Surface Impoundment Storage	Gallons; Liters; Cubic Meters; or Cubic Yards
S05	Drip Pad	Gallons; Liters; Acres; Cubic Meters; Hectares; or Cubic Yards
	Containment Building Storage	Cubic Yards or Cubic Meters
	Other Storage	Any Unit of Measure Listed Below
	Treatment:	
T01	Tank Treatment	Gallons Per Day; Liters Per Day; Short Tons Per Hour; Gallons Per Hour; Liters Per Hour; Pounds Per Hour; Short Tons Per Day; Kilograms Per Hour; Metric Tons Per Day; or Metric Tons Per Hour
T02	Surface Impoundment Treatment	Gallons Per Day; Liters Per Day; Short Tons Per Hour; Gallons Per Hour; Liters Per Hour; Pounds Per Hour; Short Tons per Day; Kilograms Per Hour; Metric Tons Per Day; or Metric Tons Per Hour
T03	Incinerator	Short Tons Per Hour; Metric Tons Per Hour; Gallons Per Hour; Liters Per Hour; Btu Per Hour; Pounds Per Hour; Short Tons Per Day; Kilograms Per Hour; Gallons Per Day; Liters Per Day; Metric Tons Per Hour; or Million Btu Per Hour
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; Short Tons Per Day; Btu Per Hour; Gallons Per Day; Liters Per Hour; or Million Btu Per Hour
T80	Boiler	Gallons; Liters; Gallons Per Hour; Liters Per Hour; Btu Per Hour; or Million Btu Per Hour
T81	Cement Kiln	Gallons Per Day; Liters Per Day; Pounds Per Hour; Short Tons Per Hour; Kilograms Per Hour; Metric Tons Per Day; Metric Tons Per Hour; Btu Per Hour; or Million Btu Per Hour
T82	Lime Kiln	
T83	Aggregate Kiln	
T84	Phosphate Kiln	
T85	Coke Oven	
T86	Blast Furnace	
T87	Smelting, Melting, or Refining Furnace	
T88	Titanium Dioxide Chloride Oxidation Reactor	
T89	Methane Reforming Furnace	
T90	Pulping Liquor Recovery Furnace	
T91	Combustion Device Used In The Recovery Of Sulfur Values From Spent Sulfuric Acid	
T92	Halogen Acid Furnaces	
T93	Other Industrial Furnaces Listed In 40 CFR §260.10	
T94	Containment Building - Treatment	Cubic Yards; Cubic Meters; Short Tons Per Hour; Gallons Per Hour; Liters Per Hour; Btu Per Hour; Pounds Per Hour; Short Tons Per Day; Kilograms Per Hour; Metric Tons Per Day; Gallons Per Day; Liters Per Day; Metric Tons Per Hour; or Million Btu Per Hour
	Miscellaneous (Subpart X):	
X01	Open Burning/Open Detonation	Any Unit of Measure Listed Below
X02	Mechanical Processing	Short Tons Per Hour; Metric Tons Per Hour; Short Tons Per Day; Metric Tons Per Day; Pounds Per Hour; Kilograms Per Hour; Gallons Per Hour; Liters Per Hour; or Gallons Per Day
X03	Thermal Unit	Gallons Per Day; Liters Per Day; Pounds Per Hour; Short Tons Per Hour; Kilograms Per Hour; Metric Tons Per Day; Metric Tons Per Hour; Short Tons Per Day; Btu Per Hour; or Million Btu Per Hour
X04	Geologic Repository	Cubic Yards; Cubic Meters; Acre-feet; Hectare-meter; Gallons; or Liters
X99	Other Subpart X	Any Unit of Measure Listed Below

UNIT OF MEASURE	UNIT OF MEASURE CODE
Gallons	G
Gallons Per Hour	E
Gallons Per Day	U
Liters	L
Liters Per Hour	H
Day	V

UNIT OF MEASURE	UNIT OF MEASURE CODE
Short Tons Per Hour	D
Metric Tons Per Hour	W
Short Tons Per Day	N
Metric Tons Per Day	S
Pounds Per Hour	J
Kilograms Per Hour	R
Million Btu Per Hour	X

UNIT OF MEASURE	UNIT OF MEASURE CODE
Cubic Yards	Y
Cubic Meters	C
Acres	B
Acre-feet	A
Hectares	Q
Hectare-meter	F
Btu Per Hour	I

cess Codes and Design Capacities (*Continued*)

EXAMPLE FOR COMPLETING Item 8 (shown in line number X-1 below): A facility has a storage tank, which can hold 533,788 gallons.

Line Number		A. Process Code (From list above)			B. PROCESS DESIGN CAPACITY (1) Amount (Specify)	(2) Unit of Measure (Enter code)	C. Process Total Number of Units	For Official Use Only
X	1	S	0	2	5 3 3 . 7 8 8	G	0 0 1	
	1	X	0	1	350.000	J	0 0 1	
	2	X	0	2	350.000	J	0 0 1	
	3	S	0	1	119,680.000	G	0 1 0	
	4	S	0	1	60.000	Y	0 0 1	
	5							
	6							
	7							
	8							
	9							
1	0							
1	1							
1	2							
1	3							

NOTE: If you need to list more than 13 process codes, attach an additional sheet(s) with the information in the same format as above. Number the lines sequentially, taking into account any lines that will be used for "other" processes (i.e., D99, S99, T04 and X99) in Item 9.

Processes (See instructions on page 37 and follow instructions from Item 8 for D99, S99, T04 and X99 process codes)

Line Number (Enter #s in sequence with Item 8)		A. Process Code (From list above)			B. PROCESS DESIGN CAPACITY (1) Amount (Specify)	(2) Unit of Measure (Enter code)	C. Process Total Number of Units	D. Description of Process
X	1	T	0	4				In-situ Vitrification
	1							
	2							
	3							
	4							

scription of Hazardous Wastes (See instructions on page 37)

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 describes the characteristics and/or the toxic contaminants of those 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 contaminant 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 contaminant.*

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 Items 8A and 9A on page 3 to indicate the waste will be stored, treated, and/or disposed at the facility.

For non-listed hazardous waste: For each characteristic or toxic contaminant entered in column A, select the code(s) from the list of process codes contained in Items 8A and 9A 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 contaminant.

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

1. *Enter the first two as described above.*
2. *Enter "000" in the extreme right box of Item 10.D(1).*
3. *Use additional sheet, enter line number from previous sheet, and enter additional code(s) in Item 10.E.*

2. PROCESS DESCRIPTION: *If a code is not listed for a process that will be used, describe the process in Item 10.D(2) or in Item 10.E(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:

1. *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.*
2. *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 "included with above" and make no other entries on that line.*
3. *Repeat step 2 for each EPA Hazardous Waste Number that can be used to describe the hazardous waste.*

EXAMPLE FOR COMPLETING Item 10 (shown in line numbers X-1, X-2, X-3, and X-4 below) - A facility will treat and dispose of an estimated 900 pounds per year of chrome shavings from leather tanning and finishing operations. 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 umber	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 code)									(2) PROCESS DESCRIPTION (If a code is not entered in D(1))
1	K	0	5	4	900	P	T	0	3	D	8	0				
2	D	0	0	2	400	P	T	0	3	D	8	0				
3	D	0	0	1	100	P	T	0	3	D	8	0				
4	D	0	0	2												Included With Above

D. Description of Hazardous Wastes *(Continued: use additional sheets as necessary)*

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 code)	D. PROCESSES (2) PROCESS DESCRIPTION (If a code is not entered in D(1))
1	D001	480,000	P	S01X01	
2	D002	480,000	P	S01X01	
3	D003	480,000	P	S01X01	
4	D004	480,000	P	S01X01	
5	D005	480,000	P	S01X01	
6	D006	480,000	P	S01X01	
7	D007	480,000	P	S01X01	
8	D008	480,000	P	S01X01	
9	D010	480,000	P	S01X01	
10	D011	480,000	P	S01X01	
11	D030	480,000	P	S01X01	
12	K044	480,000	P	S01X01	
13	K045	480,000	P	S01X01	
14	K046	480,000	P	S01X01	
15	P009	480,000	P	S01X01	
16	P048	480,000	P	S01X01	
17	P065	480,000	P	S01X01	
18	P081	480,000	P	S01X01	
19	P105	480,000	P	S01X01	
20	P112	480,000	P	S01X01	
21	U069	480,000	P	S01X01	
22	U088	480,000	P	S01X01	
23	U096	480,000	P	S01X01	
24	U105	480,000	P	S01X01	
25	U108	480,000	P	S01X01	
26	U115	480,000	P	S01X01	
27	U117	480,000	P	S01X01	
28	U133	480,000	P	S01X01	
29	U160	480,000	P	S01X01	
30	U234	480,000	P	S01X01	
31					
32					
33					

Map (See Instructions on page 38) See Attached

Attach to this application a topographic map, or other equivalent map, of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all springs, rivers and other surface water bodies in this map area. See instructions for precise requirements.

12. Facility Drawing (See Instructions on page 39) See Attached

All existing facilities must include a scale drawing of the facility (see instructions for more detail).

13. Photographs (See Instructions on page 39) See Attached

All existing facilities must include photographs (aerial or ground-level) that clearly delineate all existing structures; existing storage, treatment and disposal areas; and sites of future storage, treatment or disposal areas (see instructions for more detail).

14. Comments (See Instructions on page 39)

Item 8, Line 1 - Yearly capacity is 480,000 pounds (net explosive weight); this is equal to 0.658 short tons per day or 350 pounds per hour.

Item 8, Line 2 - Line 2 is to permit mechanical processing of the waste in the preparation building.

Item 8, Line 3 - Each magazine can store up to 5,000 pounds (net explosive weight).

Item 8, Line 4 - Line 4 is to permit limited storage of waste at the rear of the preparation building.

Item 8, Lines 1 and 2 - Expressed as net explosive weight.

Item 10 - All pounds represent net explosive weight.

MAIL THE COMPLETED FORM TO: [illegible] appropriate State or [illegible] Regional Office.	United States Environmental Protection Agency **RCRA SUBTITLE C SITE IDENTIFICATION FORM**	
1. Reason for Submittal (See instructions on page 23) MARK CORRECT BOX(ES)	Reason for Submittal: ☐ To provide Initial Notification of Regulated Waste Activity (to obtain an EPA ID Number for hazardous waste, universal waste, or used oil activities). ☐ To provide Subsequent Notification of Regulated Waste Activity (to update site identification information). ☐ As a component of a First RCRA Hazardous Waste Part A Permit Application. ☒ As a component of a Revised RCRA Hazardous Waste Part A Permit Application (Amendment # 3). ☐ As a component of the Hazardous Waste Report.	
2. Site EPA ID Number (See instructions on page 24)	EPA ID Number: LAD 981 055 791	
3. Site Name (See instructions on page 24)	Name: Clean Harbors Colfax, LLC	
4. Site Location Information (See instructions on page 24)	Street Address: 3763 Highway 471	
	City, Town, or Village: Colfax	State: LA
	County Name: Grant	Zip Code: 71417
5. Site Land Type (See instructions on page 24)	Site Land Type: ☒ Private ☐ County ☐ District ☐ Federal ☐ Indian ☐ Municipal ☐ State ☐ Other	
6. [illegible] American Industry [illegible]ation System [illegible]CS) Code(s) for the Site (See instructions on page 24)	A. 562211	B.
	C.	D.
7. Site Mailing Address (See instructions on page 25)	Street or P. O. Box: 3763 Highway 471	
	City, Town, or Village: Colfax	
	State: LA	
	Country: USA	Zip Code: 71417
8. Site Contact Person (See instructions on page 25)	First Name: James MI: E	Last Name: Gallion
	Phone Number: 318-627-3443	Phone Number Extension: ---
9. Legal Owner and Operator of the Site (See instructions on pages 25 to 26)	A. Name of Site's Legal Owner: Clean Harbors Colfax, LLC	Date Became Owner (mm/dd/yyyy): 09/07/2002
	Owner Type: ☒ Private ☐ County ☐ District ☐ Federal ☐ Indian ☐ Municipal ☐ State ☐ Other	
	B. Name of Site's Operator: Clean Harbors Colfax, LLC	Date Became Operator (mm/dd/yyyy): 09/07/2002
	Operator Type: ☒ Private ☐ County ☐ District ☐ Federal ☐ Indian ☐ Municipal ☐ State ☐ Other	

EPA ID No. L A D 9 8 1 0 5 5 7 9 1

10. Type of Regulated Waste Activity (Mark the appropriate boxes for activities that apply to your site. See instructions on pages 26 to 30)

A. Hazardous Waste Activities

1. Generator of Hazardous Waste
(Choose only one of the following three categories.)

☒ a. LQG: Greater than 1,000 kg/mo (2,200 lbs./mo.) of non-acute hazardous waste; or

☐ b. SQG: 100 to 1,000 kg/mo (220 - 2,200 lbs./mo.) of non-acute hazardous waste; or

☐ c. CESQG: Less than 100 kg/mo (220 lbs./mo.) of non-acute hazardous waste

In addition, indicate other generator activities. (Mark all that apply)

☒ d. United States Importer of Hazardous Waste

☐ e. Mixed Waste (hazardous and radioactive) Generator

For Items 2 through 6, mark all that apply.

☐ 2. Transporter of Hazardous Waste

☒ 3. Treater, Storer, or Disposer of Hazardous Waste (at your site) Note: A hazardous waste permit is required for this activity.

☐ 4. Recycler of Hazardous Waste (at your site) Note: A hazardous waste permit may be required for this activity.

5. Exempt Boiler and/or Industrial Furnace

☐ a. Small Quantity On-site Burner Exemption

☐ b. Smelting, Melting, and Refining Furnace Exemption

☐ 6. Underground Injection Control

B. Universal Waste Activities

1. Large Quantity Handler of Universal Waste (accumulate 5,000 kg or more) [refer to your State regulations to determine what is regulated]. Indicate types of universal waste generated and/or accumulated at your site. (Mark all boxes that apply):

	Generate	Accumulate
a. Batteries	☐	☐
b. Pesticides	☐	☐
c. Thermostats	☐	☐
d. Lamps	☐	☐
e. Other (specify) _____	☐	☐
f. Other (specify) _____	☐	☐
g. Other (specify) _____	☐	☐

☐ 2. Destination Facility for Universal Waste
Note: A hazardous waste permit may be required for this activity.

C. Used Oil Activities (Mark all boxes that apply.)

1. Used Oil Transporter - Indicate Type(s) of Activity(ies)

☐ a. Transporter

☐ b. Transfer Facility

2. Used Oil Processor and/or Re-refiner - Indicate Type(s) of Activity(ies)

☐ a. Processor

☐ b. Re-refiner

☐ 3. Off-Specification Used Oil Burner

4. Used Oil Fuel Marketer - Indicate Type(s) of Activity(ies)

☐ a. Marketer Who Directs Shipment of Off-Specification Used Oil to Off-Specification Used Oil Burner

☐ b. Marketer Who First Claims the Used Oil Meets the Specifications

1. Description of Hazardous Wastes (See Instructions on page 31)

a. Waste Codes for Federally Regulated Hazardous Wastes. Please list the waste codes of the Federal hazardous wastes handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more spaces are needed.

D001	D002	D003	D004	D005	D006	D007
D008	D010	D011	D030	K044	K045	K046
P009	P048	P065	P081	P105	P112	U069
U088	U096	U105	U108	U115	U117	U133
U160	U234					

EPA ID No. L A D 9 8 1 0 5 5 7 9 1

B. Waste Codes for State-Regulated (i.e., non-Federal) Hazardous Wastes. Please list the waste codes of the State-regulated hazardous wastes handled at this site. List them in the order they are presented in the regulations. Use an additional page if more spaces are needed for waste codes.

12. Comments (See instructions on page 31)

3. Certification. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. (See instructions on page 31)

Signature of owner, operator, or an authorized representative	Name and Official Title (type or print)	Date Signed (mm/dd/yyyy)
	Scott Kuhn, Vice President of Environmental Compliance	07/28/2003

Other Louisiana Facilities Owned/Operated by Clean Harbors*

Clean Harbors Baton Rouge, LLC (Baton Rouge)
Baton Rouge Disposal, LLC (Baton Rouge)
Clean Harbors Plaquemine, LLC (Plaquemine)
Clean Harbors White Castle, LLC (White Castle)
Crowley Disposal, LLC (Jennings)
Disposal Properties, LLC (Mermentau)

* Each of these facilities is owned by the same parent company as Clean Harbors Colfax, LLC, but each facility is independent from the other. Clean Harbors Colfax, LLC is neither the owner nor a subsidiary of any of the above listed facility.

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LIST OF ATTACHMENTS

ATTACHMENT 1 LIST OF FACILITY DOCUMENTS INCORPORATED IN THE PERMIT BY REFERENCE

BODY OF PERMIT

FINAL RENEWAL
HAZARDOUS WASTE OPERATING PERMIT

CLEAN HARBORS COLFAX, LLC
OPEN BURNING/OPEN DETONATION (OB/OD)
EPA ID# LAD 981 055 791
Colfax, Louisiana
Grant Parish

Agency Interest # 32096
PER# 19970003
Permit Number LAD 981 055 791-RN-0P-1

I. PERMIT PREAMBLE

This permit is issued to Clean Harbors Colfax, LLC, hereinafter referred to as the Permittee, by the Louisiana Department of Environmental Quality (LDEQ) under authority of the Louisiana Hazardous Waste Control Law, R. S. 30:2171 et seq., and the regulations adopted thereunder, and by the United States Environmental Protection Agency (EPA) under the authority of the 1984 Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA).

For the purposes of this permit, "Administrative Authority" shall mean the Secretary of the LDEQ or his/her designee.

This permit is based on information submitted in the permit application, and all subsequent amendments, and on the applicant's certification that such information is accurate and that all facilities will be constructed, operated and maintained as specified in the application.

This permit is conditioned upon full compliance with all applicable provisions of the Louisiana Hazardous Waste Control Law, R. S. 30:2171 et seq., and the regulations adopted thereunder.

All definitions contained in this permit shall have the meaning as defined in the Louisiana Administrative Code (LAC), Title 33, Part V, Subpart 1 unless otherwise stated herein.

All regulating citations are defined as being the regulation in effect on the date of issuance of this Permit. New and/or amended regulations are not included as Permit requirements until Permit modification procedures as specified in Condition II.C of this Permit are completed.

ED_001691B_00003074

GLOSSARY OF TERMS

For the purpose of this Permit, terms used herein shall have the same meaning as those in LAC 33:V.Subpart 1 unless the context of use in this Permit clearly indicates otherwise. Where terms are not otherwise defined, the meaning otherwise associated with such terms shall be as defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

"Administrative Authority" means the secretary of the Department of Environmental Quality (LDEQ) or his designee or the appropriate assistant secretary or his designee.

"Application" refers to the RCRA Part B Permit Application and subsequent amendments submitted by the Permittee for obtaining a Permit.

"Constituents of Concern" (COC) means the COPC's that pose a significant risk.

"Constituents of Potential Concern" (COPC) means chemicals from hazardous waste and hazardous waste constituents that are potentially site related and have data of quality for use in the Screen or site-specific risk assessment. The facility should compile a list of COPC's for each release site based on existing sampling data, waste analysis reports, etc.

"CFR" means the Code of Federal Regulations.

"CWA" means Clean Water Act.

"Corrective Action" is an activity conducted to protect human health and the environment.

"Department" means the Louisiana Department of Environmental Quality (LDEQ).

"EPA" means the United States Environmental Protection Agency.

"HSWA" means the 1984 Hazardous and Solid Waste Amendments to RCRA.

"Hazardous constituent" means any constituent identified in LAC 33:V.Chapter 31. Table 1, or any constituent identified in LAC 33:V.3325. Table 4.

"LDEQ" means the Louisiana Department of Environmental Quality.

"LELAP" means the Louisiana Environmental Laboratory Accreditation Program.

"Operating record" means written or electronic records of all maintenance, monitoring, inspection, calibration, or performance testing or other data as may be required--to demonstrate compliance with this Permit, document noncompliance with this Permit, or document actions taken to remedy noncompliance with this Permit. A minimum list of

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documents that must be included in the operating record are identified at LAC 33:V.1529.b.

"Permittee" means Clean Harbors Colfax, LLC, Highway 471, Colfax, Louisiana 71417.

"RCRA Permit" means the full permit, with RCRA.

"RFA" means RCRA Facility Assessment.

"RFI" means RCRA Facility Investigation.

"Release" means any spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping or disposing or 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).

"SARA" means Superfund Amendments and Reauthorization Action of 1985.

"Solid Waste Management Unit" (SWMU) mean any discernable 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.

If, subsequent to the issuance of this Permit, regulations are promulgated which redefine any of the above terms, the Administrative Authority may, at its discretion, apply the new definition to this Permit.

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II. GENERAL PERMIT CONDITIONS

II.A. DURATION OF PERMIT

This permit is effective as of the date indicated on the accompanying signature page and shall remain in effect for a maximum period of ten (10) years from the effective date, unless suspended, modified, revoked and reissued, or terminated for just cause.

II.B. EFFECT OF PERMIT

The Permittee is allowed to treat and store explosive and reactive hazardous wastes in accordance with the conditions of this permit. Any treatment and/or storage of explosive and reactive hazardous wastes not authorized by this permit is prohibited. Compliance with this permit, the LAC 33:V. Subpart 1, and HSWA, constitutes compliance, for purposes of enforcement, with Subtitle C of RCRA and Chapter 9 of the Louisiana Environmental Quality Act (Act). However, compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under Section 3013 or Section 7003 of RCRA, or under Section 106(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 942 U.S.C. 9606 (a).

Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations.

II.C. PERMIT ACTIONS

Any inaccuracies found in the permit application may be cause for revocation or modification of this permit. The Permittee must inform the Administrative Authority of any deviation from, changes in, or inaccuracies in the information in the permit application.

The Administrative Authority may suspend, modify, revoke and reissue, or terminate the permit for cause or when necessary to be protective of human health or the environment as specified in 40 CFR 270.41, 270.42, 270.43 or the LAC 33:V.309.F, 311.A, or 323. The Administrative Authority may modify the permit when the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued. The filing of a request for permit modification, revocation and reissuance, or termination or a notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition.

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II.D. SEVERABILITY

The conditions 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.

II.E. DUTIES AND REQUIREMENTS

II.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 may be authorized by an emergency permit. Any permit noncompliance, other than noncompliance authorized by an emergency permit (LAC 33:V.701), constitutes a violation of the LAC 33:V. Subpart 1 and the Act is grounds for enforcement action which may include permit termination, permit revocation and reissuance, permit modification, or denial of a permit renewal application.

II.E.2. Duty to Reapply

If the Permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the Permittee must reapply for the permit as required by LAC 33:V.303.N and 309.B. Notification shall be at least 180 calendar days before the permit expires.

II.E.3. Permit Extension

This permit and all conditions herein will remain in effect beyond the permit's expiration date until the Administrative Authority issues a final decision on the reapplication, provided the Permittee has submitted a timely, complete new permit application as provided in the LAC 33:V.309.B and 315.A.

II.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.

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II.E.5. **Duty to Mitigate**

The Permittee shall immediately take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with the conditions of this permit as required by the LAC 33:V.309.D.

II.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 ancillary equipment and/or appurtenances) that 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 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 the permit and in accordance with LAC 33:V.309.H.

II.E.7. **Duty to Provide Information**

The Permittee shall furnish to the Administrative Authority, within a reasonable time, any information which the Administrative Authority 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 Administrative Authority upon request, copies of records required to be kept by this permit and in accordance with LAC 33:V.309.H.

II.E.8. **Inspection and Entry**

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

II.E.8.a. enter upon the Permittee's premises where a regulated activity is located or conducted, or where records must be maintained under the conditions of this permit;

II.E.8.b. have access to and copy, at reasonable times, any records that must be maintained under the conditions of this permit;

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II.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

II.E.8.d. sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Administrative Authority, any substances or parameters at any location.

II.E.9. **Sample Monitoring and Records**

II.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 40 CFR Part 261. Laboratory methods must be those specified in Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, "SW-846", latest version; Manual of Ground Water Quality Sampling Procedures, 1981, EPA-600/2-81-160, as revised; Procedures Manual for Ground Water Monitoring at Solid Waste Disposal Facilities, 1977, EPA-530/SW-611, as revised; or an equivalent method

II.E.9.b. Records of monitoring information shall include:

II.E.9.b.i. the date, exact place, and time of sampling or measurements;

II.E.9.b.ii. the name(s) and signature(s) of the individual(s) who performed the sampling or measurements;

II.E.9.b.iii. the date(s) analyses were performed;

II.E.9.b.iv. the name(s) and signature(s) of the individual(s) who performed the analysis;

II.E.9.b.v. the analytical techniques or methods used; and

II.E.9.b.vi. the results of such analyses; and

II.E.9.b.vii. associated quality assurance performance data.

II.E.9.c. Laboratory Quality Assurance/Quality Control

In order to ensure the accuracy, precision and reliability of data generated for use, the Permittee shall submit a statement, certified as specified in LAC 33:V.513 and included in the annual report, indicating that:

II.E.9.c.i. Any commercial laboratory providing analytical results and test data to the Department required by this permit is accredited by the Louisiana Environmental Laboratory Accreditation Program (LELAP) in accordance with LAC 33:V.I.Subpart 3, Chapter 45. Laboratory data generated by commercial laboratories not accreditied under LELAP will not be accepted by the Department.

LAC 33:I.Subpart 3 (Chapters 45-49) provides requirements for the accreditation are available on the LDEQ website located at: http://www.deq.louisiana.gov/portal/tabid/2412/Default.aspx .

In accordance with LAC 33:V. 4501, the requirements for LELAP accreditation applies whenever data is:

- submitted on behalf of a facility;
- required as part of a permit application;
- required by order of the Department;
- required to be included in a monitoring report submitted to the Department;
- required to be submitted by contract; or
- otherwise required by the Department regulations.

II.E.9.c.ii. If the Permittee decides to use their own in house laboratory for test and analysis, the laboratory is not required to be accredited by LELAP. However, the laboratory must document and submit for approval, quality assurance/quality control procedures that are

commensurate with requirements in LAC 33:I.Subpart 3. Laboratory Accreditation.

II.E.9.c.iii. For approval of equivalent testing or analytical methods, the Permittee may petition for a regulatory amendment under LAC 33:V.105.I and LAC 33:I.Chapter 9. In cases where an approved methodology for a parameter/analyte is not available or listed, a request to utilize an alternate method shall be submitted to the Administrative Authority for approval. Documentation must be submitted to the LDEQ that will verify that the results obtained from the alternate method are equal to or better than those obtained from EPA-accepted methods, as well as those deemed equivalent by the LDEQ.

II.E.10. **Retention of Records**

The Permittee shall maintain all records through the active life of the facility (including operation, closure and post-closure) as required by the LAC 33:V.309.J, 1529.A, B, and C. All records, including plans, must be furnished upon request and made available at all reasonable times for inspection as required by the LAC 33:V.1529.C.

File copies shall be kept for LDEQ inspection for a period of not less than three (3) years as required by the LAC 33:V.317.B.

The Permittee shall, for the life of the facility, maintain records of all data used to complete the application for this permit and any supplemental information submitted under the Louisiana Hazardous Waste Control Law (R.S. 30:2171 et seq.).

II.E.11. **Notices of Planned Physical Facility Changes**

The Permittee shall give notice to the Administrative Authority, as soon as possible, of any planned physical alterations or additions to the permitted facility, as required by the LAC 33:V.309.L.1.

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II.E.12. **Physical Facility Modification or Construction**

No new unit, or existing unit which will undergo a major modification may be used to treat, store, or dispose (explosive and reactive) hazardous waste until the unit is complete and:

II.E.12.a. the Permittee has submitted to the Administrative Authority, by certified mail or hand delivery, a letter signed by the Permittee and an independent registered professional engineer, licensed in Louisiana stating that the unit is complete and built in accordance with terms of the permit; and

II.E.12.b. the Administrative Authority has inspected the modified unit following a request to make final inspection by the Permittee and finds it is in compliance with the conditions of the Permit and all applicable sections of LAC 33:.V.Subpart 1, and has issued an Order to Proceed. The Permittee may then commence treatment and storage of hazardous waste.

II.E.13. **Anticipated Noncompliance**

The Permittee shall give advance notice to the Administrative Authority of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

II.E.14. **Transfer of Permits**

This permit may be transferred to a new owner or operator with written approval by the Administrative Authority and if it is modified or revoked and reissued pursuant to the LAC 33:V.309.L.4, 321.B, 321.C.4, 1531 and LAC 33:I.Chapter 19.

The Permittee's failure to notify the new owner or operator of the requirements of LAC 33:V.Subpart 1 and LAC 33:I.Chapter 19 in no way relieves the new owner or operator of his obligation to comply with all applicable requirements.

Changes in the ownership or operational control of a facility shall be made with written notification to the Office of Environmental Services. The new owner or operator shall submit a Name/Ownership/Operator Change Form (NOC-1 Form) prior to or no later than forty-five (45) days after the change. The

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Administrative Authority may initiate action to terminate or revoke an existing media permit for a failure to disclose a change of ownership or operational control within forty-five (45) days after the change, in accordance with LAC 33:I.1909.B. The previous Permittee and the new Permitteee must comply with all applicable requirements of LAC 33:I.1909.

II.E.15. **Compliance Schedules**

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than fourteen (14) days following each schedule date as required by LAC 33:V.309.L.6.

II.E.16. **Noncompliance Reporting**

The Permittee shall report orally within twenty-four (24) hours any noncompliance with the permit that may endanger human health or the environment, except where more immediate notification is required by the LAC 33:I.3901, et seq. "Notification Regulations and Procedures for Unauthorized Discharges" dated November 19, 1985, as amended. This report shall include the following:

II.E.16.a. information concerning the release of any hazardous waste that may endanger public drinking water supplies; and

II.E.16.b. information concerning the release or discharge of any hazardous waste, or of a fire or explosion at the facility, that could threaten the environment or human health outside the facility. The description of the occurrence and its cause shall include:

II.E.16.b.i. the name, address, and telephone number of the owner or operator;

II.E.16.b.ii. the name, address, and telephone number of the facility;

II.E.16.b.iii. the date, time, and type of incident;

II.E.16.b.iv. the name and quantity of materials involved;

II.E.16.b.v. the extent of injuries, if any;

II.E.16.b.vi. an assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and

II.E.16.b.vii. the estimated quantity and disposition of recovered material that resulted from the incident.

II.E.17. **Follow-up Written Report of Noncompliance**

The Permittee shall also provide a written submission within five (5) calendar days after the time the Permittee becomes aware of any noncompliance which may endanger human health or the environment. However, where more immediate submission is required by LAC 33:I.3901, "Notification Regulations and Procedures for Unauthorized Discharges" dated November 19, 1985, as amended, the report shall be submitted in accordance with those regulations. The written submission shall contain a description of the noncompliance and its cause; the periods of noncompliance including exact dates and times; whether the noncompliance 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 noncompliance. If the Administrative Authority waives the requirement, then the Permittee submits a written report within fifteen (15) calendar days after the time Permittee becomes aware of the circumstances, as required by LAC 33:V.309.L.7.

II.E.18. **Other Noncompliance**

The Permittee shall report all instances of noncompliance not otherwise required to be reported above, at the time required monitoring reports are submitted. The reports shall contain the information listed in Condition II.E.16 above.

II.E.19. **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 Administrative Authority, the Permittee shall promptly submit such facts or information.

II.E.20. **Signatory Requirement**

All applications, reports or other information submitted to the Administrative Authority shall be signed and certified according to the LAC 33:V.507, 509, 511, and 513.

II.E.21. **Schedule of Compliance**

II.E.21.a. Within sixty (60) days of the effective date of this permit, the Permittee shall submit a revised Waste Analysis Plan for approval by the Administrative Authority. The revised Waste Analysis Plan must be submitted as a Class 2 permit modification, in accordance with Permit Condition II.E.22 and in accordance with LAC 33:V.323.

The Administrative Authority will review and approve any revisions to the WAP within thirty (30) days pending no deficiencies. The Administrative Authority must approve the WAP in order for the plan to be effective. The approved WAP will replace the Waste Analysis Plan referenced in Attachment 1 and attached to the permit application.

II.E.21.b. Within sixty (60) days of this effective date of this permit, the Permittee shall submit a revised Inspection Plan, which includes a detailed inspection schedule based upon the permit conditions, for approval by the Administrative Authority. The revised Inspection Plan will replace the Inspection Plan referenced in Attachment 1 and attached to the permit application. The revised Inspection Plan must be submitted as a permit modification, in accordance with Permit Condition II.E.22 and in accordance with LAC 33:V.323.

II.E.21.c. The Administrative Authority reserves the right to request the Permittee to submit a revised Risk Assessment.

II.E.21.d. Within one hundred and eighty (180) days after the effective date of this permit, the Permittee shall submit the Tier I Monitoring Work Plan. The Monitoring Work Plan will pertain to the open burn/open detonation activities.

II.E.21.e. Within sixty (60) days of the effective date of this permit, the Permittee shall submit a revised Contingency Plan, which includes a detailed inspection schedule based upon the permit conditions, for approval by the Administrative Authority. The revised Contingency Plan will replace the Contingency Plan referenced in Attachment 1 and attached in the permit application. The revised Contingency Plan must be submitted as a permit modification, in accordance with Permit Condition II.E.22 and in accordance with LAC 33:V.323.

II.E.21.f. If the ash residue stored in the truck staging/parking area is determined to be hazardous it must be labeled and may be stored for up to ninety (90) days.

II.E.21.g. Roll-off boxes of ash residue in the truck staging/parking area must be covered at all times to prevent wind dispersment.

II.E.21.h. Analysis of each roll-off box, of site-generated ash/residue, must be performed to determine whether or not it is hazardous. Analytes will be analyzed in accordance with the approved Waste Analysis Plan.

II.E.21.i. A representative sample of the hazardous waste in any waste shipment must be analyzed in accordance with the Waste Analysis Plan to verify pertinent information on the manifest. The quantity of waste received and chemical and physical characteristics identified with regard to ignitability, reactivity, and incompatibility in accordance with LAC 33:V.2113 and 2115 must be recorded. The WAP may specify methods and identifications of both chemical and physical waste characterization to include both testing data and/or owner/generator knowledge in accordance with LAC 33:V.1103 and 1519.

II.E.21.j. Within thirty (30) days of the effective date of this permit, the Permittee shall submit a revised Part A, as a Class 1 modification, in accordance with LAC 33:V.321.C to correct the capacity of 0.658 short

tons per day to 350 lbs per hour (480,000 lbs per year net explosive weight).

II.E.21.k. Within sixty (60) days of the effective date of this permit, the Permittee must submit documentation that the Round Burn Pans 6-9 have not been used to treat listed waste and/or have been decontaminated and are not contaminated with listed waste before Round Burn Pans 6-9 can be used to thermally treat D003, characteristic waste.

II.E.21.l. Within sixty (60) days of the effective date of this permit, the Permittee must submit documentation that the Square Burn Pans 16-19 have not been used to treat listed waste and/or have been decontaminated and are not contaminated with listed waste before Square Burn Pans 16-19 can be used to thermally treat D003, characteristic waste.

II.E.22. **Modification of Permits**

The Administrative Authority may modify a permit whenever it has received information that justifies the application of different permit conditions or the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued as required by the LAC 33:V.323.B.2.c.ii and iii.

II.E.23. **Documents To Be Maintained at Facility Site**

II.E.23.a. The Permittee shall maintain at the facility, until closure is completed and certified by an independent registered professional engineer, the following documents and amendments, revisions, and modifications to these documents. Any revisions or changes shall be submitted unless previously submitted.

II.E.23.a.i. Waste Analysis Plan (revised) submitted in accordance with the LAC 33:V.1519 (see Attachment I and Condition II.E.21).

II.E.23.a.ii. Contingency Plan (revised) submitted in accordance with the LAC 33:V.1513 (see Attachment I and Condition II.E.21).

II.E.23.a.iii. Closure Plan submitted in accordance with the LAC 33:V.3511 through 3517 (see Attachment 1).

II.E.23.a.iv. Any post-closure care requirements that may be required initially or through permit modifications in accordance with the LAC 33:V.3523 through 3527.

II.E.23.a.iv. Cost estimate for facility closure submitted in accordance with the LAC 33:V.3705 and 3707 (see Attachment 1).

II.E.23.a.vi. Any post-closure cost estimate that may be required initially or through permit modifications in accordance with the LAC 33:V.3709.

II.E.23.a.vii. Personnel Training Plan and the training records required by the LAC 33:V.1515.

II.E.23.a.viii. Operating record required by the LAC 33:V.1529 and 2115.D.

II.E.23.a.ix. Inspection schedules (revised) developed in accordance with the LAC 33:V.517.G and 1509.B (see Attachment 1 and Condition II.E.21).

II.E.23.a.iix. Arrangements with local authorities in accordance with LAC 33:V.1511.G.

II.E.23.b. All proposed amendments, revisions and modifications to any plan or cost estimates required by this permit shall be submitted to the Administrative Authority for approval.

II.E.24. **Annual Report**

An annual report must be prepared and submitted to the Office of Environmental Services and the Environmental Assistance Division by March 1 of each year covering all hazardous waste units and their activities during the previous calendar year as required by the LAC 33:V.1529.D.

II.E.25. **Manifest**

The Permittee shall report manifest discrepancies and unmanifested wastes as required by LAC.33:V.309.L.8 and 9.

II.E.26. **Emissions**

Emissions from any hazardous waste facility shall not violate the Louisiana Air Quality Regulations. If air quality standards are exceeded, the site will follow air regulation protocol.

II.E.27. **Water Discharges**

Water discharges from any hazardous waste facility shall not violate the Louisiana Water Quality Regulations. If water standards are exceeded, the site will follow water quality regulation protocol.

II.E.28. **Federal and State Explosives Regulations**

Treatment and handling of explosives must not violate the Alcohol, Tobacco and Firearms (ATF) Regulations and the U. S. Department of the Treasury.

The Permittee must comply with the Louisiana Explosives Code, La. R.S. 40:1471 and all regulations promulgated thereto. This permit does not preclude abiding by these regulations.

II.E.29. **Non-Listed Hazardous Waste Facilities**

This permit is issued for those hazardous waste facilities listed in Condition IV, Permitted Facilities. If the Permittee determines that an unpermitted hazardous waste unit exists, the Permittee must immediately notify the Administrative Authority in accordance with Condition II.E.19 of this permit.

II.E.30. **Compliance With Land Disposal Restrictions**

The Permittee shall comply with those land disposal restrictions set forth in La. R.S. 30:2193, all regulations promulgated thereunder.

II.E.31. **Establishing Permit Conditions**

Permits for facilities with pre-existing ground water contamination are subject to all limits, conditions, remediation, and corrective

action programs designated under the LAC 33:V.311.D and the LAC 33:V.3303.

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III. GENERAL FACILITY CONDITIONS

III.A. DESIGN AND OPERATION OF ALL FACILITIES

The Permittee shall maintain and operate all facilities to minimize the possibility of a fire, explosion, or any unauthorized sudden or nonsudden release of hazardous waste or hazardous waste constituents to air, soil, or water that could threaten human health or the environment.

The Permitee is hereby designated as a commercial facility that may receive for storage and treatment, explosive and reactive hazardous waste from an off-site source.

III.B. REQUIRED NOTICE

When the Permittee is to receive hazardous waste from an off-site source (except where the Permittee is also the generator) it must inform the generator in writing that the Permittee has the appropriate permits for, and will accept, the waste to be shipped by the generator. The Permittee must keep a copy of this written notice as part of the operating record as required by the LAC 33:V.1527.E.

III.C. GENERAL WASTE ANALYSIS

III.C.1. General Data Quality Objectives Defined for Waste Analysis Plan (WAP) Regarding Open Burning/Open Detonation (OB/OD) Activities

Due to the nature of open burning/ open detonation activities at the facility, protection of human health and the environment will be based upon the characterization of materials provided in the WAP as well as the OB/OD activities described in the WAP. Emissions characterization, environmental monitoring of soils, surface water, air and groundwater will be determined by the Administrative Authority in accordance with this permit, the potential impacts described in the permit application, the physical and chemical characterization information provided in the WAP and maintained in the operating records and/or database.

III.C.2. Substantive Content Required for Waste Analysis Plan (WAP) Regarding Open Burning/Open Detonation (OB/OD) Activities

III.C.2.a. Process Descriptions

The WAP must describe the OB/OD activities that include the following:

The WAP should include descriptions of all materials management processes (with all decision points delineated for various materials handling issues) and locations and descriptions of all materials management areas or units, including but not limited to the receipt, storage, preparation, treatment, and post-treatment of reactive/explosive materials. A drawing or schematic depicting the processes and all areas that are a part of materials management onsite must be included in the WAP.

The WAP shall specify procedures for the initial waste screening including how the waste is checked, and what the waste is checked for. A full description of how the visual inspection is conducted shall be provided in order for the facility to certify type and quantities of wastes that are verified upon acceptance; however, due to the nature of the waste, it is acceptable if some of this verification is completed while preparing the waste for burning or detonation.

III.C.2.b. Materials Characterization

The WAP must delineate the type and quantity of ammunition or bulk propellant items managed by OB/OD including the type and quantity received over the next operating year for each treatment area. The delineation will begin with the effective date of this permit. A summary of the historical information concerning historical operations should be included, if possible.

The WAP must include the physical and specific chemical characterization (individual chemical constituent content) of each explosive and reactive material to be managed by OB/OD. A table or chart summarizing the estimated mass of each type of explosive or reactive waste identified in the WAP that is accepted and slated for destruction for each burn or detonation area (i.e., a mass basis per burn/detonation event) must be included. This information must correlate with the calculated total mass of specific hazardous constituents managed and/or anticipated to be managed in each unit area per year.

An explanation of the calculation for determining the total mass of individual hazardous constituents across the different types of explosive and reactive materials managed

in each burn/detonation area per burn/detonation event and the estimated total annual mass managed in each burn/detonation area must be provided.

If the hazardous waste has changed or the operation generating the hazardous waste has changed in any way, the Permittee shall review and recharacterize all hazardous waste streams generated by the Permittee on-site and shipped off-site, or treated, stored, or disposed on-site. The Permittee must recharacterize wastes in accordance with LAC 33:V.1519.A.3. This recharacterization shall include laboratory analyses and/or process knowledge which provide information needed to properly handle and treat, store, or dispose the hazardous waste, including physical characteristics and chemical components of the waste. The results of this recharacterization shall be summarized in the Permittee's Annual Report.

III.C.2.c. Materials Inventory

The WAP must include the process for maintaining a materials inventory, both historical (or existing) materials received and also new (or different) materials anticipated for receipt. Materials rejected for onsite OB/OD treatment should be tracked separately from materials managed onsite for OB/OD treatment. The WAP must identify a holding time and the proposed disposition of materials that are rejected for onsite OB/OD.

The inventory process must provide for timely identification of any significant differences in specific physical properties and/or chemical constituents content on a mass basis for the same type of munition or bulk propellent items that change in specific property/content over various years of manufacture, and/or by generator, as appropriate. Specifically, the inventory must be inclusive of both physical properties/quantities and individual hazardous constituents managed via storage and/or preparation, and also treated in each treatment area per burn/detonation event per year.

Inventory records must include the generator data sheets, shipment manifests, and/or verification inspections and/or data reports and associated QA/QC information from

sampling and analysis testing conducted for or by the Permittee, in accordance with the WAP, and in order to adequately document the materials characterization information required in Condition III.C.2.b. of this permit. The materials inventory must be available and must correlate with that information provided in the Materials Operational Database, as specified in Condition III.C.2.d. of this permit.

III.C.2.d. Materials Operational Database

A materials operational database to track the Permittee's characterization and management of both prior years' inventories and the current year inventory should be developed and maintained. This operational database must be described in the WAP and summarized in the annual report. The Permittee shall continuously maintain the database in order to ensure that:

- adequate characterization of materials accepted for OB/OD treatment will be conducted and documented in accordance with Condition III.C.3.b. of this permit;

- past year inventories and the current year inventory can be easily summarized and reported to the Administrative Authority on a annual basis; and

- assessment of the need for a WAP revision and/or information necessary for the annual certification of the type of materials processed by OB/OD at the facility, are assured in accordance with Condition III.C.3 of this permit.

III.C.2.e. Sampling & Analytical Methods and Procedures

The Permittee must identify in the WAP those specific sampling and analytical methods and procedures and associated QA/QC criteria that will be utilized in order to verify and/or provide materials characterization information as required by Condition III.C.2.b. of this permit (i.e., in addition to generator material data sheets, manifest information, visual inspections, etc.). The Permittee must also describe the justification for the selection of all parameters to be analyzed and reported in

accordance with the data quality objectives specified in Condition III.C.1. of this permit. The WAP must state that rinse water from decontaminated equipment will be disposed of as hazardous waste or it must be tested for the analyte(s) of concern to prove that it is not hazardous.

III.C.2.e.1. In accordance with LAC 33:V.1519, the WAP must meet all the sampling, analysis, and QA/QC procedures of Condition II.E.9. of this permit. All test procedures used by the Permittee shall be maintained on file by the Permittee and made available to the LDEQ upon request.

III.C.2.e.2. The Permittee shall submit documentation if the Permittee contracts with a commercial Laboratory for any service required by the WAP and/or LAC 33:V.Chapter 15. Documentation of the laboratory's accreditation must be submitted to the Administrative Authority. The WAP must be revised and resubmitted when a different commercial laboratory is contracted, in accordance with Condition III.C.5 of this permit.

III.C.2.e.3. The Permittee shall submit, annually, a certified statement indicating that any commercial laboratory providing analytical results and test data to the Department must be accredited by the Louisiana Environmental Laboratory Accreditation Program (LELAP) in accordance with LAC 33:I.Subpart 3, Chapter 45. This written statement shall be certified as specified in LAC 33:V.513 and included in the annual report. Laboratory data generated by commercial laboratories not accredited under LELAP will not be accepted by the Department.

If the Permittee decides to use their "in-house" laboratory for tests and analysis, the laboratory is not required to be accredited by LELAP. However, this laboratory must document and submit for approval, quality assurance/quality control procedures (QA/QC) that commensurate with the requirements in LAC 33:I.Subpart 3. Laboratory Accreditation.

For approval of equivalent testing or analytical methods, the Permittee may petition for a regulatory amendment under LAC 33:V.105.I and LAC 33:I.Chapter 9.

III.C.2.e.4. The Permittee shall review the methods and procedures identified in the WAP annually and report to the Administrative Authority in the annual report whether any revision is required to comply with current EPA methods and/or State regulatory provisions, in accordance with Condition III.C.5. of this permit.

III.C.2.e.5. All test procedures used by the Permittee shall be maintained on file by the Permittee and made available to the LDEQ upon request.

III.C.2.e.6. Throughout operations, the Permittee shall conduct sufficient analysis in accordance with the approved Waste Analysis Plan, and conditions of this permit (i.e., Schedule of Compliance), to verify the treatment of the hazardous waste listed in Table 1 of the Waste Analysis Plan, only and that these wastes are within the physical and chemical composition limits specified in this permit.

III.C.2.e.7. Ash from the burn units, treating listed wastes described in LAC 33:V.Chapter 49 shall be handled as hazardous wastes.

III.C.2.e.8. The Permittee shall sample and analyze D003 explosive and reactive hazardous waste ash from the treatment process shall be conducted using the Toxicity Characteristic Leaching Procedure (TCLP) at least quarterly on each roll-off box prior to shipment off-site for disposal. The sampling and analysis results shall be maintained, as required by Permit Condition II.E.23.a.viii and in accordance with LAC 33:V.1529.

III.C.2.e.9. D003 explosive and reactive hazardous waste residue and ash must be verified through sampling and analyses prior to classification as

non-hazardous. The Permittee must sample for all analytes listed in LAC 33:V.2299, Table 7, unless otherwise proven that the constituents are not in the wastes being burned as specified in the universal treatment standards of LAC 33:V.2233.A.

III.C.2.e.10. The Permittee shall analyze all rainwater and rinse water collected from secondary containment areas for Extractable Explosives using the TCLP Metals using SW-846 Methods. The rainwater or rinse water will be stored less than ninety (90) days prior to shipment off-site or discharge on-site, depending upon the results of testing.

III.C.2.e.11. The Permittee shall comply with all applicable Land Disposal Restrictions requirements.

III.C.3. <u>Materials Certification for Open Burning/Open Detonation (OB/OD) Activities</u>

The WAP must include a certification, renewed annually by the Permittee and submitted with the annual report, that the explosive and reactive materials identified in the WAP and managed by open burn/ open detonation are not treatable by any other more effective treatment technology and/or process operations

III.C.3.a. The WAP certification must include a brief statement that ensures that the database established is maintained continuously and that the information is accurate and can be substantiated by the existing inventory records, in accordance with Condition III.C.2.c of this permit.

III.C.3.b. The certification must specify that the WAP has been reviewed for necessary substantive revisions pertaining to both changes in waste characterization and/or quantity and also changes in analytical methods and/or procedures. The certification must specify that appropriate revisions to the WAP have been made or that revisions are not deemed necessary at the time of annual reporting. In the case of the determination that a WAP revision is necessary, the Permittee must provide the rationale for revision(s) to the WAP in accordance with those provisions specified in Conditions II.E.21 and III.C.5 of this permit.

III.C.3.c. Annual review of the WAP must be certified by a Louisiana licensed professional engineer (PE).

III.C.4. Reporting to the Permitting Authority

The information identified in the WAP must be reevaluated and verified as still valid in the annual report provided to the Administrative Authority. If revisions to the WAP are identified as necessary by the Permittee, at any time, a revised WAP should be submitted to the Administrative Authority for review and approval as specified in Condition II.E.21.a. and III.C.5. of this permit. In addition, a new certification in accordance with Condition III.C.3 and a summary of changes to be made or made to the WAP should be incorporated into the next annual report.

III.C.5. WAP Revisions

If there is reason to believe that the type and/or quantity of munition or bulk propellent items being managed has or will change, or that particular hazardous constituents have or will significantly change, the Permittee must review and recharacterize wastes in accordance with LAC 33:V.1519.A.3. This recharacterization shall include laboratory analyses and/or process knowledge which provide information needed to properly treat, store, and dispose of the reactive and/or explosive materials, including physical characteristics and chemical components of the materials as specified in Condition III.C.2. of this permit. The Permittee will summarize the results of the recharacterization and will propose changes to the WAP that will address those data needs requirements specified in Conditions III.C.1. through III.C.4. of this permit. The Permittee will follow the timeframe provided in Condition II.E.21.a. of this permit for submitting and obtaining approval of the WAP revision prior to the Administrative Authority incorporating the Revised WAP into this permit.

III.D. SECURITY

The Permittee shall comply with the security provisions of the LAC 33:V.1507 and as specified in the Security Plan referenced in Attachment 1.

III.E. GENERAL INSPECTION REQUIREMENTS

The Permittee shall follow the inspection schedule referenced in Attachment 1 of this permit. The Permittee shall remedy any deterioration or malfunction discovered by an inspection as required by the LAC 33:V.1509.C. Records of inspections shall be kept as required by the LAC 33:V.1509.D. The inspection

schedule shall address regulatory requirements of the LAC 33:V.517.G, 1509.A, 1802, 2109 and 3205, and 40 CFR Part 264.602, Subpart X.

III.F. PERSONNEL TRAINING

The Permittee shall conduct personnel training as required by the LAC 33:V.1515.A. This training program shall follow the outline in the training plan referenced in Attachment 1. The Permittee shall maintain all training documents and records as required by the LAC 33:V.1515.D and E.

III.G. GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE

The Permittee shall take precautions as required by the LAC 33:V.1517 to prevent accidental ignition or reaction of ignitable, reactive, or incompatible wastes.

III.H. LOCATION STANDARDS

III.H.1. The Permittee has furnished evidence that it is in compliance with seismic standards as required by the LAC 33:V.517.T.

III.H.2. The Permittee shall not place any hazardous waste unit on any portion of the property that lies within the 100-year floodplain (as identified in the Flood Insurance Rating Map) unless such areas are raised above this flood level or other means (e.g., levees) are provided to protect such areas from washouts, overtopping by wave action, soil erosion or other effects of such a flood as required by the LAC 33:V.1503.B.3. Such site improvements shall be certified by independent licensed professional engineers and approved by the LDEQ prior to any hazardous waste and/or hazardous waste units being placed thereon.

III.I. PRECIPITATION RUN-ON AND RUN-OFF

The Permittee must provide for the control and/or containment of run-on and run-off from the maximum rainfall occurring in twenty-four (24) hours from a 25-year storm as defined by local rainfall records and the LAC 33:V.1503.B.2 (i.e., the design standard shall be 12 inches, south of 31° north latitude). The Permittee shall comply with the requirements of the LAC 33:V.2111.B.4, B.5, and B.6.

III.J. HURRICANE EVENTS

The Permittee shall initiate those applicable portions of the Contingency Plan during a hurricane as well as appropriate actions required by the LAC 33:V.1507, 1509, and 1511.

III.K. PREPAREDNESS AND PREVENTION

III.K.1. Required Equipment

At a minimum, the Permittee shall install and maintain the equipment set forth in the Contingency Plan as required by and which is in conformance with LAC 33:V.1511.C.

III.K.2. Testing and Maintenance of Equipment

The Permittee shall test and maintain the equipment specified in Condition III.K.1 to insure its proper operation in time of an emergency. The testing and maintenance of the equipment must be documented in the operating record.

III.K.3. Access to Communications or Alarm Systems

The Permittee shall maintain access to the communications or alarm system, as required by the LAC 33:V.1511.E.1 and 1511.E.2.

III.K.4. Required Aisle Space

In no case shall aisle space be less than two (2) feet. In addition, the Permittee shall maintain adequate aisle space as required by the LAC 33:V.1511.F and 2109.B.

III.K.5. Arrangements with Local Authorities

The Permittee shall document in the annual report that the requirements of the LAC 33:V.1511.G have been met. This documentation shall include those state and local agencies involved and those facilities and operations covered. Documentation of written arrangements with state and local agencies shall also be included in this report. Where state or local authorities decline to enter into such arrangements, the Permittee must document the refusal in the operating record.

III.L. CONTINGENCY PLAN

III.L1. Implementation of Plan

The Permittee shall immediately carry out the provisions of the Contingency Plan referenced in Attachment 1 of this permit, and Condition II.E.21 which complies with emergency procedures as

described by the LAC 33:V.1513.F whenever there is a fire, explosion, or release of hazardous waste constituents that threaten and/or could threaten human health or the environment.

III.L2. **Copies of Plan**

The Permittee shall comply with the requirements of the LAC 33:V.1513.C.

III.L.3. **Amendments to Plan**

The Permittee shall review and amend in a timely manner, if necessary, the Contingency Plan as required by the LAC 33:V.1513.D.

III.L.4. **Emergency Coordinator**

The Permittee shall comply with the requirements of the LAC 33:V.1513.E concerning the emergency coordinator.

III.M. MANIFEST SYSTEM

The Permittee shall comply with the applicable manifest requirements of LAC 33:V.Chapter 11.

III.N. RECORDKEEPING AND REPORTING

III.N.1. **Operating Record**

The Permittee shall maintain a written operating record at the facility in accordance with the LAC 33:V.1529.A, 1529.B, and 1529.C.

The Permittee shall maintain a record of all waste burned in the operating record. The record data should include the date, the duration of the burn, the quantity, and type of waste burned, and the removal and disposal of the ash resulting from the burn event.

III.N.2. **Annual Report**

The Permittee shall comply with the annual report requirements of the LAC 33:V.1529.D.

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III.N.3. Operations Manual

The Permittee shall compile and maintain a current operations manual covering all aspects of the Permittee's treatment and storage facilities.

III.O. CLOSURE/POST-CLOSURE

III.O.1. CLOSURE

The closure plan shall include the following responses by the Permittee to LAC 33:V.1915, 2117, 3207, 3503, 3505, 3507, 3509, 3511, 3513, and 3515.

III.O.1.a. Closure Plan and Performance Standard

The Permittee shall close the facility in accordance with the Closure Plan, referenced in Attachment 1, and applicable sections of the LAC 33:V.3505, 3507 and 3511.

III.O.1.b. Amendment to Closure Plan

The Permittee shall amend the Closure Plan where necessary, in accordance with the LAC 33:V.3511.C. Any modification shall be subject to the LAC 33:V.321, 322, and 323, where applicable.

III.O.1.c. Notification of Closure

The Permittee shall notify the Administrative Authority at least forty-five (45) days prior to the date the Permittee expects to begin closure, in accordance with the LAC 33:V.3511.D.

III.O.1.d. Time Allowed For Closure

After receiving the final volume of explosive and reactive hazardous waste, the Permittee shall treat or remove from the site all hazardous waste in accordance with the schedule specified in the Closure Plan, referenced in Attachment 1, and in LAC 33:V.3513.

III.O.1.e. **Disposal or Decontamination of Equipment**

The Permittee shall decontaminate and dispose of all facility equipment in accordance with the Closure Plan, referenced in Attachment 1, and in LAC 33:V.3515.

III.O.1.f. **Certification of Closure**

The Permittee shall certify that the facility has been closed in accordance with the specifications in the Closure Plan, referenced in Attachment 1, as required by the LAC 33:V.3517.

III.O.1.g. **Inventory at Closure**

The Permittee shall be responsible for closure costs that are based on third party costs for the maximum permitted facility inventories listed in Table 2 and for closure of all areas listed in Table 1.

Table 1

EXISTING CONTAINER STORAGE MAGAZINES[2]		
DESIGNATED AREA	DIMENSIONS	MAXIMUM CAPACITY
Magazine Storage No. 1 (dry storage)	10' x 20' x 8'	11,968 gallons or 5,000 pounds or 59.3 cubic yards
Magazine Storage No. 2 (dry storage)	10' x 20' x 8'	11,968 gallons or 5,000 pounds or 59.3 cubic yards
Magazine Storage No. 3 (dry storage)	10' x 20' x 8'	11,968 gallons or 5,000 pounds or 59.3 cubic yards
Magazine Storage No. 4 (dry storage)	10' x 20' x 8'	11,968 gallons or 5,000 pounds or 59.3 cubic yards
Magazine Storage No. 5 (dry storage)	10' x 20' x 8'	11,968 gallons or 5,000 pounds or 59.3 cubic yards
Magazine Storage No. 6 (dry storage)	10' x 20' x 8'	11,968 gallons or 5,000 pounds or 59.3 cubic yards
Magazine Storage No. 7 (dry storage)	10' x 20' x 8'	11,968 gallons or 5,000 pounds or 59.3 cubic yards
Magazine Storage No. 8 (wet storage)[1] with Portable containment skids and/or secondary containment	10' x 20' x 8' w/ 12" high thresholds	11,968 gallons or 5,000 pounds or 59.3 cubic yards
Magazine Storage No. 9 (wet storage)[1] with Portable containment skids and/or secondary containment	10' x 20' x 8'w/ 12" high thresholds	11,968 gallons or 5,000 pounds or 59.3 cubic yards
Magazine Storage No. 10 (wet storage)[1] with Portable containment skids and/or secondary containment	10' x 20' x 8' w/ 12" high thresholds	11,968 gallons or 5,000 pounds or 59.3 cubic yards

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EXISTING CONTAINER STORAGE AREA AT REAR OF PREPARATION BUILDING		
DESIGNATED AREA	DIMENSIONS	MAXIMUM CAPACITY
Container Storage Area	60' x 18' with 6"curbing	60 cubic yards or 2,500 gallons

EXISTING STAGING AREA AND PREPARATION BUILDING		
DESIGNATED AREA	DIMENSIONS	MAXIMUM CAPACITY
Physical Preparation Building Contains 3 booths (8' x 8' ea.) for decontainerizing and/or disassembling devices for thermal treatment	1,400 sq. feet or 40' x 40' with 2" curbing with secondary containment capacity of 1,795 gallons	350 lbs per hour (net pounds of explosives)
Truck Staging/Parking Area and Less than 90 day Bulk Ash Residue Storage	107' x 64' 4 Sections/Bays each bay or section is 16' x 75' with 16"concrete walls and 3" freeborard	4 roll-off boxes or 4 trucks or 24,000 gallons
Truck Staging Area for Magazines 8-10 (less than 24 hour)	107' x 27' 16" high concrete walls, secondary containment and 3" freeboard	80 – 55 gallon drums or 4,400 gallons

EXISTING TREATMENT UNIT AND AREA(S)	
TREATMENT METHOD	MAXIMUM CAPACITY
Thermal Treatment Slab	700' x 130' with 6" thick concrete with 18" high concrete walls with 3" freeboard

Thermal (OB/OD) Treatment Unit[3] 10 round burn pans and concrete culverts 10 square burn pans 20 concrete burner pads	480,000 lbs per year (net explosive weight) or 350 lbs per hour 15 to 30 lbs per hour for 1 to 10 round pans and 350 lbs per hour for 1 to 10 square pans (not to exceed 350 lbs per hour)

[1]Magazines 8-10 have vertical extensions for floor vents to contain possible spills. The height of the threshold (12") and floor vents extensions are based on a design spill of 10% of the maximum stored waste volume.

[2]Total Storage Capacity for the 10 Magazines is 119,680 gal./50,000 lbs (5,000 lbs of net explosives for each magazine).

[3]The (X01) Thermal Treatment Unit consists of 10 round burn pans, 10 square burn pans, 20 concrete burn pads, 10 concrete culverts.

In addition to the above tested units, the closure must include allowances for decontaminating the building and associated equipment and adjacent contaminated soils.

III.O.1.h. Closure Costs

Closure cost shall include allowances for decontamination of buildings, associated equipment and any adjacent contaminated soils.

III.O.2. **POST-CLOSURE**

III.O.2.a. The Permittee will attempt to clean close all units. If the facility cannot be clean closed, the Permittee shall submit a post-closure plan for approval by the Administrative Authority. If some waste residues or contaminated materials are left in place at final closure, the Permittee must comply with all post-closure requirements contained in the LAC 33:V.3519 and 3527; including maintenance and monitoring throughout the post-closure care period.

III.O.2.b. The Permittee shall amend the post-closure plan when necessary in accordance with LAC 33:V.3523.D. Any modifications shall be subject to LAC 33:V.321.

III.O.3. COST ESTIMATES FOR CLOSURE/POST-CLOSURE

III.O.3.a. The Permittee must maintain cost estimates for closure of all facilities in accordance with LAC 33:V.3705.B and 3707.

III.O.3.b. The Permittee shall maintain and adjust the closure cost for inflation, as specified in LAC 33:V.3705.B, 3705.C, and for other circumstances that increase the cost of closure.

III.O.3.c. The Permittee must adjust the closure cost estimate within thirty (30) days after approval by the Administrative Authority of any request to modify the closure plan in accordance with LAC 33:V.3705.C. The Permittee shall consider the impact of any inventory and or process changes on the closure cost estimate.

III.O.3.d. The closure cost estimate must equal the cost of closure at the point in the facility's operating life when the extent and manner of its operation would make closure most expensive in accordance with LAC 33:V.3705.A.1-4. The closure cost estimate shall be based on the maximum permitted inventory of each facility as specified in Condition III.O.1.g. of this permit.

III.O.3.e. The Permittee's post-closure cost estimate of all facilities as required by LAC 33:V.3709.A shall be included in separate post-closure plans.

III.O.3.f. The Permittee shall maintain and adjust the post-closure cost estimate for inflation in accordance with LAC 33:V.3709.B.

III.O.3.g. The Permittee shall adjust the post-closure estimate within thirty (30) days after approval by the Administrative Authority of any request to modify the post-closure plan in accordance with LAC 33:V.3709.C. The Permittee shall consider the impact of any inventory and/or process changes on the post-closure cost estimate.

III.O.3.h. The post-closure cost estimate must equal the annual post-closure cost multiplied by the number of years in the post-closure period as specified in LAC 33:V.3521.A.

III.O.3.i. Any closure/post-closure modifications are subject to LAC 33:V.321.

III.P. FINANCIAL ASSURANCE FOR FACILITY CLOSURE

The Permittee shall have and maintain financial assurance for closure in accordance with the LAC 33:V.3707 for all units listed under Condition III.O.1.g., Table 1 and Condition IV, Table 2.

III.Q. LIABILITY REQUIREMENTS

The Permittee shall have and maintain liability coverage for sudden accidental occurrences for treatment, storage, and disposal facilities or a group of such facilities in accordance with LAC 33:V.3715.A.

III.R. INCAPACITY OF PERMITTEE

The Permittee shall comply with the LAC 33:V.3717 whenever bankruptcy is initiated for the Permittee or its institutions providing financial assurance. If insurance is used for compliance with the LAC 33:V.3715, the Permittee shall immediately notify the Administrative Authority if the insurance company is placed in receivership. The Permittee must establish other financial assurance or liability coverage within sixty (60) days after such an event.

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IV. PERMITTED FACILITIES

The following facilities listed in Table 2 are permitted to be used in explosive and reactive hazardous waste service.

Table 2

EXISTING CONTAINER STORAGE MAGAZINES[2]		
DESIGNATED AREA	**DIMENSIONS**	**MAXIMUM CAPACITY**
(S01) Magazine Storage No. 1 (dry storage)	10' x 20' x 8'	11,968 gallons or 5,000 pounds or 59.3 cubic yards
(S01) Magazine Storage No. 2 (dry storage)	10' x 20' x 8'	11,968 gallons or 5,000 pounds or 59.3 cubic yards
(S01) Magazine Storage No. 3 (dry storage)	10' x 20' x 8'	11,968 gallons or 5,000 pounds or 59.3 cubic yards
(S01) Magazine Storage No. 4 (dry storage)	10' x 20' x 8'	11,968 gallons or 5,000 pounds or 59.3 cubic yards
(S01) Magazine Storage No. 5 (dry storage)	10' x 20' x 8'	11,968 gallons or 5,000 pounds or 59.3 cubic yards
(S01) Magazine Storage No. 6 (dry storage)	10' x 20' x 8'	11,968 gallons or 5,000 pounds or 59.3 cubic yards
(S01) Magazine Storage No. 7 (dry storage)	10' x 20' x 8'	11,968 gallons or 5,000 pounds or 59.3 cubic yards
(S01) Magazine Storage No. 8 (wet storage)[1] with Portable containment skids and/or secondary containment	10' x 20' x 8' w/ 12" high thresholds	11,968 gallons or 5,000 pounds or 59.3 cubic yards
(S01) Magazine Storage No. 9 (wet storage)[1] with Portable containment skids and/or secondary containment	10' x 20' x 8' w/ 12" high thresholds	11,968 gallons or 5,000 pounds or 59.3 cubic yards
(S01) Magazine Storage No. 10 (wet storage)[1] with Portable containment skids and/or secondary containment	10' x 20' x 8' w/ 12" high thresholds	11,968 gallons or 5,000 pounds or 59.3 cubic yards

EXISTING CONTAINER STORAGE AREA AT REAR OF PREPARATION BUILDING		
DESIGNATED AREA	DIMENSIONS	MAXIMUM CAPACITY
(S01) Container Storage Area	60'x 18' with 6"curbing	60 cubic yards or 2,500 gallons

EXISTING PREPARATION BUILDING		
DESIGNATED AREA	DIMENSIONS	MAXIMUM CAPACITY
(X02) Physical Preparation Building	1,400 sq. feet	350 lbs per hour

EXISTING THERMAL TREATMENT UNIT AND AREA(S)		
TREATMENT METHOD	DIMENSIONS	MAXIMUM CAPACITY
(X01) Thermal (OB/OD) Treatment Unit[5]		480,000 lbs per year (net explosive weight) or 350 lbs per hour
Round Burn Pans[3] 1 through 9 burn D003, characteristic waste	each pan is 41" dia./24" deep and sits inside a 4' dia. concrete culvert	15 to 30 lbs per hour per pan (not to exceed 350 lbs per hour)
Square Burn Pans 11 through 19 burn D003, characteristic waste	6' x 6' ea.	350 lbs per hour per 1 to 10 pans (not to exceed 350 lbs per hour)
Round Burn Pan[3] 10 burns listed waste	each pan is 41" dia./24" deep and sits inside a 4' dia. concrete culvert	15 to 30 lbs per hour per pan (not to exceed 350 lbs per hour
Square Burn Pan 20 burns listed waste	6' x 6' ea.	350 lbs per hour per 1 to 10 pans (not to exceed 350 lbs per hour)
20 Concrete Burner Pads [4]	16' x 16' x 1.5' ea.	N/A
Concrete Burn Slab	700' x 130' 6" thick	N/A

[1]Magazines 8-10 have vertical extensions for floor vents to contain possible spills. The height of the threshold (12") and floor vents extensions are based on a design spill of 10% of the maximum stored waste volume.

[2]Total Storage Capacity for the 10 Magazines is 119,680 gal./50,000 lbs (5,000 lbs of net explosives for each magazine).

[3]Round burn pans are placed inside 4' diameter concrete culverts for burning.

[4]Concrete burner pads sit on top of the concrete burn slab. Each concrete culvert with the round burn pan sits inside its own concrete burner pad. Each square burn pan sits inside its own concrete burner pad.

[5]The (X01) Thermal Treatment Unit consists of 10 round burn pans, 10 square burn pans, 20 concrete burn pads, 10 concrete culverts.

The Container Storage Magazines listed in Table 2 are permitted to store explosive and reactive hazardous waste in properly labeled and sealed containers compatible with the contained waste. These containers shall meet the Department of Transportation (DOT) requirements for explosive and reactive hazardous wastes, LAC 33:V.Chapter 21 and other requirements in this Permit.

The Thermal Treatment units listed in Table 2 are permitted to thermally treat explosive and reactive wastes.

The Preparations Building listed in Table 2 is permitted to decontainerize and prepare materials for thermal treatment. The Container Storage Area at the rear of the Preparations Building listed in Table 2 is permitted to store listed ash residue and characteristic ash residue that is found to be hazardous and material/waste not required to be stored in Magazines (i.e., explosive and reactive wastes not regulated by the BATF).

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V. PERMIT CONDITIONS APPLICABLE TO PERMITTED FACILITIES

V.A. CONTAINER STORAGE MAGAZINES

The container storage magazines consist of ten (10) magazines that are 10'x 20'x 8' each. Magazines 1-7 are dry storage units and Magazines 8-10 are wet storage units. Each magazine has a storage capacity of 11,968 gallons or 5,000 pounds or 59.3 cubic yards.

The permit conditions as set forth under this section shall apply to the permitted container storage facilities as designated in Condition IV., Table 2.

V.A.1. CONDTIONS AND OPERATIONS

V.A.1.a. **Conditions of Containers**

V.A.1.a.i. The Permittee shall be in compliance with all appropriate requirements set forth in the LAC 33:V.Chapter 21.

V.A.1.a.ii. The Permittee shall maintain all containers in accordance with the LAC 33:V.2103.

V.A.1.a.iii. The Permittee will assure the integrity of the containers in accordance with the LAC 33:V.2105.

V.A.1.b. **Management of Containers**

V.A.1.b.i. The Permittee must manage the containers in accordance with the LAC 33:V.2107.A and B.

V.A.1.b.ii. The Permittee shall store all wastes in containers that are compatible with the hazardous waste and DOT standards listed in 49 CFR 173 and 178 and LAC 33:V.2111.A and 2111.B.1-3.

V.A.1.b.iii. The Permittee shall place and store incompatible, ignitable, and reactive wastes only in accordance with the LAC 33:V.2115 and 2113, and the LAC 33:V.1517.

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V.A.1.b.iv. The Permittee must store all containers of hazardous waste in accordance with LAC 33:V.2101.

V.A.1.b.v. If any hazardous waste is emptied from a container, the residue remaining in the container is not considered a hazardous waste if the container is "empty" as defined by RCRA and in accordance with LAC 33:V.109. In this event, management of the container is exempt from the requirements of LAC 33:V.Chapter 21.

V.A.1.c. **Permitted and Prohibited Wastes**

V.A.1.c.i. **Permitted Waste**

Subject to the terms of this Permit, the Permittee is allowed to store in the container storage magazines as described in Condition V.A. of this Permit, the hazardous waste identified in the most current Part A permit application.

V.A.1.c.ii. **Prohibited Wastes**

The Permittee is prohibited from storing hazardous waste that is not identified in Permit Condition V.A.1.c.i of this Permit. The Permittee is prohibited from storing hazardous waste except for the open burning and detonation of waste explosives, including waste which has the potential to detonate and bulk propellants which cannot safely be disposed of through other modes of treatment. The Permittee is prohibited from accepting and/or storing any mercury containing waste or material.

The following wastes are prohibited from storage:

V.A.1.c.ii.(a) Lethal or incapacitating chemical and biological munitions or their residues or contaminated packaging.

V.A.1.c.ii.(b) Wastes containing radioactive materials.

V.A.1.c.ii.(c) Infectious wastes.

V.A.1.c.ii.(d) Reactive or explosive hazardous waste not in proper DOT shipping containers.

V.A.1.c.ii.(e) Propellants that serve as a vehicle for discharging their contents, such as aerosol cans, and propellants that are not in their original package and cannot be properly identified, are prohibited.

V.A.1.d. **Secondary Containment**

V.A.1.d.i. The Permittee shall always maintain enough secondary containment capacity to contain at least ten percent (10%) of the total volume of containers or the volume of the largest container, whichever is greater in accordance with LAC 33:V.2111.B.3. Containers that do not contain free liquids (per the Paint Filter Liquids Test) do not need to be considered in this determination.

V.A.1.d.ii. Container storage areas must have a containment system that is designed and operated in accordance with LAC 33:V.2111.B.

V.A.1.d.iii. The containment system must be designed and operated as follows:

- a base must underlie the containers which is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated precipitation until the collected material is detected and removed;

- the base must be sloped or the containment system must be otherwise designed and operated to

drain and remove liquids resulting from leaks, spills, or precipitation unless the containers are elevated or are otherwise protected from contact with accumulated liquids;

- run-on into the containment system must be prevented unless the collection system has sufficient excess capacity in addition to that required in LAC 33:V.2111.B.3 to contain any run-on which might enter the system;

- spilled or leaked waste and accumulated precipitation must be removed from the sump or collection area in as timely a manner as is necessary to prevent overflow of the collection system; and

- if the collected material is a hazardous waste must be managed in accordance with all applicable requirements.

V.A.1.e. **<u>Requirements for Ignitable, Reactive, and Incompatible Waste</u>**

V.A.1.e.i. The Permittee must store ignitable, incompatible or reactive waste in accordance with the LAC 33:V.2115.A, B, C, and D and LAC 33:V.1517 and the U.S. Bureau of Alcohol, Tobacco and Firearms (ATF) regulations as follows:

V.A.1.e.i.(a) Igniters and detonators shall be stored in Magazines segregated for this specific waste/material.

V.A.1.e.i.(b) Dry explosives and reactive waste will be stored in Magazines segregated for this specific waste/material.

V.A.1.e.i.(c) The Permittee shall store liquid

explosive and reactive wastes only in the Magazines with secondary containment and designated as liquid waste storage (i.e., Magazines 8-10).

V.A.1.e.i.(d) The Permittee shall store explosive and reactive wastes packed in liquids only in Magazines with secondary containment and designated as liquid waste storage (i.e., Magazines 8-10).

V.A.1.e.i.(e) The Permittee shall store water reactive waste packed in compatible liquids only in Magazines with secondary containment and designated as liquid waste storage (i.e., Magazines 8-10).

V.A.1.f. **Operating Requirements**

V.A.1.f.i. Magazines 8, 9 and 10, as identified in the application have lower vents and the door is located sufficiently above the steel floor so that any spilled liquid will be contained within the magazine. The containers must be elevated to prevent contact with any accumulated liquid.

V.A.1.f.ii. Storage requirements for Class I Magazines shall conform to the U.S. Bureau of Alcohol, Tobacco and Firearms (ATF), Department of Treasury Regulations and LAC 33:V.Chapter 21.

V.A.1.f.iii. Each magazine shall store no more than 5,000 pounds (net explosive weight) of explosive and reactive hazardous waste.

V.A.1.f.iv. The Permittee must control and report all point source discharges according to LAC 33:V.1505.

V.A.1.f.v. The Permittee shall comply with the applicable requirements under LAC 33:V.1747 to 1767 for each container/container storage area listed in Condition IV., Table 2.

V.A.1.f.v.(a) Level 1 controls shall be inspected in accordance with LAC 33:V.1759.C.4. The container storage areas shall be inspected weekly in accordance with LAC 33:V.1759.C.4.

V.A.1.f.v.(b) Level 2 controls shall be inspected in accordance with LAC 33:V.1759.D.4.

V.A.1.f.v.(c) Level 3 controls shall be inspected in accordance with LAC 33:V.1759.E.4.

V.A.1.f.vi. The total amount of explosives allowed in Magazines 8, 9 and 10 and the truck(s) parked in the Magazine Truck Staging Area, shall be limited by the distance from the nearest storage magazine specified in the ATF: Explosives Law and Regulations Table of Distances for Storage of Explosive Materials.

V.A.1.f.vii. The Permittee shall store containers holding only wastes that do not contain free liquids in Magazines 1-7 and conform to the LAC 33:V.521.B and 2111.C.

V.A.1.f.viii. The quantity of waste stored must be recorded and chemical and physical characteristics identified with regard to ignitability, reactivity, and incompatibility as required by the LAC 33:V.2113 and 2115.

V.A.1.f.ix. Prior to storage of any hazardous waste, the Permittee must obtain a detailed chemical and physical analysis of a representative

sample of the waste as required by the LAC 33:V.1519.A and in accordance with the WAP in Attachment 1 and revised in accordance with Condition II.E.21. The waste characterization is to include both analyses and/or owner/generator knowledge, to provide sufficient identification of the chemical and physical characteristics of the waste.

V.A.1.f.x. The Permittee shall not exceed the maximum liquid capacity listed under Condition IV., Table 2 of this permit.

V.A.1.f.xi. The Permittee shall not exceed the maximum net explosive weight capacity listed under Condition IV., Table 2 of this permit for each container storage magazine listed.

V.A.1.f.xii. All containers with explosive hazardous waste and/or reactive wastes that are ignitable, must be handled in compliance with the U.S. Department of Labor's Occupational Safety and Health Administration and ATF regulations.

V.A.1.f.xiii. All containers with explosive hazardous wastes shall be handled by hand. All reactive wastes that are ignitable must be handled by hand.

V.A.1.f.xiv. The covered staging area at the entrance of Magazines 8-10 will have a maximum truckload capacity of eighty (80) 55-gallon drums of liquid waste. Portable containment skids shall be used when liquids are stored in these magazines. The waste may not be stored in the staging area. The waste may be staged while loading into the magazines.

V.A.1.f.xv. The Permittee shall manage all hazardous waste placed in a container in accordance with the applicable requirements of LAC 33:V.Chapter 17 and Condition V.A.1.f.v.

V.A.1.g. **Inspections**

V.A.1.g.i. The Permittee must inspect the containers and containment area(s) in accordance with LAC 33:V.2109 and LAC 33:V.1509 (i.e., inspections conducted daily). Results of such inspections must be placed in the operating record (for a minimum of three years). All incidents involving leaking containers and spilled materials reportable under applicable regulations (the Clean Water Act [CWA], RCRA, and the Superfund Amendments and Reauthorization Act of 1986 [SARA]) shall be detailed in the annual report (due March 1 of each year).

V.A.1.g.ii. At least weekly, the Permittee must inspect where containers are stored, looking for leaking containers and for deterioration of containers and the containment system. Remedial action, as described in LAC 33:V.1513, shall be taken immediately.

V.A.1.g.iii. All containers must be stacked in such a fashion that each container identification label can be read from the access aisle.

V.A.1.g.iv. All inspection records must be maintained according to the recordkeeping requirements of LAC 33:V.1529.

V.A.1.g.v. The covered staging area at the entrance of Magazines 8-10 shall be inspected each operating day.

V.A.1.h. **Leaks and Spills**

V.A.1.h.i. The Permittee must manage spilled or leaked waste and accumulated precipitation according to LAC 33:V.2111.B.5.

V.A.1.h.ii. Storm water shall be managed and discharged through a properly permitted NPDES wastewater treatment system or

other disposal method authorized by the Administrative Authority.

V.A.1.h.iii. The Permittee must manage any collected material as required by the LAC 33:V.2111.B.6. Spilled or leaked material shall be handled in a timely manner as required by the LAC 33:V.2111.B.5.

V.A.1.i. **Storage Requirements for Ignitable, Reactive, or Incompatible Waste**

V.A.1.i.i. Containers holding ignitable or reactive waste must be located at least 15 meters (50 feet) from the facility property line.

V.A.1.i.ii. Incompatible wastes or other materials must not be placed in the same containers in accordance with LAC 33:V.1517 and Condition V.A.1.b.

V.A.1.i.iii. Hazardous wastes must not be placed in an unwashed container that previously held an incompatible waste or material.

V.A.1.i.iv. A storage container holding a hazardous waste that is incompatible with any waste or other materials stored nearby in other containers must be separated from the other materials or protected from them by means of a dike, berm, wall, other device, or approved management technique.

V.A.1.i.v. The Permittee must place the results of each Waste analysis and any documented information regarding compatibility testing in the operating record of the facility in accordance with Condition III.N.

V.A.1.j. **Closure/Post-Closure**

V.A.1.j.i. At closure, the Permittee must remove all hazardous waste, residues, and containers from the container storage area and/or magazines. All containers and liners must be handled as a hazardous waste (unless

meeting the definition of "empty" container in accordance with LAC 33:V.109). All residuals and contaminated soils must be removed as required by the Closure Plan referenced in Attachment 1 of this permit and as required by LAC 33:V.2117. If some waste residues or contaminated materials are left in place at final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519 and 3527, including maintenance and monitoring throughout the post-closure care period.

V.A.1.j.ii. At closure, the Permittee shall adhere to the procedures detailed in the approved closure plan referenced in Attachment 1 of this permit and as required by LAC 33:V.2117 and LAC 33:V.Chapter 35, Closure Requirements. If the facility cannot be clean closed, the Permittee shall submit a post-closure plan for approval by the Administrative Authority. A Post-Closure Plan must be submitted for each container storage area failing to achieve clean closure (or an alternate closure standard approved under LAC 33:V.3501.D.2 or LAC 33:V.3507.B) within ninety (90) days from the date that the Permittee or the Administrative Authority determines that the unit must be closed as a landfill. The post-closure plan must meet the requirements of LAC 33:V.3523.B.

The Administrative Authority may re-evaluate the adequacy of the closure plan and/or the confirmatory sampling procedures prior to the commencement of closure based upon the wastes historically managed by each unit during its lifetime.

V.B. PREPARATION BUILDING

The Preparation Building is 1,400 square feet. It contains three (3) (8'x 8') specially equipped booths that are designed for the disassembly of various devices prior to thermal treatment. These booths are used in the process of disassembling the material and decontainerizing the devices in preparation for thermal treatment.

V.B.1. CONDITIONS AND OPERATIONS

V.B.1.a. Operating Requirements

V.B.1.a.i. The capacity of the Preparation Building shall not exceed the permitted capacity of 350 pounds per hour in accordance with Condition IV., Table 2.

V.B.1.a.ii. The Permittee shall operate and maintain the preparation building to minimize air emissions and exposure of hazardous emissions in accordance with LAC 33:V.3203 and Condition V.B.1. of this permit.

V.B.1.a.iii. No overnight storage of hazardous wastes shall be allowed in the Preparation Building. All wastes that are prepared in the Preparation Building must be treated the same day that preparation occurs, or be returned to the permitted storage facilities for overnight storage.

V.B.1.b Permitted and Prohibited Wastes

V.B.1.b.i. Permitted Waste

Subject to the terms of this Permit, the Permittee is allowed to disassemble and decontainerize hazardous waste devices for thermal treatment as identified in the most current Part A permit application.

V.B.1.b.ii. Prohibited Wastes

The Permittee is prohibited from handling hazardous waste that is not identified in the most current Part A permit application.

The following wastes are prohibited from handling:

V.B.1.b.ii.(a) Lethal or incapacitating chemical and biological munitions or their residues or contaminated packaging.

V.B.1.b.ii.(b) Wastes containing radioactive materials.

V.B.1.b.ii.(c) Infectious wastes.

V.B.1.b.ii.(d) Reactive or explosive hazardous waste not in proper DOT shipping containers.

V.B.1.b.ii.(e) Propellants that serve as a vehicle for discharging their contents, such as aerosol cans, and propellants that are not in their original package and cannot be properly identified are prohibited.

V.B.1.c. **Inspections**

V.B.1.c.i. The container storage area at the rear of the Preparations Building shall be inspected each operating day.

V.B.1.c.ii. All inspection records must be maintained according to the recordkeeping requirements of LAC 33:V.1529 and Conditions II.E.10, III.E and III.N.

V.B.1.d. **Leaks and Spills**

V.B.1.d.i. The Permittee must manage spilled or leaked material and accumulated precipitation according to LAC 33:V.2111.B.5. The Permittee must manage any collected material as required by the LAC 33:V.2111.B.6.

V.B.1.e. **Closure/Post-Closure**

V.B.1.e.i. At closure, the Permittee must remove all hazardous waste, residues, and debris from the preparation area. All residuals and contaminated soils must be removed as required by the Closure Plan referenced in Attachment 1 of this permit and as required by LAC 33:V.2117. If some waste residues

or contaminated materials are left in place at final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519 and 3527, including maintenance and monitoring throughout the post-closure care period.

V.B.1.e.ii. At closure, the Permittee shall adhere to the procedures detailed in the approved closure plan referenced in Attachment 1 of this permit and as required by LAC 33:V.2117 and LAC 33:V.Chapter 35, Closure Requirements. If the facility cannot be clean closed, the Permittee shall submit a post-closure plan for approval by the Administrative Authority. A Post-Closure Plan must be submitted for the preparation area that is failing to achieve clean closure (or an alternate closure standard approved under LAC 33:V.3501.D.2 or LAC 33:V.3507.B) within ninety (90) days from the date that the Permittee or the Administrative Authority determines that the unit must be closed as a landfill. The post-closure plan must meet the requirements of LAC 33:V.3523.B.

The Administrative Authority may re-evaluate the adequacy of the closure plan and/or the confirmatory sampling procedures prior to the commencement of closure based upon the wastes historically managed by each unit during its lifetime.

V.C. CONTAINER STORAGE AREA AT REAR OF PREPARATION BUILDING

The container storage area at the rear of the Preparation Building is 18' x 60' with a storage capacity of 2,500 gallons or 60 cubic yards of listed site generated ash residue. Storage of this waste is up to one (1) year. Wastes not required to be stored in the magazines as per the ATF regulations prior to thermal treatment are also stored in this area.

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V.C.1. CONDTIONS AND OPERATIONS

V.C.1.a. Conditions of Containers

V.C.1.a.i. The Permittee shall be in compliance with all appropriate requirements set forth in the LAC 33:V.Chapter 21.

V.C.1.a.ii. The Permittee shall maintain all containers in accordance with the LAC 33:V.2103.

V.C.1.a.iii. The Permittee will assure the integrity of the containers in accordance with the LAC 33:V.2105.

V.C.1.b. Management of Containers

V.C.1.b.i. The Permittee must manage the containers in accordance with the LAC 33:V.2107.A and B.

V.C.1.b.ii. The Permittee shall store all wastes in containers that are compatible with the hazardous waste and DOT standards listed in 49 CFR 173 and 178 and LAC 33:V.2111.A and 2111.B.1-3.

V.C.1.b.iii. The Permittee shall place and store incompatible, ignitable, and reactive wastes only in accordance with the LAC 33:V.2115 and 2113, and the LAC 33:V.1517.

V.C.1.b.iv. The Permittee must store all containers of hazardous waste in accordance with LAC 33:V.2101.

V.C.1.b.v. If any hazardous waste is emptied from a container, the residue remaining in the container is not considered a hazardous waste if the container is "empty" as defined by RCRA and LAC 33:V.109. In this event, management of the container is exempt from the requirements of LAC 33:V.Chapter 21.

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V.C.1.c. **Permitted and Prohibited Wastes**

V.C.1.c.i. Permitted Waste

Subject to the terms of this Permit, the Permittee is allowed to store in the container storage area as described in Condition V.A. of this Permit, the hazardous waste identified in the most current Part A permit application.

V.C.1.c.ii. Prohibited Wastes

The Permittee is prohibited from storing hazardous waste that is not identified in Permit Condition V.C.1.c.i of this Permit. The Permittee is prohibited from storing hazardous waste except for the open burning and detonation of waste explosives, including waste which has the potential to detonate and bulk propellants which cannot safely be disposed of through other modes of treatment. The Permittee is prohibited from accepting and/or storing any mercury containing waste or material.

The following wastes are prohibited from storage:

V.C.1.c.ii.(a) Lethal or incapacitating chemical and biological munitions or their residues or contaminated packaging.

V.C.1.c.ii.(b) Wastes containing radioactive materials.

V.C.1.c.ii.(c) Infectious wastes.

V.C.1.c.ii.(d) Reactive or explosive hazardous waste not in proper DOT shipping containers.

V.C.1.c.ii.(e) Propellants that serve as a vehicle for discharging their contents, such as aerosol cans and propellants that are not in their original package and

cannot be properly identified are prohibited.

V.C.1.d. **Requirements for Ignitable, Reactive, and Incompatible Waste**

V.C.1.d.i. The Permittee must store ignitable, incompatible or reactive waste in accordance with the LAC 33:V.2115.A, B, C, and D and LAC 33:V.1517 and the U.S. Bureau of Alcohol, Tobacco and Firearms (ATF) regulations as follows:

V.C.1.d.i.(a) Igniters and detonators shall be stored in Magazines segregated for this specific waste/material.

V.C.1.d.i.(b) Dry explosives and reactive waste will be stored in Magazines segregated for this specific waste/material.

V.C.1.d.i.(c) The Permittee shall store liquid explosive and reactive wastes only in the Magazines with secondary containment and designated as liquid waste storage (i.e., Magazines 8-10).

V.C.1.d.i.(d) The Permittee shall store explosive and reactive wastes packed in liquids only in Magazines with secondary containment and designated as liquid waste storage (i.e., Magazines 8-10).

V.C.1.d.i.(e) The Permittee shall store waste water reactive waste packed in compatible liquids only in Magazines with secondary containment and designated as liquid waste storage (i.e., Magazines 8-10).

V.C.1.e. **Operating Requirements**

V.C.1.e.i. The container storage area at the rear of

the Preparation Building will store 2,500 gallons or 60 cubic yards of listed site generated ash residue for up to one year and characteristic ash residue that is found to be hazardous and material/waste that are not required by the ATF to be stored in magazines (i.e., explosive and reactive wastes that are not regulated by the ATF).

V.C.1.e.ii. Ash residues and material/waste stored in drums and placed on pallets are not to be stacked more than two (2) levels high, and there are to be no more than four (4) large containers [greater than forty (40) gallons] per tier on the pallet. The stacking and pallet arrangement shall conform to the LAC 33:V.2109.B. Adequate aisle space must be maintained to allow for reading of the labels on all containers, detection of leaks and structural damage, and response to emergency situations. Aisle space shall be deemed adequate when it is at least twenty-four (24) inches (") wide.

V.C.1.e.iii. The Permittee shall comply with the applicable requirements under LAC 33:V.1747 to 1767 for each container/container storage area listed in Table 2.

V.C.1.e.iii.(a) Level 1 controls shall be inspected in accordance with LAC 33:V.1759.C.4. The container storage area must be inspected weekly in accordance with LAC 33:V.1759.C.4.

V.C.1.e.iii.(b) Level 2 controls shall be inspected in accordance with LAC 33:V.1759.D.4.

V.C.1.e.iii.(c) Level 3 controls shall be inspected in accordance with LAC 33:V.1759.E.4.

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V.C.1.e.iv. The Permittee shall store containers holding only wastes that do not contain free liquids and conform to the LAC 33:V. 2111.C.

V.C.1.e.v. The quantity of waste stored must be recorded and chemical and physical characteristics identified with regard to ignitability, reactivity, and incompatibility as required by the LAC 33:V.2113 and 2115.

V.C.1.e.vi. Prior to storage of any hazardous waste, the Permittee must obtain a detailed chemical and physical analysis of a representative sample of the waste as required by the LAC 33:V.1519.A and in accordance with the WAP in Attachment 1 and revised in accordance with Condition II.E.21. The waste characterization will include both analysis and/or owner/generator knowledge that provides sufficient identification of the chemical and physical characteristics of the waste.

V.C.1.e.vii. The Permittee shall not exceed the maximum capacity for this container storage area listed under Condition IV., Table 2 of this permit.

V.C.1.e.viii. The Permittee must maintain those records and documents required by LAC 33:V.1513 and Condition II.E.23 for the implementation of the Contingency Plan for the container storage area.

V.C.1.e.ix. All containers with explosive hazardous waste and/or reactive wastes are ignitable, must be handled in compliance with the U.S. Department of Labor's Occupational Safety and Health Administration and ATF regulations.

V.C.1.e.x. The Permittee shall manage all hazardous waste placed in a container in accordance with the applicable requirements of LAC

33:V.Chapter 17 and Condition V.C.1.e.iii and V.A.1.f.v.

V.C.1.f. **Inspections**

V.C.1.f.i. The Permittee must inspect the containers and containment area(s) in accordance with LAC 33:V.2109 and LAC 33:V.1509 (i.e., inspections conducted daily). Results of such inspections must be placed in the operating record (for a minimum of three years). All incidents involving leaking containers and spilled materials reportable under applicable regulations (the Clean Water Act [CWA], RCRA, and the Superfund Amendments and Reauthorization Act of 1986 [SARA]) shall be detailed in the annual report (due March 1 of each year).

V.C.1.f.ii. At least weekly, the Permittee must inspect where containers are stored, looking for leaking containers and for deterioration of containers and the containment system. Remedial action, as described in LAC 33:V.1513, shall be taken if leaks or deterioration is found during inspection.

V.C.1.f.iii. All containers must be stacked in such a fashion that each container identification label can be read from the access aisle.

V.C.1.f.iv. All inspection records must be maintained according to the recordkeeping requirements LAC 33:V.1529 and Conditions II.E.10, III.E and III.N.

V.C.1.g. **Leaks and Spills**

V.C.1.g.i. The Permittee must manage spilled or leaked waste and accumulated precipitation according to LAC 33:V.1513 and 2109.A.

V.C.1.g.ii. The Permittee must manage any collected material as required by the LAC 33:V.1513

and 2109. Spilled or leaked material shall be handled in a timely manner.

V.C.1.h. **Storage Requirements for Ignitable, Reactive, or Incompatible Waste**

V.C.1.h.i. Containers holding ignitable or reactive waste must be located at least 15 meters (50 feet) from the facility property line.

V.C.1.h.ii. Incompatible wastes or other materials, must not be placed in the same containers unless LAC 33:V.1517.

V.C.1.h.iii. Hazardous wastes must not be placed in an unwashed container that previously held an incompatible waste or material.

V.C.1.h.iv. A storage container holding a hazardous waste that is incompatible with any waste or other materials stored nearby in other containers must be separated from the other materials or protected from them by means of a dike, berm, wall, other device, or approved management technique.

V.C.1.h.v. The Permittee must place the results of each waste analysis and any documented information regarding compatibility testing in the operating record of the facility.

V.C.1.i. **Closure/Post-Closure**

V.C.1.i.i. At closure, the Permittee must remove all hazardous waste, residues, and containers from the container storage area. All containers must be handled as a hazardous waste (unless meeting the definition of "empty" container in accordance with LAC 33:V.109). All residuals and contaminated soils must be removed as required by the Closure Plan referenced in Attachment 1 of this permit and as required by LAC 33:V.2117. If some waste residues or contaminated materials are left in place at final closure, the Permittee must comply with all post-closure requirements contained

in LAC 33:V.3519 and 3527, including maintenance and monitoring throughout the post-closure care period.

V.C.1.i.ii. At closure, the Permittee shall adhere to the procedures detailed in the approved closure plan referenced in Attachment 1 of this permit and as required by LAC 33:V.2117 and LAC 33:V.Chapter 35, Closure Requirements. If the facility cannot be clean closed, the Permittee shall submit a post-closure plan for approval by the Administrative Authority. A Post-Closure Plan must be submitted for each container storage area failing to achieve clean closure (or an alternate closure standard approved under LAC 33:V.3501.D.2 or LAC 33:V.3507.B) within ninety (90) days from the date that the Permittee or the Administrative Authority determines that the unit must be closed as a landfill. The post-closure plan must meet the requirements of LAC 33:V.3523.B.

The Administrative Authority may re-evaluate the adequacy of the closure plan and/or the confirmatory sampling procedures prior to the commencement of closure based upon the wastes historically managed by each unit during its lifetime.

V.D. THERMAL TREATMENT UNIT

This section contains the requirements for the operations of the thermal treatment unit pursuant to Subpart X of 40 CFR 264.600 through 264.603, and LAC 33:V.Chapter 32, Miscellaneous Units. The thermal treatment unit consists of ten (10) open round burn pans in concrete culverts and ten (10) square burn pans as listed in Condition IV., Table 2, of this permit.

V.D.1. CONDITIONS AND OPERATIONS

V.D.1.a. General Operating and Maintenance Requirements

The Permittee shall operate and maintain the thermal treatment unit and all associated structures as specified in Permit Condition II.E.6 and III.A. The Permittee shall comply with the requirements of the most current Air

Permit issued by the Office of Environmental Services Waste Permits Division. The Permittee shall not exceed the maximum permitted treatment capacity as specified in the Air Permit. The Permittee shall also comply with the following permit conditions.

V.D.1.a.i. The Permittee shall maintain the burn unit(s) according to the design specifications and the applicable permit conditions and manufacture's specifications.

V.D.1.a.ii. The Permittee must maintain necessary elevations and slope in the containment area for the burn area to prevent run-on and run-off.

V.D.1.a.iii. The Permittee is allowed to operate the thermal treatment unit for the purpose of treating only those hazardous wastes listed in the Waste Analysis Plan and in the most current Part A application.

V.D.1.a.iv. The Permittee shall not treat any characteristic or listed hazardous wastes codified at 40 CFR Part 261, except for those wastes specified in this permit or unless treatment of an additional explosive or reactive waste is approved by the Administrative Authority and in accordance with Condition V.D.1.h.i.

V.D.1.a.v. The Permittee is prohibited from treating all non-explosive wastes and those wastes identified in Permit Condition V.D.1.h.ii.

V.D.1.a.vi. The Permittee shall maintain the thermal treatment unit to minimize the possibility of fire, explosion, or any unplanned, sudden or non-sudden releases of hazardous waste constituents to air, soil, or surface water that might threaten human health or the environment in accordance with LAC 33:V.1511.B and Condition V.D.1.

V.D.1.a.vii. The Permittee shall at all times properly operate and maintain the burn pans and

associated structures in accordance with all applicable regulations and the permit conditions. Proper operation and maintenance includes, but is not limited to, effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures in accordance with LAC 33:V.309.E.1, 3203 and 3205.

V.D.1.a.viii. The basis for a modification of the list of wastes that may be treated is a determination that open burning of any of the wastes would threaten human health and the environment.

V.D.1.a.ix. The Permittee shall manage accumulated precipitation and shall provide for the control and/or containment of run-on and run-off in accordance with Condition III.I.

V.D.1.a.x. The Permittee shall operate and maintain the thermal treatment area to minimize air emissions and exposure of hazardous emissions in accordance with LAC 33:V.3203 and Condition V.D.1. of this permit.

V.D.1.a.xi. The Permittee shall operate and maintain a precipitation cover for the burn pans and concrete burner pads.

V.D.1.b. **<u>Specific Operating Conditions</u>**

V.D.1.b.i. Thermal treatment operations shall not be initiated during periods when atmospheric wind speeds, measured at the site, equal or exceed ten (10) miles per hour (mph).

V.D.1.b.ii. Thermal treatment operations shall not be initiated when electrical storms are present within a three (3) mile radius of the facility.

V.D.1.b.iii. Thermal treatment operations shall be limited to daylight hours only between 8 a.m. and 5 p.m.; this includes, physical preparation, transportation of wastes to the thermal treatment unit, and the treatment and inspection after the cool-down period.

V.D.1.b.iv. The Permittee shall allow sufficient cool-down periods following each burn to allow the ash to be handled safely. In accordance with Permit Condition III.N.1, the documentation of the duration of the burn will assist in documenting the appropriate cool-down periods.

V.D.1.b.v. Characteristic hazardous wastes must no longer exhibit reactive and explosive properties prior to removal from the burn units for disposal. All hazardous wastes that are ejected during thermal treatment or are not treated by the initial burn, shall be re-treated with a subsequent burn.

V.D.1.b.vi. The Permittee shall operate and maintain the precipitation covers/retractable roofs in a manner that will minimize, to the greatest practical extent, the accumulation of precipitation within each burn pan and respective concrete pad. Precipitation covers/retractable roofs shall be placed over each burn unit when not in use.

V.D.1.b.vii. Ash/residues from the thermal treatment unit shall be managed in accordance with Condition III.C and Condition II.E.21.

V.D.1.b.viii. The Permittee shall record the date and time of all explosive detonations before, and after the thermal treatment process. The thermal treatment unit where the explosion occurred and a detailed description of the wastes and the amount that exploded and the reason for the explosion shall be included in the operating record and in accordance with Conditions III.C and III.N.

V.D.1.b.ix. Highly volatile and flammable liquids shall not be used to facilitate burning. Number 2 diesel fuel oil is acceptable.

V.D.1.b.x. The waste will be placed in the burn pans and when necessary, in accordance with the criteria for facilitating the burn, established in the Facility's Operations Plan, the waste will be soaked with diesel fuel (a low volatile slow burning fuel) to facilitate the burn.

V.D.1.b.xi. The Permittee shall not treat high explosives containing initiators of any description.

V.D.1.b.xii. The Permittee shall not mix bulk explosives for treatment.

V.D.1.b.xiii. A warning signal shall be operated prior to and during treatment operations.

V.D.1.b.xiv. The reactive wastes in the burn units shall only be remotely ignited.

V.D.1.b.xv. Round burn pan 10 and square burn pan 20 shall burn listed waste.

V.D.1.b.xvi. Round burn pans 1 through 9 and square burn pans 11 through 19 shall burn characteristic waste (D003).

V.D.1.b.xvii. Residue resulting from the burn of D003 (characteristic waste) that are accumulated in containers (roll-off boxes) must be covered and stored in the truck staging/parking area to protect from precipitation and wind. If analytical results do indicate that the material is hazardous, it will be covered and labeled and stored for less than ninety (90) days in accordance with Conditions II.E.21 and III.C.

V.D.1.b.xviii. The Permittee shall cover burn pans during the transport from the pad to the container storage area(s) for storage and/or disposal after treatment.

V.D.l.b.xix. The Permittee shall ensure that the distance from the burn units, and the property boundary, are in accordance with LAC 33:V.4533.

V.D.l.b.xx. The thermal treatment unit consists of twenty (20) burn pans (10 round burn pans and 10 square burn pans). The round burn pans are placed inside concrete culverts (also referred to as concrete burn chambers). The burn pans and burn chambers shall remain at a distance of no less than 50 feet from one another in accordance with LAC 33:V.3203.

V.D.l.b.xxi. The thermal treatment area and the secondary containment shall be maintained to adequately prevent residue and debris from contaminating the surrounding area and surface water in accordance with LAC 33:V.3203.

V.D.1.b.xxii. Ash residue shall be collected within twenty-four (24) hours of the burn by methods described in the approved WAP. The Permittee shall determine if the residue meets the definition of a hazardous waste by methods described in the approved WAP and Condition III.C. of this permit. The waste residue shall be stored in approved containers with compatible waste.

V.D.1.b.xxiii. The ash residue from the thermal treatment of wastes will be handled in accordance with the approved Ash Management Plan referenced in Attachment 1 and this permit.

V.D.1.c. **<u>Inspection Requirements</u>**

The Permittee shall inspect the thermal treatment unit in accordance with the Inspection Plan referenced in Attachment 1 and Condition II.E.21, Schedule of Compliance, of this permit. The Permittee shall complete the following as part of these inspections:

V.D.1.c.i. The Permittee shall thoroughly inspect the thermal treatment unit (which include the 20 burn pans and concrete burner pads and the 10 concrete culverts) and associated equipment/structures for leaks and/or spills. The leaks/spills shall be cleaned up immediately upon discovery.

V.D.1.c.ii. The Permittee shall inspect the thermal treatment unit's concrete slab each operating day and shall repair any cracks or deteriorations immediately upon discovery. The burn pans, concrete culverts and concrete burn pads shall be inspected before each burn.

V.D.1.c.iii. All defects, deteriorations, or malfunctions of the thermal treatment unit (which includes the 20 burn pans, 20 concrete burner pads and the 10 concrete culverts) and associated structures discovered during the required inspections shall be repaired before additional treatment can occur in those burn units. Burn units that are damaged and must be replaced shall be decontaminated prior to disposal.

V.D.1.c.iv. The inspection schedules and maintenance and repair records shall become part of the operating record and shall be made available at all reasonable times to the Administrative Authority in accordance with Condition III.N and LAC 33:V.1509.D.

V.D.1.c.v. Visual inspections are to be conducted after each burn to ensure that no releases or spills of untreated wastes outsides of the containment areas or treatment process areas have occurred.

V.D.1.c.vi. The Permittee shall keep a record of all repairs or replacement activities conducted on the unit(s) and associated equipment. The repair and/or replacement record shall be completed within one (1) working day of the date the unit was placed back into

service. This record shall be part of the operating record for this Permit and available at the facility at all times for review and inspection by the Administrative Authority and in accordance with Conditions III.E, III.E.6 and III.N. At a minimum, the record shall include the following information:

V.D.1.c.vi.(a) The date the problem was discovered (if not preventative maintenance);

V.D.1.c.vi.(b) The pan or associated equipment (e.g., burner pad, burn chamber, cover, etc.) repaired or replaced including any other appropriate descriptive identities;

V.D.1.c.vi.(c) The type of maintenance or repair;

V.D.1.c.vi.(d) The date maintenance/repair or replacement was completed;

V.D.1.c.vi.(e) The name of person(s) conducting the maintenance, repair or replacement;

V.D.1.c.vi.(f) Any other pertinent information associated with the maintenance/repair or replacement; and

V.D.1.c.vi.(g) The date the unit(s) was placed back into service.

V.D.1.c.vii. The thermal treatment area (700' x 130' concrete slab) shall be inspected each operating day for leaks, spills, cracks, etc.

V.D.1.c.viii. The Permittee shall visually inspect residues

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remaining after treatment in order to ensure no untreated waste remains.

V.D.1.d. **Recordkeeping and Reporting Requirements**

V.D.1.d.i. The Permittee shall inspect the burn area each operating day and shall record the results of this inspection record as required by Condition III.E of this permit.

V.D.1.d.ii. The Permittee shall sample and analyze, the ash, using the Toxicity Characteristic Leaching Procedure (TCLP) at least quarterly, and shall maintain the results of sampling and analysis, as required by Permit

Condition III.C.2.e in the operating record in accordance with Condition II.E.23.a.viii and in accordance with LAC 33:V.1529.

V.D.1.d.iii. The Pemittee shall report any releases from burn area within twenty-four (24) hours, if the release may threaten human health or the environment (soil, air, groundwater, or surface water).

V.D.1.e. **Conditions for Operating Open Burning and Open Detonation (OB/OD)**

The Permittee shall operate the burn units in accordance with LAC 33:V.3203 and 3205 and the following requirements:

V.D.1.e.i. The Permittee shall not dispose of or treat any liquid hazardous waste on or in the ground.

V.D.1.e.ii. All activities related to open burning shall be performed only in the designated areas.

V.D.1.e.iii. Open burning shall not be conducted if any of the following conditions exist:

V.D.1.e.iii.(a) Electrical storms, thunderstorms, or periods of precipitation.

V.D.1.e.iii.(b) Wind speeds above 10 miles per hour as determined by an onsite weather station.

V.D.1.e.iii.(c) Periods of reduced visibility, here defined as low lying fog and/or hazy conditions where visibility is two (2) miles.

V.D.1.e.iii.(d) Flooding conditions that may cause roads and bridges approaching the facility to be submerged and prevent vehicles from traveling through.

V.D.1.e.iv. Waste may be placed in the burn unit(s) only when a thermal treatment event is planned within the next four (4) hours or by the end of the operating day, whichever is less.

V.D.1.f. **Thermal Treatment Feed Limitations**

The Permittee shall feed only quantities of waste to the burn unit(s) that do not exceed the waste feed limitations given below:

V.D.1.f.i. The Permittee shall not thermally treat more than 15 to 30 pounds of hazardous waste explosives per round burn pan and shall not exceed 350 pounds per hour.

V.D.1.f.ii. The Permittee shall not thermally treat more than 480,000 lbs per year (net explosive weight) or 350 pounds per hour of hazardous waste on any single day.

V.D.1.g. **Permitted and Prohibited Wastes**

V.D.1.g.i. **Permitted Waste**

Subject to the terms of this Permit, the Permittee is allowed to treat hazardous

wastes identified in the most current Part A Permit Application.

V.D.1.g.ii. Prohibited Waste

The Permittee is prohibited from treating hazardous waste except for the open burning and detonation of explosives, including waste which has the potential to detonate and bulk propellants which cannot safely be disposed of through other modes of treatment. The Permittee is prohibited from accepting any mercury containing waste or material for thermal treatment.

The following wastes are prohibited from treatment:

V.D.1.g.ii.(a) Lethal or incapacitating chemical and biological munitions or their residues or contaminated packaging.

V.D.1.g.ii.(b) Wastes containing radioactive materials.

V.D.1.g.ii.(c) Infectious wastes.

V.D.1.g.ii.(d) Reactive or explosive hazardous waste not in proper DOT shipping containers.

V.D.1.g.ii.(e) Propellants that serve as a vehicle for discharging their contents, such as aerosol cans, and propellants that are not in their original package and cannot be properly identified are prohibited.

V.D.1.h. <u>Closure and Post-Closure</u>

The Permittee shall close the thermal treatment unit according to the requirements specified at 40 CFR 264.603 and Subpart G of 40 CFR Part 264 and LAC 33:V.Chapter 35 and in accordance with the Closure/Post-Closure Plan referenced in Attachment 1.

V.D.1.h.i. At closure, the Permittee must remove all hazardous waste, residues, pans, pads, and culverts from the thermal treatment area. All residuals and contaminated soils must be removed as required by the Closure Plan referenced in Attachment 1 of this permit and as required by LAC 33:V.2117. If some waste residues or contaminated materials are left in place at final closure, the Permittee must comply with all post-closure requirements contained in LAC 33:V.3519 and 3527, including maintenance and monitoring throughout the post-closure care period.

V.D.1.h.ii. At closure, the Permittee shall adhere to the procedures detailed in the approved closure plan referenced in Attachment 1 of this permit and as required by LAC 33:V.2117 and LAC 33:V.Chapter 35, Closure Requirements. If the facility cannot be clean closed, the Permittee shall submit a post-closure plan for approval by the Administrative Authority. A Post-Closure Plan must be submitted for the thermal treatment area failing to achieve clean closure (or an alternate closure standard approved under LAC 33:V.3501.D.2 or LAC 33:V.3507.B) within ninety (90) days from the date that the Permittee or the Administrative Authority determines that the unit must be closed as a landfill. The post-closure plan must meet the requirements of LAC 33:V.3523.B.

The Administrative Authority may re-evaluate the adequacy of the closure plan and/or the confirmatory sampling procedures prior to the commencement of closure based upon the wastes historically managed by each unit during its lifetime.

V.E. ENVIRONMENTAL ASSESSMENT – RESERVED

V.F. AMBIENT AIR MONITORING PROGRAM – RESERVED

V.G. SAMPLING PROGRAM

V.G.1. Performance Standards

The units authorized to conduct open burning of explosives by this permit must be located, designed, constructed, operated, maintained and closed in a manner that will ensure protection of human health and the environment. In accordance with LAC 33:V.3203, this section contains detection and monitoring requirements necessary to demonstrate that no releases to soil, surface water, ground water, wetlands, or air, are occurring which may have an adverse impact on human health or the environment. Additional authorities for this section are contained in (LAC 33:V.3321 and LAC 33:V.3322).

V.G.1.a. Tiered Monitoring Approach

It is the intent of this permit that a tiered monitoring approach be implemented to determine whether a release of hazardous constituents to the environment has occurred (Tier I), and if so, to delineate the extent of the release (Tier II). If a significant release is found to have occurred, the Permittee shall be required to submit a work plan to evaluate the risks to human health and the environment, including characterization of current emissions (Tier III), which shall be used to determine whether operating modifications to the unit and/or corrective actions to address the releases are necessary.

This permit will use environmental media sampling to determine whether significant releases from past operations have occurred. In addition to the Tiered Monitoring Approach utilized by this section, if releases to the environment are detected, the Administrative Authority may require the Permittee to conduct emissions monitoring studies, or change the operational design or procedures of the unit, or to take other actions determined to be necessary to protect human health and the environment at any time.

V.G.1.b Monitoring Work Plan Submittal

Within 180 days of the effective date of this permit, the Permittee shall submit a Tier I Monitoring Work

Plan to implement a monitoring program that shall include the following:

V.G.1.b.i. A complete list of hazardous constituents identified in the Waste Analysis Plan as having been historically treated in the unit (i.e., the past two (2) years), or expected to be treated in the unit in the future, in accordance with Condition III.C and II.E.21.a.;

V.G.1.b.ii. For each hazardous constituent, Media Specific Screening Levels (MSSL's) appropriate for industrial and residential soils, surface waters, and ground waters (i.e., drinking water Maximum Contaminant Levels (MCL's), when available), as contained in the Louisiana RECAP program or other appropriate regulatory authorities (e.g., surface water quality standards), as well as available Ecological Screening Levels (ESL's);

V.G.1.b.iii. A Quality Assurance Project Plan which documents the data quality objectives and procedures used to ensure sample collection, handling and analyses are performed in a technically sound manner, including Standard Operating Procedures (SOP's) describing anticipated sampling activities;

V.G.1.b.iv. A III tiered monitoring approach (see following section) shall implement a program designed to determine whether releases of hazardous constituents to the environment are occurring;

V.G.1.b.v. A schedule for monitoring, which shall begin sixty (60) days after approval of the monitoring work plan, including

quarterly monitoring for all constituents at the new sampling locations and annually for the existing sampling locations. In accordance with Condition V.G.1.c, the Permittee may request a reduction in the monitoring frequency. The schedule shall require the Permittee to submit a report of the sample results within ninety (90) days after each sample collection date;

V.G.1.b.vi. A format of the Sampling Event Report which will document the results of the sampling event, including:

- Field collection activities and any variations from sampling plans;
- Analytical results, presented in summary tables of detections in the body of the report, with those values exceeding any MSSL's, ESL's, or background concentrations (for metals) in bold type, and complete analytical data documentation in the appendices;
- A discussion of any QA/QC problems;
- Maps depicting the location and distribution of any hazardous constituents detected (other than naturally occurring metals at concentrations below background levels);
- Historical data trend analyses;

- A statement of whether releases have been detected (or are above background for metals) and thus implementation of Tier II monitoring is required, and if so, whether such detections exceed MSSL's or ESL's;

- Any proposed modifications to the Tier I, Release Detection Monitoring program. If hazardous constituents are detected in samples collected from the lined lagoon adjacent to the treatment pad, the Permittee shall propose to install ground water monitoring wells which meet the requirements of LA 33:V.Chapter 33 and 40 CFR §264 Subpart F;

V.G.1.b.vii. A map of the facility identifying all areas which the facility anticipates may be closed (at the time the treatment unit is closed) to a land-use standard other than residential. The Permittee should consider that such non-residential closures may require ongoing obligations to ensure protection of human health and the environment.

V.G.1.c. **Frequency of Monitoring**

The Permittee may request a Class 1[1] permit modification to reduce the required sampling frequency to once per year for any constituent which was not detected (or in the case of metals, which was not detected above background levels) for four (4) consecutive quarterly sampling event.
The Permittee may also request a reduction in monitoring frequency at any time after completion of the first four (4) consecutive quarterly sampling

events, even if constituents are detected, but the appropriate class of the permit modification will be determined at that time by the Administrative Authority.

V.G.1.d. **Tier I Release Detection Monitoring Program**

In addition to the preceding requirements, the Permittee's Tier I Monitoring Work Plan shall document the collection of samples of each of the following:

V.G.1.d.i. Water from multiple locations within the lined lagoon next to the treatment pad;

V.G.1.d.ii. Sediment/sludge from multiple locations within the lined lagoon next to the treatment pad;

V.G.1.d.iii. Composite surface soils from multiple locations within the fenced area around the treatment pad;

V.G.1.d.iv. Composite surface soils at multiple locations across the site, to be selected based on historical sampling locations, surface water drainage patterns, and wind rose data;

V.G.1.d.v. Fine streambed sediments at multiple locations.

These samples shall be analyzed for each hazardous constituent identified in the Waste Analysis Plan as having been historically treated in the unit, or expected to be treated in the unit in the future.

Tier I, Release Detection Monitoring, shall continue regardless of the Permittee's implementation of Tier II, Release Delineation Monitoring, or Tier III, Risk Evaluation and Emission Characterization.

V.G.1.e. **Tier II Release Delineation Monitoring Program**

Should hazardous constituents (other than naturally occurring metals at concentrations below background levels) be detected in the Tier I monitoring program, the Permittee shall submit a Tier II Monitoring Work Plan proposing efforts to delineate the detected release(s) within ninety (90) days of submission of the Sampling Event Report notifying the Administrative Authority of such detection(s). The Tier II Monitoring Work Plan shall document the following:

V.G.1.e.i. Maps depicting the current and, if appropriate, historical location(s) and distribution of any hazardous constituent(s) detected (other than naturally occurring metals at concentrations below background levels);

V.G.1.e.ii. Proposed sample locations and analyses to delineate the detected releases in each media;

V.G.1.e.iii. Proposed sample types and locations to evaluate whether contamination has migrated into another media;

V.G.1.e.iv. For each hazardous constituent detected in Tier I, Media Specific Screening Levels (MSSL's) appropriate for industrial and residential soils, surface waters, and ground waters (i.e., drinking water Maximum Contaminant Levels (MCL's), when available), as contained the Louisiana RECAP program or other appropriate regulatory authorities (e.g., surface water quality standards), as well as available Ecological Screening Levels (ESL's);

V.G.1.e.v. Any required changes to the Quality Assurance Project Plan;

V.G.1.e.vi. A proposed schedule for implementing field activities and submitting interim reports at least every six (6) months, and not to exceed

24 months for submission of the final Release Delineation Report;

V.G.1.e.vii. A format for the Release Delineation Report that will document the results of the sampling efforts, including:

- Field collection activities and any variations from sampling plans;
- Analytical results, presented in summary tables of detections in the body of the report, with those values exceeding any MSSL's, ESL's, or background concentrations (for metals) in bold type, and complete analytical data documentation in the appendices;
- A discussion of any QA/QC problems;
- Maps depicting the location and distribution of any hazardous constituents detected (other than naturally occurring metals at concentrations below background levels);
- Historical data trend analyses;
- A statement of whether releases exceeding MSSL's or ESL's have occurred, and implementation of Tier III Risk Evaluation is required.

V.G.1.e.viii. A map of the facility identifying all areas that the facility anticipates may be closed (at the time the treatment unit is closed) to a land-use standard other than residential. The Permittee should consider that such non-residential closures may require ongoing obligations to ensure protection of human health and the environment;

V.G.1.e.ix. Any proposed modifications to the Tier I, Release Detection, monitoring program.

V.G.1.f. **Tier III Risk Evaluation and Emissions Characterization Program**

If the results of the Tier II, Release Delineation Monitoring program, indicate releases of hazardous constituents to the environment have occurred at concentrations exceeding appropriate MSSL's or ESL's, or at any other time the Administrative Authority determines it is necessary, the Permittee shall be required to implement a program to evaluate risks to human health and the environment.

The Administrative Authority will determine the appropriate components of the Tier III program at the time it imposes this requirement, but as a minimum shall include:

V.G.1.f.i. Direct characterization of the emissions from operations of the open burning units, or performance of an acceptable alternative study;

V.G.1.f.ii. A projection of future environmental concentrations from continuing the treatment operations;

V.G.1.f.iii. Evaluation of risks to human health and the environment from current and projected future concentrations;

V.G.1.f.iv. Development of design and/or operational changes to reduce releases from the unit;

V.G.1.f.v. Evaluation of whether corrective actions are required to address contaminated media.

TABLE 3

SUMMARY OF REPORTING REQUIREMENTS

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

Submission	Due Date
Waste Analysis Plan (revised)	Sixty (60) days after the effective date of the permit
Inspection Plan (revised)	Sixty (60) days after the effective date of the permit
Contingency Plan (revised)	Sixty (60) days after the effective date of the permit
Environmental Assessment/Risk Assessment	RESERVED until further notice
Tier I Monitoring Work Plan	180 days after effective date of the permit
Tier I Quarterly Monitoring Report (TI-QMR)	Ninety (90) days after each sampling event
Tier II Release Delineation Work Plan	Ninety (90) days after submission of TI-QMR identifying releases have occurred
Tier II Interim Reports	Every six (6) months after work plan approval
Tier II Release Delineation Final Report	No later than 24 months after work plan approval
Tier III Risk Evaluation and Emissions Characterization Work Plan	As required

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VI. GROUND WATER PROTECTION - RESERVED

VI.A. APPLICABILITY

The regulations of the Louisiana Administrative Code (LAC), Title 33, Part V, Chapters 3, 5, 15, 25, 27, 29, 32, 33, and 35, and Louisiana Water Control Law, R.S. 30:2171 of the Environmental Quality Act, R.S. 30:2001 et seq., and the provisions of this section shall apply to ground water protection programs for facilities that are used to treat and store hazardous waste at Clean Harbors Colfax, LLC, Colfax, Louisiana.

The Permittee shall comply with the monitoring, response and corrective action program provisions for the existing and any new systems in accordance with LAC 33:V.Chapter 33 and as outlined in this permit (i.e., Condition VII and VIII.).

If groundwater contamination is confirmed as a result of operations related to past or present hazardous waste management facilities associated with this site, the Permittee shall establish, expand or continue, assessment and corrective action programs in accordance with the requirements of LAC 33:V.Chapter 33 and as subsequently directed by the Administrative Authority.

VI.B. REQUIRED PROGRAMS

The Permittee does not conduct hazardous waste activities under this permit which currently does not require ground water monitoring at this time.

VII GENERAL CONDITIONS PURSUANT TO THE HAZARDOUS AND SOLID WASTE AMENDMENTS

VII.A STANDARD CONDITIONS

VII.A.1 Waste Minimization

Annually, by March 1, for the previous year ending December 31, the Permittee shall enter into the operating record as required by LAC 33:V.1529.B.19, a statement certified according to LAC 33:V.513.A specifying that the Permittee has a program in place to reduce the volume and toxicity of hazardous wastes generated by the facility's operation to the degree determined by the Permittee to be economically practicable; and that the proposed method of treatment, storage, or practicable disposal method that is currently available to the Permittee minimizes the present and future threat to human health and the environment. A current description of the program shall be maintained in the operating record and a copy of the annual certified statement shall be submitted to the Administrative Authority. The following criteria should be considered for the program:

VII.A.1.a Any written policy or statement that outlines goals, objectives, and/or methods for source reduction and recycling of hazardous waste at the facility;

VII.A.1.b Any employee training or incentive programs designed to identify and implement source reduction and recycling opportunities;

VII.A.1.c 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;

VII.A.1.d Factors that have prevented implementation of source reduction and/or recycling;

VII.A.1.e Sources of information on source reduction and/or recycling received at the facility (e.g., local government, trade associations, suppliers, etc.);

VII.A.1.f An investigation of additional waste minimization efforts that could be implemented at the facility. This investigation would analyze the potential for reducing the quantity and toxicity of each waste stream through production reformulation, recycling, and all other appropriate means. The analysis would include an assessment of the technical feasibility, cost, and potential waste reduction for each option;

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VII.A.1.g A flow chart or matrix detailing all hazardous wastes the facility produces by quantity, type, and building/area;

VII.A.1.h A demonstration of the need to use those processes that produce a particular hazardous waste due to a lack of alternative processes or available technology that would produce less hazardous waste;

VII.A.1.i A description of the waste minimization methodology employed for each related process at the facility. The description should show whether source reduction or recycling is being employed;

VII.A.1.j A description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years; and

VII.A.1.k The Permittee may meet the requirements for waste minimization by developing an Environmental Management System according to the EPA document, Integrated Environmental Management System Implementation Guide, EPA 744-R-00-011, October 2000, found on www.epa.gov/opptintr/dfe/pubs/iems/iems_guide/index.htm.

VII.A.2 Dust Suppression

Pursuant to LAC 33:V.4139.B.4, and the Toxic Substances Control Act, 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.

VII.A.3 Failure to Disclose

The Permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts at any time may be cause for termination or modification of this Permit in accordance with LAC 33:323.B.2 and 3.

VII.A.4 Suspension, Modification, or Revocation and Reissuance, and Termination of Permit

This Permit may be modified, revoked and reissued, or terminated for cause as specified in LAC 33:V.323. The filing of a request by the Permittee for a permit modification, revocation and reissuance, 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.

VII.A.4.a If the Administrative Authority tentatively decides to modify or revoke and reissue a permit under LAC 33:V.321.C. or 323, a draft

permit shall be prepared incorporating the proposed changes. The Administrative Authority may request additional information and, in the case of a modified permit, may require the submission of an updated permit application.

VII.A.4.b The Permittee may initiate permit modification proceedings under LAC 33:V.321.C. All applicable requirements and procedures as specified in LAC 33:V.321.C shall be followed.

VII.A.4.c Modifications of this Permit do not constitute a reissuance of the Permit.

VII.A.5 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 LAC 33:V.321.C. Nothing in this section shall preclude the Administrative Authority from reviewing and modifying the Permit at any time during its term.

VII.A.6 Compliance with Permit

Compliance with a RCRA permit during its term constitutes compliance, for purposes of enforcement, with subtitle C of RCRA except for those requirements not included in the permit which:

VII.A.6.a Become effective by statute;

VII.A.6.b Are promulgated under LAC 33:V.Chapter 22 restricting the placement of hazardous wastes in or on the land; or

VII.A.6.c Are promulgated under LAC 33:V.Chapters 23, 25 and 29 regarding leak detection systems for new and replacement surface impoundment, waste pile, and landfill units, and lateral expansions of surface impoundment, waste pile, and landfill units. The leak detection system requirements include double liners, construction quality assurance (CQA) programs, monitoring action leakage rates, and response action plans, and will be implemented through the procedures of LAC 33:V.321.C Class 1 permit modifications.

VII.A.7 Specific Waste Ban

VII.A.7.a The Permittee shall not place in any land disposal unit the wastes specified in LAC 33:V. Chapter 22 after the effective date of the prohibition unless the Administrative Authority has established disposal or treatment standards for the hazardous waste and the Permittee meets such standards and other applicable conditions of this Permit.

VII.A.7.b The Permittee may store wastes restricted under LAC 33:V.Chapter 22 solely for the purpose of accumulating quantities necessary to facilitate proper recovery, treatment, or disposal provided that it meets the requirements of LAC 33:V.2205 including, but not limited to, clearly marking each tank or container.

VII.A.7.c The Permittee is required to comply with all applicable requirements of LAC 33:V.2245 as amended. Changes to the Waste Analysis Plan will be considered permit modifications at the request of the Permittee, pursuant to LAC 33:V.321.C.

VII.A.7.d The Permittee shall review the waste analysis plan and analyze the waste when a process changes to determine whether the waste meets applicable treatment standards. Results shall be maintained in the operating record pursuant to Condition III.C.1 and 2.

VII.A.8 Information Submittal for the Corrective Action Strategy

Failure to comply with any condition of the Permit, including information submittals, constitutes a violation of the Permit and is grounds for enforcement action, permit amendment, termination, revocation, suspension, or denial of permit renewal application. Falsification of any submitted information is grounds for termination of this Permit (LAC 33:V.323.B.3).

The Permittee shall ensure that all plans, reports, notifications, and other submissions to the Administrative Authority required by this Permit using the Corrective Action Strategy are signed and certified in accordance with LAC 33:V.Chapter 5, Subchapter B. All submittals required under the corrective action strategy must conform to those requirements outlined in the RECAP (see Condition VIII of this permit). Variance from content and/or formatting guidelines provided under the RECAP shall be requested by the Permittee prior to submittal to the Administrative Authority, as deemed necessary. Approval or disapproval of such a request with further guidance on content and formatting will be provided by the Administrative Authority, as deemed necessary. Five (5) copies each of these plans, reports, notifications or other submissions and one (1) electronic copy (3.5" IBM compatible disk or CD-ROM) of all portions thereof which are in word processing format shall be submitted to the Administrative Authority by Certified Mail or hand delivered to:

Louisiana Department of Environmental Quality
Office of Environmental Assessment
Environmental Technology Division
P.O. Box 4314
Baton Rouge, LA 70821-4314

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A summary of the planned reporting milestones pursuant to the corrective action requirements of this Permit is found in Condition VIII, Table 1.

VII.A.9 Data Retention

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 this Permit shall be maintained at the facility during the term of this Permit, including any reissued Permits.

VII.A.10 Management of Wastes

All solid wastes which are managed pursuant to a remedial measure taken under the corrective action process or as an interim measure addressing a release or the threat of a release from a solid waste management unit shall be managed in a manner protective of human health and the environment and in compliance with all applicable Federal, State and local requirements. As a response to the Louisiana legislature mandate La. R.S. 30:2272 (Act 1092 of the 1995 Regular Session) to develop minimum remediation standards, the LDEQ promulgated the Risk Evaluation Corrective Action Program (RECAP). RECAP's tiered approach to risk evaluation and corrective action establishes not only across the board numerical standards for most media, but also allows for the development of more site-specific numerical standards, as warranted. The Permittee is required to comply with all applicable requirements of RECAP. Approval of units for managing wastes and conditions for operating the units shall be granted through the permitting process.

VII.B EMISSION STANDARDS - PROCESS VENTS, EQUIPMENT LEAKS, TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS (AA-BB AIR REGULATIONS) – RESERVED

VII.C SPECIFIC CONDITION - CLOSURE

Pursuant to Section 3005(j)(1) of the Hazardous and Solid Waste Amendments of 1984, the Permittee shall close any closing units in accordance with the following provisions:

VII.C.1 Other than consolidation of any wastes from the sites in conformance with LAC 33:V.Chapter 22, Land Disposal Restrictions, the Permittee shall not place waste prohibited by LAC 33:V.Chapter 22 into any closing units;

VII.C.2 The Permittee shall perform unit closures in accordance with the Closure Plan(s) as approved at the time of closure, and which meet(s) all relevant State and Federal closure requirements at the time of closure; and

VII.C.3 The Permittee shall notify the Administrative Authority in writing at least sixty (60) days prior to commencement of closure.

VIII SPECIAL CONDITIONS PURSUANT TO HAZARDOUS AND SOLID WASTE AMENDMENTS—CORRECTIVE ACTION STRATEGY

Corrective Action for Releases: Section 3004(u) of RCRA, as amended by the Hazardous and Solid Waste Amendments (HSWA), and LAC 33:V.3322 require that permits issued after November 8, 1984, address corrective action for releases of hazardous waste or hazardous constituents from any solid waste management unit at the facility, regardless of when the waste was placed in the unit.

EPA's traditional RCRA corrective action approach is structured around several elements common to most activities. In the first phase, RCRA facility assessment (RFA), EPA or the authorized state assesses the facility to identify releases and determine the need for corrective action. In the second phase, RCRA facility investigation (RFI), the facility conducts a more detailed investigation to determine the nature and extent of contaminants released to ground water, surface water, air, and soil. If remedial action is needed, a third phase, corrective measures study (CMS), is started. During this phase, the facility conducts a study, which when completed, describes the advantages, disadvantages, and costs of various cleanup options. After selection of a final remedy, the fourth phase, corrective measures implementation (CMI), is initiated. The facility is required to design, construct, operate, maintain, and monitor the final remedy(s).

The Corrective Action Strategy (CAS) is an alternate corrective action approach that can be implemented during any phase of corrective action for a release area. The Permittee shall use the CAS approach as the framework for corrective action to clarify, facilitate and expedite the process, and shall use the **Louisiana Department of Environmental Quality Risk Evaluation/Corrective Action Program (RECAP)** for screening and media-specific cleanup standards. EPA has interpreted the term "release" to mean, "any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment." (50 FR 2873, July 15, 1985). The CAS refers to "release areas" as solid waste management units (SWMUs) and areas of concern (AOCs) while the RECAP refers to release areas as areas of investigation (AOIs). SWMUs and AOCs may also be referred to as "AOIs" when investigated and managed under the RECAP.

VIII.A ALTERNATE CORRECTIVE ACTION

VIII.A.1 This Permit will utilize the CAS Guidance Document (www.epa.gov/Arkansas/6pd/rcra_c/pd-o/riskman.htm) developed by the U.S. Environmental Protection Agency (EPA) Region 6 whenever the Administrative Authority determines that it will serve to facilitate the corrective action. The CAS Guidance Document shall be utilized to the fullest extent practicable for planning and implementation of the corrective action. The CAS in this Permit shall not supersede existing Federal, State, and local regulations. The two primary objectives are to prioritize corrective action at the facility, and streamline corrective action administrative procedures, resulting in the protection of human health and the environment.

The CAS is a performance-based approach; using data quality objectives, investigations begin with the endpoint in mind. The CAS is a risk

management strategy that can be implemented during any phase of corrective action. However, the CAS need not be applied to work that has already been completed to the satisfaction of the Administrative Authority. Performance standards are established at the beginning of the corrective action process, allowing earlier and more focused implementation. Releases are screened using RECAP screening numbers to determine the priority of corrective action, and remedial alternatives are selected on the basis of their ability to achieve and maintain the established performance standards.

There is no one specific path through the CAS process. The CAS is a facility-wide approach, focusing corrective action on releases that pose the greatest risk first. Screening releases will also enable some areas of interest to qualify for no further action at this time (Condition VIII.A.3.a.), thus resources can be used to best benefit the protection of human health and the environment. The CAS process also considers activities previously conducted under the traditional corrective action process. Appendix 1 of this permit contains a summary of corrective action activities completed to date and also describes where the Permittee is in the CAS process at the time of issuance of this permit. The applicability of various provisions of the CAS will depend on where the Permittee is in the CAS process as detailed in Appendix 1.

The traditional RCRA corrective action process and reports (i.e., RFIs, CMSs, CMIs, etc.) are not elements of the CAS. However, the use of information and reports from the traditional corrective action process, if available, is encouraged, in addition to new site-specific information.

The Administrative Authority, through an agency-initiated permit modification, may remove the CAS as the means of facility-wide corrective action in the case of the failure of the Permittee to disclose information, abide by the terms and conditions of this permit; adhere to agreed schedules, or show adequate progress; or should an impasse occur between the Permittee and the Administrative Authority. The Administrative Authority will institute other means of corrective action (such as traditional corrective action) at the facility through modification of this permit.

VIII.A. 2 Performance Standards

Expectations for the outcome of corrective action at a facility are established in the CAS by three performance standards as defined in Conditions VIII.A.2.a through c. The Permittee's proposed performance standards shall be presented during the scoping meeting. The Permittee must justify the proposed performance standards through evaluation and documentation of land use, ground water designation (current and reasonably expected future use), types of receptors present, exposure pathways, etc.; as described in RECAP, Chapter 2. Through the application of the performance standards and RECAP, the Permittee and Administrative Authority shall determine whether a

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release must be addressed through corrective action, and whether implemented corrective actions are protective of human health and the environment.

The Permittee shall submit the performance standards in writing along with the Conceptual Site Model (Condition VIII.D) within one-hundred and twenty (120) days after the scoping meeting. The Administrative Authority may either approve the performance standards proposed by the Permittee or establish performance standards that the Administrative Authority deems necessary to protect human health and the environment.

The three CAS performance standards are defined below. The order in which the performance standards are listed does not indicate that one performance standard takes priority over another. All applicable performance standards must be achieved by the Permittee.

VIII.A.2.a Source Control Performance Standard

Source control refers to the control of materials that include or contain hazardous wastes or hazardous constituents that act as a reservoir for migration of contamination to soil, sediment, ground water, surface water, or air, or as a source for direct exposure.

The facility must determine if source material is present. Removal, containment, treatment, or a combination of the three, must be evaluated on a case-by-case basis. Controlling source material is a predominating issue in the CAS, and must be addressed to ensure protectiveness over time. Prioritization of the SWMUs and AOCs does not mean avoidance of controlling source materials.

VIII.A.2.b Statutory and Regulatory Performance Standard

Applicable statutory and regulatory requirements (Federal, State, and local) must be identified. These requirements may dictate media-specific contaminant levels (e.g., maximum contaminant levels (MCLs) in drinking water) that must be achieved and may become a performance standard for the Permittee.

VIII.A.2.c Final Risk Goal Performance Standard

The final risk goal is the level of protection to be achieved and maintained by the Permittee. The final risk goal shall be based on site-specific issues including land use, special subpopulations, contaminant concentrations based on acceptable risk, location at which the levels are measured, and the remediation time frame, as specified by RECAP.

One final risk goal may apply to the entire facility, but it is more likely that different releases will require different final risk goals due to variations in

location of releases, land use, proximity of receptors, etc. The final risk goal will be based on sound risk assessment methodologies (Condition VIII.A.3).

VIII.A.3 Use of RECAP

The latest edition of the RECAP document shall be used by the Permittee to determine the need for further corrective actions under this permit. The RECAP consists of a tiered framework comprised of a Screening Option (SO), and three Management Options (MO). The tiered management options allow site evaluation and corrective action efforts to be tailored to site conditions and risks. As the MO level increases, the approach becomes more site-specific and hence, the level of effort required to meet the objectives of the Option increases.

The RECAP shall be used by the Permittee to evaluate data quality and data usability (RECAP Section 2.4 and 2.5), to determine the identity of an AOI as described in RECAP Section 2.6, and for estimations of Area of Investigation Concentrations and Groundwater Compliance Concentrations for each media as defined in RECAP Section 2.8.

The RECAP shall be used by the Permittee to evaluate land use as described in RECAP Section 2.9, and groundwater/aquifer use as described in RECAP Section 2.10.

The RECAP shall be used by the Permittee to prioritize AOCs, SWMUs, and AOIs that require remediation so site investigations are focused on the release areas that pose the greatest risk. As the CSM is compiled, the Permittee shall assess historical data (RECAP Section 2.5) and use the following management options, as appropriate, to address each release site.

VIII.A.3.a **Use of the Screening Option** - The Permittee shall use the Screening Standards (SS) which are LDEQ-derived screening numbers for soil and groundwater for non-industrial and industrial land use scenarios. The SS shall be used to demonstrate that an AOI does not pose a threat to human health and the environment and, hence does not require further action at this time (NFA-ATT) or that further evaluation is warranted under a higher Management Option.

VIII.A.3.b **Use of Management Option 1** – The Permittee shall use Management Option 1 (MO-1) which provides a RECAP standard (RS) derived for non-industrial and industrial exposure scenarios using currently recommended default exposure parameters and toxicity values. Under MO-1, an AOI may warrant a NFA-ATT determination, or if an exposure, source, or compliance concentration detected at the AOI exceeds a MO-1 limiting RS, then the Permittee may; (1) remediate to the MO-1 limiting RS (and comply with closure/post closure requirements for MO-1), or (2) proceed with a MO-2 or MO-3 evaluation.

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VIII.A.3.c **Use of Management Option 2** – The Permittee shall use Management Option 2 (MO-2) which provides for the development of soil and groundwater RS using site-specific data with specified analytical models to evaluate constituent fate and transport at the AOI. The results of this evaluation shall be used in conjunction with standard reasonable maximum exposure (RME) assumptions to identify site-specific MO-2 RS. Under MO-2, an AOI may warrant a NFA-ATT determination, or if an exposure, source, or compliance concentration detected at the AOI exceeds a MO-2 limiting RS, then the Permittee may; (1) remediate to the MO-2 limiting RS (and comply with closure/post closure requirements for MO-2), or (2) proceed with a MO-3 evaluation.

VIII.A.3.d **Use of Management Option 3** – The Permittee shall use Management Option 3 (MO-3) which provides the option of using site-specific data for the evaluation of exposure and the evaluation of environmental fate and transport at the AOI. The results of the site-specific evaluation may be to develop site-specific MO-3 RS. Under MO-3, an AOI may warrant a NFA-ATT determination, or if an exposure, source, or compliance concentration detected at the AOI exceeds a MO-3 limiting RS, then the Permittee shall; (1) remediate to the MO-3 RS, (2) conduct confirmatory sampling, and (3) comply with closure/post closure requirements for MO-3.

VIII.A.4 **Corrective Action for Releases Beyond Facility Boundary:** Section 3004(v) of RCRA as amended by HSWA, and State regulations promulgated as LAC 33:V.3322.C require corrective actions beyond the facility property boundary, where necessary to protect human health and the environment, unless the Permittee demonstrates that, despite the Permittee's best efforts, the Permittee 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.

VIII.A.5 **Financial Responsibility:** Assurances of financial responsibility for corrective action shall be provided by the Permittee as specified in the Permit following major modification for remedy selection. The Administrative Authority reserves the right to require financial assurance prior to remedy selection based upon facility compliance history, the extent and degree of contamination, financial health of the Permittee, and input from the public.

VIII.A.6 **Summary of Corrective Action Activities**: A summary of the corrective action activities associated with the facility is provided in Condition VIII,

Appendix 1 of this permit. AOCs and SWMUs that are currently being managed or proposed for management under a prescribed corrective action program (e.g., groundwater order, corrective action order, CERCLA) are identified in Condition VIII, Appendix 1, Table 1 of this permit.

VIII.A.7 Approval of Alternate Schedule: The Permittee may submit a written request for an alternate schedule for a submittal deadline as presented in Condition VIII, Table 1. The request should propose a specific alternate schedule and include an explanation as to why the alternate schedule is necessary. The Administrative Authority will consider site-specific criteria in either approving or disapproving the request for an alternate schedule.

VIII.B PROJECT DEVELOPMENT AND SCOPING MEETING

VIII.B.1 Notice of Intent

The Permittee must submit to the Administrative Authority a Notice of Intent to conduct corrective action using the CAS within sixty (60) days of the effective date of this permit. The notice of intent should state the following in a concise manner:

VIII.B.1.a General information regarding facility location;

VIII.B.1.b General information regarding the facility's operational history;

VIII.B.1.c General discussion on how the Permittee will proceed through the CAS;

VIII.B.1.d Brief description of proposed performance standards for corrective action; and

VIII.B.1.e Propose a date for a scoping meeting between the Permittee and the Administrative Authority to be held within sixty (60) days of the date of the Notice of Intent.

VIII.B.2 Scoping Meeting

The scoping meeting will serve as the first CAS milestone where the Permittee and the Administrative Authority identify expectations concerning CAS implementation. The length and extent of the meeting will depend on the complexity of the site. Agreements on land use, groundwater classification, the level of detail required in the conceptual site model (see Condition VIII.D) and expectations for remediation goals will be discussed during the scoping meeting(s). During the scoping meeting the Permittee will present the following information to the Administrative Authority:

VIII.B.2.a A conceptual site model (if one already has been developed);

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VIII.B.2.b Discussions on history of corrective action at the facility, including facility investigations, risk evaluations or risk assessments, interim measure/stabilizations and final remedies implemented;

VIII.B.2.c Proposed performance standards for the facility with justification, and potential risk management approaches;

VIII.B.2.d Discussions on how the Permittee plans to use the CAS to meet its corrective action obligations, including permitting and compliance issues;

VIII.B.2.e A Communication Strategy Plan that specifies where in the CAS process the Permittee is currently and how the Permittee will provide information about future progress at the facility to the Administrative Authority (i.e., progress reports, conference calls, routine meetings, etc.);

VIII.B.2.f Site-specific concerns (i.e., sensitive environments or special subpopulations);

VIII.B.2.g Need for interim measures or stabilization activities, if necessary; and

VIII.B.2.h Schedule for submittal of the CAS Investigation Workplan and proposed schedule for conducting and completing CAS requirements, including public participation.

Information plans and reports that have already been developed by the Permittee during the corrective action process can be referenced during the scoping meeting. The Permittee must coordinate with the Administrative Authority in order to determine the date, time, and location of the scoping meeting.

VIII.C REPORTING REQUIREMENTS

VIII.C.1 The Permittee shall submit, in accordance with Condition VII.A.8, signed reports of all activities conducted pursuant to the provisions of this Permit as required by the Administrative Authority. The reporting schedule shall be determined on a case-by-case basis by the Administrative Authority. These reports shall contain, as applicable to the stage of corrective action, the information required by CAS, as well as the following:

VIII.C.1.a A description of the work completed and an estimate of the percentage of work completed;

VIII.C.1.b Summaries of all findings, including summaries of laboratory data;

VIII.C.1.c Summaries of all problems or potential problems encountered during the reporting period and actions taken to rectify problems;

VIII.C.1.d Projected work for the next reporting period;

VIII.C.1.e Summaries 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;

VIII.C.1.f Changes in key project personnel during the reporting period; and

VIII.C.1.g Summaries of all changes made in implementation during the reporting period.

VIII.C.2 Copies of other reports relating to or having bearing upon the corrective action work (e.g., inspection reports, drilling logs and laboratory data) shall be made available to the Administrative Authority upon request.

VIII.C.3 In addition to the written reports as required in Condition VIII.C.1 and VIII.C.2 above, at the request of the Administrative Authority, the Permittee shall provide status review through briefings with the Administrative Authority.

VIII.C.4 The determination and approval of remedy selections, schedules of submittals and minor changes to any corrective action workplans may be made by the Administrative Authority during the scoping meeting or status review briefings as described in Condition VIII.C.3.

VIII.D SPECIFIC CONDITION – CONCEPTUAL SITE MODEL (CSM)

No later than 120 days after the scoping meeting, the Permittee shall submit to the Administrative Authority a CSM (along with the Performance Standards detailed in Condition VIII.A.2) or an update of any CSM submitted at the scoping meeting providing background information and the current conditions at the facility. The level of detail required for the CSM will be discussed during the scoping meeting. At a minimum, the CSM must address current site conditions, land use, known and/or potential constituent source(s), routes of constituent migration, exposure media (i.e., soil, surface waters, groundwater), exposure points, points of compliance and pathways, receptors and source media to be evaluated under the RECAP. The CSM must include a completed Figure 8 (LAC 33:I.Chapter 13). The Permittee may include completed investigations, existing data, or previously submitted documents in the CSM by reference. References must include the names, dates, and brief summaries of the documents.

If a CSM has been previously developed, the scoping meeting will also provide the opportunity for the Permittee and Administrative Authority to consider and identify all

data gaps in the CSM. The initial CSM shall be considered the "base document" to be prepared and updated by the facility as new information is gathered during investigations. The CSM shall be used by the facility to make decisions regarding risk management options, ecological risk, and monitored natural attenuation determinations (RECAP Section 2.16), or technical impracticability (TI) waiver determinations, when appropriate.

The Administrative Authority reserves the right to require revisions to the CSM based upon data resulting from ongoing investigations and activities. Revisions to the CSM may also be required for newly identified SWMUs or AOCs according to Condition VIII.L of this permit (See Appendix 1, Ongoing Corrective Action) and based on new information and information not previously considered by the Administrative Authority.

The CSM shall be divided into Profiles as detailed in Conditions VIII.D.1 through 6. If the Permittee chooses to use existing data and documents in the CSM, it may not be necessary to prepare the Profiles as detailed in Conditions VIII.D.1 through 6. However, the existing documents and data must provide sufficient information and detail which corresponds to the information required by the Facility, Land Use and Exposure, Physical, Release, Ecological, and Risk Management Profiles.

VIII.D.1 Facility Profile

The Permittee shall include in the CSM a Facility Profile which shall summarize the regional location, pertinent boundary features, general facility structures, process areas, and locations of solid waste management units or other potential sources of contaminant migration from the routine and systematic releases of hazardous constituents to the environment (e.g., truck or railcar loading/unloading areas). The Permittee shall also include historical features that may be potential release areas because of past management practices. The Facility Profile shall include:

VIII.D.1.a Map(s) and other documents depicting the following information (all maps shall be consistent with the requirements set forth in LAC 33:V Chapter 5 and be of sufficient detail and accuracy to locate and report all current site conditions):

VIII.D.1.a.(1) General geographic location;

VIII.D.1.a.(2) Property lines with the owners of all adjacent property clearly indicated;

VIII.D.1.a.(3) Facility structures, process areas and maintenance areas;

VIII.D.1.a.(4) Any other potential release areas shall be delineated, such as railcar loading/unloading

areas or any other AOI as described in RECAP Section 2.6; and

VIII.D.1.a.(5) Locations of historical features that may be potential release areas or any areas of past solid and hazardous waste generation, treatment, storage or disposal activities.

VIII.D.1.b The Facility Profile shall also include a description of ownership and operation of the facility.

VIII.D.1.c The Permittee shall provide pertinent information for those spills that have not been assessed and reported to the Administrative Authority during facility investigations, addressed by facility spill contingency plans, or previously remediated or deemed for no further action. The information must include at minimum, 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, federal, or private party response units), including any inspection reports or technical reports generated as a result of the response.

VIII.D.2 Land Use and Exposure Profile

The Permittee shall include in the CSM a Land Use and Exposure Profile which includes surrounding land uses (industrial and non-industrial, as described in RECAP Sections 2.9.1 and 2.9.2), resource use locations (water supply wells, surface water intakes, etc.), beneficial resource determinations (groundwater classifications as described in RECAP Section 2.10), natural resources (wetlands, etc.), sensitive subpopulation types and locations (schools, hospitals, nursing homes, day care centers, etc.), applicable exposure scenarios, and applicable exposure pathways identifying the specific sources, releases, migration mechanisms, exposure media, exposure routes and receptors. The Land Use and Exposure Profile shall include:

VIII.D.2.a. Map(s) and other documents depicting the following information (all maps shall be consistent with the requirements set forth in LAC 33:V Chapter 5 and be of sufficient detail and accuracy to locate and report all current site conditions):

VIII.D.2.a.(1) Surrounding land uses, resource use locations, and natural resources/wetlands;

VIII.D.2.a.(2) Locations of sensitive subpopulations; and

VIII.D.2.a.(3) An exposure pathway flowchart which outlines sources, migration pathways, exposure media and potential receptors as depicted in Figure 8 (CMS example) of the RECAP.

VIII.D.3 Physical Profile

The Permittee shall include in the CSM a Physical Profile which shall describe the factors that may affect releases, fate and transport, and receptors, including; topography, surface water features, geology, and hydrogeology. The Physical Profile shall include:

VIII.D.3.a Map(s) and other documents depicting the following information (all maps shall be consistent with the requirements set forth in LAC 33:V.Chapter 5 and be of sufficient detail and accuracy to locate and report all current site conditions):

VIII.D.3.a.(1) Topographic maps with a contour interval of five (5) or ten (10) feet, a scale of one inch to 100 feet (1:100), including hills, gradients, and surface vegetation or pavement;

VIII.D.3.a.(2) Surface water features including routes of all drainage ditches, waterways, direction of flow, and how they migrate to other surface water bodies such as canals and lakes;

VIII.D.3.a.(3) Regional geology including faulting and recharge areas, as well as local geology depicting surface features such as soil types, outcrops, faulting, and other surface features;

VIII.D.3.a.(4) Subsurface geology including stratigraphy, continuity (locations of facies changes, if known), faulting and other characteristics;

VIII.D.3.a.(5) Maps with hydrogeologic information identifying water-bearing zones, hydrologic parameters such as transmissivity, and conductivity. Also locations and thicknesses of aquitards or impermeable strata; and

VIII.D.3.a.(6) Locations of soil borings and production and groundwater monitoring wells, including

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well log information, and construction of cross-sections which correlate substrata. Wells shall be clearly labeled with ground and top of casing elevations (can be applied as an attachment).

VIII.D.4 Release Profile

The Permittee shall include in the CSM a Release Profile which shall describe the known extent of contaminants in the environment, including sources, contaminants of concern (COC), areas of investigations, distribution and magnitude of known COCs with corresponding sampling locations, and results of fate and transport modeling depicting potential future extent/magnitude of COCs. The Release Profile shall include:

VIII.D.4.a Map(s) and other documents depicting the following information (all maps shall be consistent with the requirements set forth in LAC 33:V. Chapter 5 and be of sufficient detail and accuracy to locate and report all current site conditions):

VIII.D.4.a.(1) Estimations of source concentrations, exposure concentrations and compliance concentrations for each affected media as defined in Section 2.8 of RECAP;

VIII.D.4.a.(2) Isopleth maps depicting lateral extent and concentrations of COCs;

VIII.D.4.a.(3) Results of fate and transport modeling showing potential exposure concentrations and locations; and

VIII.D.4.a.(4) Locations of potential sources including past or present waste units or disposal areas and all SWMUs/AOCs.

VIII.D.4.b Table(s) depicting the following information for each SWMU/AOC, including but not limited to: location; type of unit/disposal/release area; design features; operating practices (past and present); period of operation; age of unit/disposal/release area; general physical condition; and method of closure.

VIII.D.4.c Table(s) depicting the following waste/contaminant characteristics for those areas referenced in Condition VIII.D.4.b, including but not limited to: type of waste

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placed in the unit (hazardous classification, quantity, chemical composition), physical and chemical characteristics (physical form, description, temperature, pH, general chemical class, molecular weight, density, boiling point, viscosity, solubility in water, solubility in solvents, cohesiveness, vapor pressure); and migration and dispersal characteristics of the waste (sorption coefficients, biodegradability, photodegradation rates, hydrolysis rates, chemical transformations).

VIII.D.5 Ecological Profile

The Permittee shall include in the CSM an Ecological Profile that shall describe the physical relationship between the developed and undeveloped portions of the facility, the use and level of disturbance of the undeveloped property, and the type of ecological receptors present in relation to completed exposure pathways. When compiling data for the Ecological Profile, current, as well as, future impacts to receptors and/or their habitats shall be considered. The Ecological Profile shall include:

VIII.D.5.a A history and description of the developed property on the facility, including structures, process areas, waste management units, and property boundaries;

VIII.D.5.b A history and description of the undeveloped property, including habitat type (wetland, grassy area, forest, ponds, etc.). Include a description of the primary use, degree and nature of any disturbance, along with proximity to drainage ditches, waterways and landfill areas;

VIII.D.5.c A description of the site receptors in relation to habitat type, including endangered or protected species, mammals, birds, fish, etc.;

VIII.D.5.d A description of the relationship between release areas and habitat areas, specifically relating chemicals of potential ecological concern (COEC) to ecological receptors;

VIII.D.5.e An ecological checklist as described in Section 7.0 of RECAP. An ecological checklist (presented in Appendix C, Form 18 of the RECAP) shall be used to determine if a tier 1 (screening level) Ecological Risk Assessment (ERA) is warranted.

VIII.D.6 Risk Management Profile

The Permittee shall include in the CSM a Risk Management Profile that shall describe how each AOI at the facility will be managed for the protection of human health and the environment. The Risk Management Profile will serve as documentation of the results of the site ranking system (described in Section 2.2 of RECAP). The Risk Management Profile will also document the criteria and verify that the SO, MO-1, MO-2 or MO-3 is appropriate for application at each AOI. The Risk Management Profile shall include:

VIII.D.6.a A table for tracking the management options for each AOI, and the determination made, whether an AOI is deemed for no further action at this time (NFA-ATT) or is going to use either the SO, MO-1, MO-2 or MO-3 management option.

VIII.D.6.b A list of identified site-wide data gaps for further investigation.

VIII.D.6.c Documentation of all interim measures which have been or are being undertaken at the facility, including under State or Federal compliance orders, other than those specified in the Permit. This documentation shall include the objectives of the interim measures and how the measure is mitigating a potential threat to human health or the environment and/or is consistent with and integrated into requirements for a long term remedial solution.

VIII.E INTERIM MEASURES

VIII.E.1 If at any time during the term of this Permit, the Administrative Authority determines that a release or potential release of hazardous constituents from a SWMU/AOC poses a threat to human health and the environment, the Administrative Authority may require interim measures. The Administrative Authority shall determine the specific measure(s) or require the Permittee to propose a measure(s). The interim measure(s) may include a permit modification, a schedule for implementation, and an Interim Measures Workplan. The Administrative Authority may modify this Permit according to LAC 33:V.321 to incorporate interim measures into the Permit. However, depending upon the nature of the interim measures, a permit modification may not be required.

VIII.E.2 The Permittee may propose interim measures at any time by submittal of an Interim Measures Workplan subject to the approval of the Administrative Authority.

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VIII.E.3 The Administrative Authority shall notify the Permittee in writing of the requirement to perform interim measures and may require the submittal of an Interim Measures Workplan. The following factors will be considered by the Administrative Authority in determining the need for interim measures and the need for permit modification:

VIII.E.3.a Time required to develop and implement a final remedy;

VIII.E.3.b Actual and potential exposure to human and environmental receptors;

VIII.E.3.c Actual and potential contamination of drinking water supplies and sensitive ecosystems;

VIII.E.3.d The potential for further degradation of the medium in the absence of interim measures;

VIII.E.3.e Presence of hazardous wastes in containers that may pose a threat of release;

VIII.E.3.f Presence and concentration of hazardous waste including hazardous constituents in soil that has the potential to migrate to ground water or surface water;

VIII.E.3.g Weather conditions that may affect the current levels of contamination;

VIII.E.3.h Risks of fire, explosion, or accident; and

VIII.E.3.i Other situations that may pose threats to human health and the environment.

VIII.E.5 Upon approval of the Interim Measures Workplan and completion of the interim measure(s) implementation, the Permittee will submit a report to the Administrative Authority describing the completed work.

VIII.E.6 At anytime during or after the interim measure(s), including the issuance of an NFA-ATT, the Administrative Authority may require the Permittee to submit the SWMUs/AOCs for further corrective action.

VIII.F CAS (CORRECTIVE ACTION STRATEGY) INVESTIGATION WORKPLAN

VIII.F.1 The CAS Investigation Workplan that describes site investigation activities for corrective action shall be submitted to the Administrative Authority within 180 days after the scoping meeting between the Permittee and the Administrative Authority. The CAS Investigation Workplan must address

releases of hazardous waste or hazardous constituents to all media, unless otherwise indicated, for those SWMUs/AOCs listed in Appendix 1, Table 1. The focus of the site investigation phase for corrective action is to collect data to fill in data gaps identified in the CSM. The corrective action investigations may be conducted in phases if warranted by site conditions, contingent upon approval by the Administrative Authority.

VIII.F.1.a The CAS Investigation Workplan shall describe the management options (MO) for each AOI/release area, data quality objectives for achieving each management option, and proposals for release characterizations (sampling and analysis/quality assurance plans) to support the data quality objectives (DQOs). (DQOs are determined based on the end use of the data to be collected, and the DQO development process should be integrated into project planning and refined throughout the CAS implementation. DQOs shall be used to 1) ensure that environmental data are scientifically valid, defensible, and of an appropriate level of quality given the intended use, and 2) expedite site investigations. The CAS Investigation Workplan is required to have DQOs that are developed to support the performance standard for each release.) The CAS Investigation 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 site investigations. The scope of work for the site investigation can be found in RECAP Appendix B.

VIII.F.1.b The CAS Investigation Workplan shall describe sampling, data collection quality assurance, data management procedures (including formats for documenting and tracking data and other results of investigations) and health and safety procedures.

VIII.F.1.c Development of the CAS Investigation Workplan and reporting of data shall be consistent with the latest version of the following EPA and State guidance documents or the equivalent thereof:

VIII.F.1.c.(1) Guidance for the Data Quality Assessment, Practical Methods for Data Analysis. QA97 Version EPA QA/G-9. January 1998;

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VIII.F.1.c.(2) Guidance for the Data Quality Objectives Process. EPA QA/G-4. September 1994;

VIII.F.1.c.(3) Data Quality Objectives Remedial Response Activities. EPA/540/G87-003. March 1987;

VIII.F.1.c.(4) Guidance on Quality Assurance Project Plans. EPA QA/G-5. February 1998;

VIII.F.1.c.(5) Interim EPA Data Requirements for Quality Assurance Project Plans. EPA Region 6, Office of Quality Assurance. May 1994;

VIII.F.1.c.(6) 29 CFR 1910.120 (b) for the elements to Health and Safety plans;

VIII.F.1.c.(7) RCRA Groundwater Monitoring: Draft Technical Guidance EPA/530-R-93-001 November 1992;

VIII.F.1.c.(8) Test Methods for Evaluating Solid Waste, Physical/Chemical Methods; SW-846, 3rd Edition. November 1992, with revisions;

VIII.F.1.c.(9) The LDEQ Handbook - **Construction of Geotechnical Boreholes and Groundwater Monitoring Systems," prepared by the LDEQ and the Louisiana Department of Transportation and Development.** This document is printed by and available from the Louisiana Department of Transportation and Development, Water Resources Section, P. O. Box 94245, Baton Rouge, Louisiana 70804-9245; and

VIII.F.1.c.(10) The LAC 33:I.Chapter 13 and Louisiana Department of Environmental Quality Risk Evaluation/Corrective Action Program (RECAP).

VIII.F.2 After the Permittee submits the CAS Investigation Workplan; the Administrative Authority will approve, disapprove, or otherwise modify the CAS Investigation Workplan in writing. All approved workplans become enforceable components of this Permit.

In event of disapproval (in whole or in part) of the workplan, the Administrative Authority shall specify deficiencies in writing. The Permittee shall modify the CAS Investigation Workplan to correct these within the time frame specified in the notification of disapproval by the Administrative Authority. The modified workplan 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 a written statement of the ground for the exception within fourteen (14) days of receipt of the disapproval.

VIII.F.3 The Administrative Authority shall review for approval, as part of the CAS Investigation Workplan or as a new workplan, any plans developed pursuant to Condition VIII.L addressing further investigations of newly-identified SWMUs/AOCs, or Condition VIII.M addressing new releases from previously-identified SWMUs/AOCs.

VIII.G IMPLEMENTATION OF SITE INVESTIGATION ACTIVITIES UNDER CAS

No later than fourteen (14) days after the Permittee has received written approval from the Administrative Authority for the CAS Investigation Workplan, the Permittee shall implement the site investigation activities according to the schedules and in accordance with the approved CAS Investigation Workplan and the following:

VIII.G.1 The Permittee shall notify the Administrative Authority at least 10 working days prior to any field sampling, field-testing, or field monitoring activity required by this Permit to give LDEQ personnel the opportunity to observe investigation procedures and/or split samples.

VIII.G.2 Deviations from the approved CAS Investigation Workplan, which are necessary during implementation, must be approved by the Administrative Authority and fully documented and described in the progress reports (Condition VIII.C), RECAP Report (Condition VIII.H) and the final Risk Management Plan (Condition VIII.J).

VIII.H RECAP REPORT

Within ninety (90) days after completion of the site investigation the Permittee shall submit a RECAP Report to the Administrative Authority for approval. The RECAP Report shall document the results of the site investigation activities, and the evaluation of the impacts from releases. The Administrative Authority will review and evaluate the report and provide the Permittee with written notification of the report's approval or a notice of deficiency. If the Administrative Authority determines the RECAP Report does not fully meet the objectives stated in the CAS Investigation Workplan (Permit Condition VIII.F), the Administrative Authority shall notify the Permittee in writing of the report's

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deficiencies, and specify a due date for submittal of a revised Final Report to the Administrative Authority.

VIII.H.1 The Permittee shall screen site-specific data using the appropriate RECAP standard (RS) for each AOI (depending on the MO), evaluate impacts from releases with exposure scenario evaluations, and update the Risk Management Profile of the CSM.

VIII.H.2 The report shall include, but not be limited to, the following:

VIII.H.2.a Documentation of site investigation activities and results;

VIII.H.2.b Evaluation of exposure scenarios to document impacts from releases;

VIII.H.2.c Deviations from the CAS Investigation Workplan;

VIII.H.2.d Results of screening activities using RECAP standards (RS), including SO, MO-1, MO-2, or MO-3 RS for each media;

VIII.H.2.e The revised CSM with updated profiles which incorporate investigation and screening results; and

VIII.H.2.f Proposed revisions to performance standards based on new information (e.g., change in land use, difference in expected receptors and/or exposure, or other differences in site conditions), if warranted.

VIII.I REMEDIAL ALTERNATIVES STUDY

Upon completion and approval of the RECAP Report, the Permittee shall proceed with the evaluation of remedial alternatives to complete corrective action for each AOI according to the performance standards described in Condition VIII.A.2. The remedial alternatives shall be submitted to the Administrative Authority in the Remedial Alternatives Study (RAS) within ninety (90) days of the Administrative Authority's approval of the RECAP Report. In the Remedial Alternatives Study, the Permittee shall identify and evaluate various potential remedies that would meet the performance-based corrective action objectives and propose one or more specific remedies based on an evaluation of applicable data and available corrective action technologies. The RAS shall be prepared in a manner that addresses the extent and nature of the contamination at the facility.

VIII.I.1 The Permittee shall evaluate remedies for each AOI that shall:

VIII.I.1.a attain compliance with corrective action objectives for releases of hazardous waste and/or hazardous constituents,

as established in the Conceptual Site Model or in later investigations approved by the Administrative Authority;

VIII.I.1.b control sources of releases;

VIII.I.1.c meet acceptable waste management requirements;

VIII.I.1.d protect human health and the environment; and

VIII.I.1.e meet applicable statutory and regulatory requirements (as noted in Condition VIII.A.2.b).

VIII.I.2 The Permittee shall evaluate the use of presumptive remedies and innovative technologies to achieve the appropriate remedial performance standards for each AOI.

VIII.I.3 The Permittee shall review the current interim measures/ stabilization activities to evaluate if these measures meet all the criteria for final remedy.

VIII.I.4 If under certain site-specific conditions, or when it is not technically or economically feasible to attain the corrective action objectives, the Permittee may propose to use institutional controls to supplement treatment or containment-based remedial actions upon approval of the Administrative Authority (Section 2.15 of RECAP).

VIII.I.5 The RAS shall at a minimum include:

VIII.I.5.a An evaluation of the performance reliability, ease of implementation, and the potential impacts of the potential remedies;

VIII.I.5.b An assessment of the effectiveness of potential remedies in achieving adequate control of sources and meeting remedial performance standards;

VIII.I.5.d An assessment of the costs of implementation for potential remedies;

VIII.I.5.e An assessment of the time required to begin and complete the remedy;

VIII.I.5.f An explanation of the rationale for the remedy proposed for each AOI or group of AOIs; and

VIII.I.5.g An assessment of institutional requirements (e.g., state permit requirements that may impact remedy implementation).

VIII.I.6 The Administrative Authority will review and evaluate the RAS and provide the Permittee with written notification of the study's approval or a notice of deficiency. If the Administrative Authority determines the RAS does not fully meet the requirements detailed in Conditions VIII.I.1 through VIII.I.5, the Administrative Authority shall notify the Permittee in writing of the RAS's deficiencies, and specify a due date for submittal of a revised RAS to the Administrative Authority. In addition, the Administrative Authority may require the Permittee to evaluate additional remedies or particular elements of one or more proposed remedies.

VIII.J RISK MANAGEMENT PLAN

Within ninety (90) days of the Administrative Authority's approval of the RAS, the remedy/remedies proposed for selection shall be documented and submitted in the Risk Management Plan. The Permittee shall propose corrective action remedies in accordance with Chapter IV of the RCRA Corrective Action Plan (Final), May 1994, OSWER Directive 9902.3-2A or as directed by the Administrative Authority.

VIII.J.1 The Risk Management Plan shall at a minimum include:

VIII.J.1.a A summary of the remedial alternatives for each AOI and the rationale used for remedy selection;

VIII.J.1.b The final CSM with proposed remedies, including locations of AOIs addressed by a risk management activity, COC concentrations that represent the long-term fate and transport of residual COCs and the exposure pathways affected by the risk management activity;

VIII.J.1.c Cost estimates and implementation schedules for proposed final remedies;

VIII.J.1.d Proposed remedy design and implementation precautions, including special technical problems, additional engineering data required, permits and regulatory requirements, property access, easements and right-of-way requirements, special health and safety requirements, and community relations activities;

VIII.J.1.e Remedy performance criteria and monitoring:

The Permittee shall identify specific criteria (such as land use changes, fate and transport model verification and constructed remedy performance) that will be evaluated to demonstrate that the risk management activity implemented will remain protective. A schedule for periodic performance review (such as monitoring data summaries, including graphical and statistical analyses) shall be established to demonstrate that the implemented activities are consistently achieving and maintaining desired results. Further, a mechanism shall be established to re-evaluate risk management activities in the event the implemented action does not achieve and maintain the performance standards;

VIII.J.1.f Contingency plans; and

VIII.J.1.g Description and schedules for performance reviews.

VIII.J.2 After the Permittee submits the Risk Management Plan, the Administrative Authority will review and evaluate the plan and subsequently either inform the Permittee in writing that the plan is acceptable for public review or issue a notice of deficiency.

VIII.J.3 If the Administrative Authority determines the Risk Management Plan does not fully meet the remedial objectives, the Administrative Authority shall notify the Permittee in writing of the plan's deficiencies and specify a due date for submittal of a revised Final Risk Management Plan. In addition, the Administrative Authority may require the Permittee to evaluate additional remedies or particular elements of one or more proposed remedies.

VIII.J.4 After the Administrative Authority has determined the Risk Management Plan is acceptable for public review, the Administrative Authority shall inform the Permittee in writing and instruct the Permittee to submit the plan as a Class 3 permit modification request in accordance with the requirements of LAC 33:V.321.C.3.

VIII.J.5 After conclusion of a 60-day comment period, the Administrative Authority will either grant or deny the Class 3 permit modification request. In addition the Administrative Authority must consider and respond to all significant comments received during the 60-day comment period.

VIII.J.6 If the Class 3 Modification request is granted, the Administrative Authority shall prepare a draft permit incorporating the proposed changes in accordance with LAC 33:V.703.C and solicit public comment on the draft permit modification according to Condition VIII.N.3 of this permit.

VIII.J.7 If, after considering all public comments, the Administrative Authority determines that the Risk Management Plan is adequate and complete, the Administrative Authority will issue a public notice for final approval the Class 3 permit modification. The resultant modified permit will include schedules for remedy implementation as well as financial assurance provisions as required by Condition VIII.A.5 of this permit.

VIII.K DETERMINATION OF NO FURTHER ACTION

VIII.K.1 NFA-ATT DETERMINATIONS FOR SPECIFIC SWMUs/AOCs

VIII.K.1.a Based on the results of the site investigations, screening, risk evaluations and risk management activities, the Permittee may request a NFA-ATT determination for a specific SWMU/AOC by submittal of a Class 1[1] permit modification ([1] requiring Administrative Authority approval) request under LAC 33:V.321.C.1. The NFA-ATT request must contain information demonstrating that there are no releases of hazardous constituents from a particular SWMU/AOC that pose a threat to human health and/or the environment.

The basis for the determination of NFA-ATT shall follow the guidelines as described in the RECAP (Section 1.2.1 of RECAP) for each AOI, depending on the MO used.

VIII.K.1.b If, based upon review of the Permittee's request for a permit modification, the results of the site investigations, and other information the Administrative Authority determines that releases or suspected releases from an individual SWMU/AOC which were investigated either are non-existent or do not pose a threat to human health and/or the environment, the Administrative Authority may grant the requested modification.

VIII.K.1.c In accordance with LAC 33:V.321.C.1.a.ii, the Permittee must notify the facility mailing list within ninety (90) days of the Administrative Authority's approval of the Class 1[1] permit modification ([1] requiring Administrative Authority approval) request.

VIII.K.2 FACILITY-WIDE NFA-ATT DETERMINATION

VIII.K.2.a Upon the completion of all activities specified in the Risk Management Plan and after all SWMUs and AOCs at the facility have been remediated according to the standards dictated by the selected RECAP MO, the Permittee shall

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submit a summary report supporting a determination of NFA-ATT on a facility-wide basis.

VIII.K.2.b The summary report must include a historical narrative for each SWMU/AOC at the site that includes a summary of the investigation, sampling & analysis, remedial, and confirmatory sampling activities leading to the NFA-ATT request. The basis for the determination of NFA-ATT shall follow the guidelines as described in the RECAP (Section 1.2.1 of RECAP) for each AOI, depending on the MO used. The facility-wide NFA-ATT determination must consider any newly-identified SWMUs/AOCs discovered after submittal of the Risk Management Plan.

VIII.K.2.c The Administrative Authority will review and evaluate the summary report and subsequently either inform the Permittee in writing that the report is acceptable for public review or issue a notice of deficiency.

VIII.K.2.d If the Administrative Authority determines the summary report does not fully demonstrate that all remedial objectives have been satisfied, the Administrative Authority shall notify the Permittee in writing of the summary report's deficiencies and specify a due date for submittal of a revised summary report.

VIII.K.2.e After the Administrative Authority has determined the facility-wide NFA-ATT summary report is acceptable for public review, the Administrative Authority shall inform the Permittee in writing and instruct the Permittee to submit the summary report as a Class 3 permit modification request in accordance with the requirements of LAC 33:V.321.C.3.

VIII.K.2.f After conclusion of a 60-day comment period, the Administrative Authority will either grant or deny the Class 3 permit modification request. In addition the Administrative Authority must consider and respond to all significant comments received during the 60-day comment period.

VIII.K.2.g If, based upon review of the Permittee's Class 3 permit modification request, the results of the site investigations, confirmatory sampling, and other pertinent information, the Administrative Authority determines that all SWMUs and AOCs have been remediated to the selected MO and no further action at the facility is warranted, the Administrative Authority will grant the modification request.

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VIII.K.2.h If the Class 3 Modification request is granted, the Administrative Authority shall prepare a draft permit incorporating the proposed changes in accordance with LAC 33:V.703.C and solicit public comment on the draft permit modification according to Condition VIII.N.4 of this permit.

VIII.K.2.i If, after considering all public comments, the Administrative Authority determines that all activities specified in the Risk Management Plan have been completed and that all SWMUs and AOCs have been remediated to the selected MO, the Class 3 permit modification for facility-wide NFA-ATT will receive final approval. The CAS permit conditions will remain a part of the modified permit in the event that the remedial actions taken fail to maintain the established performance standard and to address any SWMUs/AOCs discovered at a later date.

VIII.K.3 CONTINUED MONITORING

If necessary to protect human health and/or the environment, a determination of NFA-ATT shall not preclude the Administrative Authority from requiring continued monitoring of air, soil, groundwater, or surface water, when site-specific circumstances indicate that releases of hazardous waste or hazardous constituents are likely to occur.

VIII.K.4 ADDITIONAL INVESTIGATIONS

A determination of NFA-ATT 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/AOC at the facility that is likely to pose a threat to human health and/or the environment. In such a case, the Administrative Authority shall initiate a modification to the Permit according to LAC 33:V.321.

VIII.L NOTIFICATION REQUIREMENTS FOR AND ASSESSMENT OF NEWLY-IDENTIFIED SWMUs AND POTENTIAL AOCs

VIII.L.1 The Permittee shall notify the Administrative Authority, in writing, of any newly-identified SWMUs and potential AOCs (i.e., a unit or area not specifically identified during previous corrective action assessments, RFA, etc.), discovered in the course of ground water monitoring, field investigations, environmental audits, or other means, no later than thirty (30) days after discovery. The Permittee shall also notify the Administrative Authority of any newly-constructed land-based SWMUs

(including but not limited to, surface impoundments, waste piles, landfills, land treatment units) and newly-constructed SWMUs where any release of hazardous constituents may be difficult to identify (e.g., underground storage tanks) no later than thirty (30) days after construction. The notification shall include the following items, to the extent available:

VIII.L.1.a The location of the newly-identified SWMU or potential AOC on the topographic map required under LAC 33:V.517.B. Indicate all existing units (in relation to other SWMUs/AOCs);

VIII.L.1.b The type and function of the unit;

VIII.L.1.c The general dimensions, capacities, and structural description of the unit (supply any available drawings);

VIII.L.1.d The period during which the unit was operated;

VIII.L.1.e The specifics, to the extent available, on all wastes that have been or are being managed at the SWMU or potential AOC; and

VIII.L.1.f Results of any sampling and analysis required for the purpose of determining whether releases of hazardous waste including hazardous constituents have occurred, are occurring, or are likely to occur from the SWMU/AOC.

VIII.L.2 Based on the information provided in the notification, the Administrative Authority will determine whether or not the area is a newly-identified SWMU or AOC. If the area is determined to be a newly-identified SWMU or AOC, the Administrative Authority will inform the Permittee in writing and request that the Permittee submit a Class 1[1] permit modification ([1] requiring Administrative Authority approval) request under LAC 33:V.321.C.1 to add the newly-identified SWMU/AOC to Appendix 1, Table 1 of this permit.

Further, the Administrative Authority will determine the need for further investigations or corrective measures at any newly identified SWMU or AOC. If the Administrative Authority determines that such investigations are needed, the Administrative Authority may require the Permittee to prepare a plan for such investigations. The plan for investigation of SWMU or AOC will be reviewed for approval as part of the current CAS Investigation Workplan or a new CAS Investigation Workplan. The results of the investigation of any newly-discovered SWMU/AOC shall be incorporated into the CSM.

VIII.M NOTIFICATION REQUIREMENTS FOR NEWLY-DISCOVERED RELEASES AT A SWMU OR AOC

The Permittee shall notify the Administrative Authority of any release(s) from a SWMU or AOC of hazardous waste or hazardous constituents discovered during the course of ground water monitoring, field investigation, environmental auditing, or other means. The notification must be in accordance with the procedures specified in Conditions II.E.16 through II.E.20 of this permit and based upon the nature, extent, and severity of the release. Such newly-discovered releases may be from newly-identified SWMUs or AOCs, newly-constructed SWMUs, or from SWMUs or AOCs for which, based on the findings of the CSM, completed RECAP Report, or investigation of an AOC, the Administrative Authority had previously determined no further investigation was necessary. The notification shall include information concerning actual and/or potential impacts beyond the facility boundary and on human health and the environment, if available at the time of the notification.

The Administrative Authority may require further investigation and/or interim measures for the newly-identified release(s), and may require the Permittee to prepare a plan for the investigation and/or interim measure. The plan will be reviewed for approval as part of the CAS Investigation Workplan or a new CAS Investigation Workplan. The Permit will be modified to incorporate the investigation, according to the Class 1[1] permit modification ([1]requiring Administrative Authority approval) procedures under LAC 33:V.321. The results of the investigation of any newly-identified release(s) shall be incorporated into the CSM.

VIII.N PUBLIC PARTICIPATION REQUIREMENTS

Public participation is an essential element in the implementation of any corrective action program at the facility. The CAS promotes the early and continued involvement of stakeholders in site remediation activity during permit issuance, renewal, or modification. The public is invited to review and comment on the corrective action requirements contained in any draft permitting decisons or draft permit modification documents and the associated plans and reports submitted by the Permittee. The Administrative Authority reserves the right to require more extensive public participation requirements based upon site-specific conditions and other relevant factors (e.g., compliance history, potential offsite impact, community interest, etc.). At a minimum, the public participation requirements shall include the following.

VIII.N.1 NFA-ATT Determinations for Specific SWMUs/AOCs

Based on the results of the site investigations, screening, risk evaluations and risk management activities, the Permittee may request a NFA-ATT determination for a specific SWMU/AOC by submittal of a Class 1[1] permit modification request ([1]requiring Administrative Authority approval) under LAC 33:V.321.C.1. The Permittee must notify the facility mailing list within 90 days of the Administrative Authority's approval of the Class 1[1]

permit modification request, in accordance with LAC 33:V.321.C.1.a.ii and Condition VIII.K.1.c of this permit.

VIII.N.2 Draft Permitting Decision

The public may review and comment on the terms and conditions of the CAS during the public notice and comment period of the draft permitting decision. The Administrative Authority shall issue public notice upon preparation of the draft permitting decision in accordance with LAC 33:V.715. During the forty-five (45) day public comment period, the Administrative Authority will accept public comments on the draft permitting decision. At the end of the public comment period, the Administrative Authority will consider and address all public comments and make any necessary revisions to the draft permitting decision. After addressing all public comments, the Administrative Authority will issue a public notice for issuance of the final permitting decision. The final permitting decision will include a "Responsiveness Summary" detailing all comments received on the draft permitting decision and the actions taken (if necessary) to correct the draft before issuance of the final permitting decision.

VIII.N.3 Final Remedy Selection

The public may review and comment on the terms and conditions of the Risk Management Plan as described in Conditions VIII.J.4 through VIII.J.7 of this permit. If after addressing all public comments the Administrative Authority determines that the Risk Management Plan is satisfactory, the Administrative Authority will prepare a draft permit modification document in accordance with LAC 33:V.703.C.

The draft permit modification document will include a "Basis of Decision". The "Basis of Decision" will identify the proposed remedy for corrective action at the site and the reasons for its selection, describe all other remedies that were considered, and solicit for public review and comments on the Risk Management Plan included in the draft permit modification document.

After addressing all public comments, the Administrative Authority will issue a public notice for issuance of the final permit modification. The final permit modification will include a "Responsiveness Summary" detailing all comments received on the draft permit modification and the actions taken (if necessary) to correct the draft before issuance of the final permit modification.

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VIII.N.4 Facility-Wide NFA-ATT

Upon the completion of all activities specified in the Risk Management Plan and after all facility remedial objectives have been met, the Permittee may submit a summary report for a determination of NFA-ATT on a facility-wide basis in accordance with Condition VIII.K.2 of this permit. The public may review and comment on the summary report as described in Condition VIII.K.2.b. If after addressing all public comments the Administrative Authority determines that all SWMUs and AOCs have been remediated to the selected MO and no further action at the facility is warranted, the Administrative Authority will prepare a draft permit modification document in accordance with LAC 33:V.703.C.

The draft permit modification document will include a "Basis of Decision". The "Basis of Decision" will provide a summary detailing contamination sources, site investigations, the MO selected for the facility, facility remedial standards, remedial actions, and sampling results demonstrating that the facility remedial standards have been achieved.

After addressing all public comments, the Administrative Authority will issue a public notice for issuance of the final permit modification. The final permit modification will include a "Responsiveness Summary" detailing all comments received on the draft permit modification and the actions taken (if necessary) to correct the draft before issuance of the final permit modification.

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Table 1: Corrective Action Strategy Notification and Reporting Requirements

Below is a summary of the major notifications and reports that may be required by the Administrative Authority under the Corrective Action Strategy of this Permit in the event of releases requiring RCRA corrective action. The Administrative Authority will notify the Permittee of the notification and reporting requirements during the scoping meeting or another applicable stage of the corrective action process.

Actions	Due Date
Submit Notice of Intent to request use of the CAS to the Administrative Authority for review and comment (Condition VIII.B.1)	Within sixty (60) days of the effective date of this permit (if facility corrective action is required)
CAS Scoping Meeting held between facility and Administrative Authority (Condition VIII.B.2)	Within sixty (60) days of submittal of the Notice of Intent
Submit Progress Reports on all activities to the Administrative Authority (Condition VIII.C.1)	Schedule to be determined by the Administrative Authority on a case-by-case basis
Make available other reports relating to corrective action to the Administrative Authority (Condition VIII.C.2)	Upon request of the Administrative Authority
Provide briefings to the Administrative Authority (Condition VIII.C.3)	As necessary and upon request by the Administrative Authority
Submit Conceptual Site Model (CSM) (Condition VIII.D) and facility Performance Standards (Condition VIII.A.2) to the Administrative Authority	Within one-hundred and twenty (120) days after the scoping meeting
Perform Interim Measures (Condition VIII.E)	As determined by the Administrative Authority on a case by case basis
Submit Corrective Action Strategy (CAS) Workplan for the facility investigation to the Administrative Authority (Condition VIII.F)	Within one-hundred and eighty (180) days after the CAS Scoping Meeting
Implement site investigation activities under CAS Investigation Workplan according to approved schedule (Condition VIII.G)	Within fourteen (14) days of receipt of approval by the Administrative Authority
Submit RECAP Report to the Administrative Authority (Condition VIII.H)	Within ninety (90) days of completion of the site investigation
Submittal of Remedial Alternatives Study (RAS) to the Administrative Authority (Condition VIII.I)	Within ninety (90) days of completion of approval of the RECAP Report by the Administrative Authority
Submit Risk Management Plan to the	Within sixty (90) days of approval of the RAS

Administrative Authority (Condition VIII.J)	by the Administrative Authority
Submit NFA (and Permit Modification) request to the Administrative Authority (Condition VIII.K)	As necessary
Notification of newly-identified SWMUs and potential AOCs (Condition VIII.L)	Thirty (30) days after discovery
Notification of newly-discovered releases (Condition VIII.M)	Fifteen (15) days after discovery

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APPENDIX 1

SUMMARY OF CORRECTIVE ACTION ACTIVITIES

Clean Harbors Colfax, LLC currently has ongoing corrective action for the following AOCs and/or SWMUs at its Colfax Open Burning/Open Detonation (OB/OD) Facility's Old Burn Area. Clean Harbors Colfax, LLC is responsible for the remediation of the existing SWMUs. A Risk-based Corrective Action Evaluation Workplan dated December 16, 2004 and Revised August 16, 2005 has been submitted and pending approval. The Administrative Authority will determine the conditions and requirements fulfilled by the facility and the current status of the facility in the CAS process with the Risk-based Corrective Action Evaluation Workplan dated December 16, 2004 and Revised August 16, 2005. In the event any new AOCs or SWMUs are discovered, Appendix 1 will be modified in accordance with Condition VIII.M and the Permittee will submit a Notice of Intent, in accordance with VIII.B.1.

TABLE 1. SUMMARY OF CORRECTIVE ACTION ACTIVITIES

AOC/SWMU Number/Name	AOC/SWMU Description	Status of Corrective Action Activity	Corrective Action Document/Type of CA	EDMS Document ID# and Approval Date
SWMU NO. 1	Area Adjacent to/ Surrounding Burnsite No. 1	**ON GOING** Soil samples taken, groundwater samples taken at closure and following the approval of the workplan, a RECAP site investigation report will be prepared.	Risk-Based Corrective Action Evaluation Workplan dated December 12, 2004 and Revised August 16, 2005 to reflect RECAP standards. Risk-based corrective action data collection and evaluation approach for the old burn area.	**33347909** **Appendix M** **Approval Pending**
SWMU NO. 2	Area Adjacent to /Surrounding Burnsite No.2	**ON GOING** Soil samples taken, groundwater samples taken at closure and following the approval of the	Risk-Based Corrective Action Evaluation Workplan dated December 12, 2004 and Revised August 16, 2005 to reflect RECAP standards.	**33347909** **Appendix M** **Approval Pending**

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		workplan, a RECAP site investigation report will be prepared.	Risk-based corrective action data collection and evaluation approach for the old burn area.	
SWMU NO. 3	Area Adjacent to /Surrounding Burnsite No. 3	**ON GOING** Soil samples taken, groundwater samples taken at closure and following the approval of the workplan, a RECAP site investigation report will be prepared.	Risk-Based Corrective Action Evaluation Workplan dated December 12, 2004 and Revised August 16, 2005 to reflect RECAP standards. Risk-based corrective action data collection and evaluation approach for the old burn area.	**33347909** **Appendix M** **Approval Pending**
SWMU NO. 4	Area Adjacent to /Surrounding Burnsite No. 4	**ON GOING** Soil samples taken, groundwater samples taken at closure and following the approval of the workplan, a RECAP site investigation report will be prepared.	Risk-Based Corrective Action Evaluation Workplan dated December 12, 2004 and Revised August 16, 2005 to reflect RECAP standards. Risk-based corrective action data collection and evaluation approach for the old burn area.	**33347909** **Appendix M** **Approval Pending**
SWMU NO. 5	Area Adjacent to /Surrounding Burnsite No. 5	**ON GOING** Soil samples taken, groundwater samples taken at closure and following the approval of the workplan, a RECAP site investigation report will be prepared.	Risk-Based Corrective Action Evaluation Workplan dated December 12, 2004 and Revised August 16, 2005 to reflect RECAP standards. Risk-based corrective action data collection and evaluation approach for the old burn area.	**33347909** **Appendix M** **Approval Pending**
SWMU NO. 6	Area Adjacent to /Surrounding Burnsite No. 6	**ON GOING** Soil samples taken, groundwater samples taken at closure and following the approval of the	Risk-Based Corrective Action Evaluation Workplan dated December 12, 2004 and Revised August 16, 2005 to reflect RECAP standards.	**33347909** **Appendix M** **Approval Pending**

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		workplan, a RECAP site investigation report will be prepared.	Risk-based corrective action data collection and evaluation approach for the old burn area.	
SWMU NO. 7	Area Adjacent to /Surrounding Burnsite No. 7	**ON GOING** Soil samples taken, groundwater samples taken at closure and following the approval of the workplan, a RECAP site investigation report will be prepared.	Risk-Based Corrective Action Evaluation Workplan dated December 12, 2004 and Revised August 16, 2005 to reflect RECAP standards. Risk-based corrective action data collection and evaluation approach for the old burn area.	**33347909** **Appendix M** **Approval Pending**
SWMU NO. 8	Area Adjacent to /Surrounding Burnsite No. 8	**ON GOING** Soil samples taken, groundwater samples taken at closure and following the approval of the workplan, a RECAP site investigation report will be prepared.	Risk-Based Corrective Action Evaluation Workplan dated December 12, 2004 and Revised August 16, 2005 to reflect RECAP standards. Risk-based corrective action data collection and evaluation approach for the old burn area.	**33347909** **Appendix M** **Approval Pending**
SWMU NO. 9	Area Adjacent to /Surrounding Burnsite No. 9	**ON GOING** Soil samples taken, groundwater samples taken at closure and following the approval of the workplan, a RECAP site investigation report will be prepared.	Risk-Based Corrective Action Evaluation Workplan dated December 12, 2004 and Revised August 16, 2005 to reflect RECAP standards. Risk-based corrective action data collection and evaluation approach for the old burn area. standards	**33347909** **Appendix M** **Approval Pending**
SWMU NO. 10	Area Adjacent to /Surrounding Burnsite No. 10	**ON GOING** Soil samples taken, groundwater samples taken at closure and following the approval of the	Risk-Based Corrective Action Evaluation Workplan dated December 12, 2004 and Revised August 16, 2005 to reflect RECAP standards.	**33347909** **Appendix M** **Approval Pending**

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		workplan, a RECAP site investigation report will be prepared.	Risk-based corrective action data collection and evaluation approach for the old burn area.	

ATTACHMENT 1

ATTACHMENT 1
LIST OF FACILITY DOCUMENTS INCORPORATED IN THE PERMIT BY REFERENCE
LAD 981 055 791
AI# 32096

DOCUMENT TYPE	APPLICATION/ DOCUMENT DATE	ELECTRONIC DATABASE MANAGEMENT SYSTEM (EDMS) DOCUMENT ID NO.	COMMENTS
Closure Plan /Post-Closure Plan and Cost Estimates	8/22/2005	33347909	Responses to 6/22/05 Notice of Deficiencies and Supplemental Information Appendix L
Contingency Plan	RESERVED	RESERVED	Must submit a revised Contingency Plan in accordance with Permit Condition II.E.21.e.
Inspection Plan	RESERVED	RESERVED	Must submit a revised Inspection Plan in accordance with Permit Condition II.E.21.b.
Personnel Training Plan	8/22/2005	33347909	Responses to 6/22/05 Notice of Deficiencies and Supplemental Information, Appendix K
Waste Analysis Plan	RESERVED	RESERVED	Must submit a revised Waste Analysis Plan in accordance with Permit Condition II.E.21.a
Ash Management Plan	RESERVED	RESERVED	Attached to Waste Analysis Plan (see above comment)

RESPONSIVENESS SUMMARY

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	1
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition II.E.21.g, Page 14
COMMENTS	Clean Harbors proposes changing the language to "Roll-off boxes of ash residue must be located in the truck staging/parking area which is covered to control wind dispersion." Clean Harbors proposes that the covered storage provided by the building is sufficient protection from wind dispersion of ash.
RESPONSE	The LDEQ acknowledges your comment but does not concur. The truck staging/parking area is under roof but two ends of the building are open. Wind can enter the building from the two open ends and blow across the tops of the roll-off boxes.
ACTION	**The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	2
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition II.E.21.i, Page 14
COMMENTS	Clean Harbors proposes changing the language to "A representative sample of the hazardous waste in any waste shipment must be analyzed in accordance with the Waste Analysis Plan to verify pertinent information on the manifest. The quantity of waste received must be recorded and physical characteristics compared to the waste stream description in accordance with LAC 33:V.2113 and 2115." Clean Harbors proposes that the language of this item be changed to allow visual inspection of wastes received at the facility. Explosive wastes are not amendable to sampling and analysis for health and safety reasons.
RESPONSE	The LDEQ acknowledges your comment regarding sampling of explosive wastes. However, adequate characterization of the waste is necessary and proper documentation may include process or owner/generator knowledge in accordance with rule provisions. Clarification will be added to the permit condition to address your concern.
ACTION	**Permit Condition II.E.21.i has been revised for clarification to "A representative sample of the hazardous waste in any waste shipment must be analyzed in accordance with the Waste Analysis Plan to verify pertinent information on the manifest. The quantity of waste received and chemical and physical characteristics identified with regard to ignitability, reactivity, and incompatibility in accordance with LAC 33:V.2113 and 2115 must be recorded. The WAP may specify methods and identifications of both chemical and physical waste characterization to include both testing data and/or owner/generator knowledge in accordance with LAC 33:V.1103 and 1519."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	3
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition III.C.2.b., First Paragraph, Page 19
COMMENTS	Clean Harbors proposes changing the language to "The WAP must delineate the type and quantity of ammunition or bulk propellant items managed by OB/OD including the type and quantity received over the next operating year for each treatment area." Per conversations with LaDEQ and EPA, Region 6 staff, Clean Harbors proposes to provide the requested data going forward via new profiles and recharacterization of existing waste streams.
RESPONSE	The LDEQ acknowledges your comment and concurs with starting the data collection from the effective date of the permit but also believes that historical data should be provided in summary form to the extent practical. The permit condition will state that this requirement will be effective with the effective date of this permit and that a summary of historical information should be included.
ACTION	**The Permit Condition III.C.2.b has been revised to "The WAP must delineate the type and quantity of ammunition or bulk propellant items managed by OB/OD including the type and quantity received over the next operating year for each treatment area. The delineation will begin with the effective date of this permit. A summary of the historical information concerning historical operations should be included, if possible."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	4
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition III.C.2.b., Second Paragraph, Page 20
COMMENTS	Clean Harbors proposes changing the language to "The results of this recharacterization shall be included in the Permittee's Operating Record." Clean Harbors proposes this change since there is no requirement in LAC 33:V.Chapter 15 to report this information in the Annual Report.
RESPONSE	The LDEQ acknowledges your comment but does not concur. In accordance with LAC 33:V.1111 and LAC 33:V.Chapter 3, any changes that occurred at the facility in the previous year must be reported in the Annual Report. The Administrative Authority may impose additional requirements, in accordance with LAC 33:V.1527, 3203 and 3205 that are needed to protect human health and the environment. Please note that since 1993, Clean Harbors Colfax has been required to summarize the results of the re-characterization in the Annual Report as stated in Permit Condition III.C.3 of the current administratively continued operating permit.
ACTION	**The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	5
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition III.C.2.e.2., Page 22
COMMENTS	Clean Harbors proposes changing the language to "The Permittee shall maintain contact documents in the facility's Operating Record for any outside laboratory providing data to be submitted to the LDEQ for the WAP or LAC 33:V.Chapter 15." Clean Harbors proposes this change since there is no requirements in LAC 33:V.Chapter 15 to submit this information.
RESPONSE	The LDEQ acknowledges your comment but does not concur. In accordance with LAC 33:I.Chapter 45, the Permittee shall submit documentation of the Permittee contracts with a commercial laboratory for any service required by the WAP and/or LAC 33:V.Chapter 15 must be provided. The laboratory accreditation is to ensure the accuracy, precision, and reliability of data generated, as well as the use of Department approved methodologies in the generation of that data. The language in Permit Condition III.C.2.e.2 will be revised for clarification. However, please note that since 1993, Clean Harbors Colfax has been required to document and submit this information as stated in Permit Condition III.C.4 of the current administratively continued operating permit.
ACTION	**Permit Condition III.C.2.e.2 has been revised to "The Permittee shall submit documentation if the Permittee contracts with a commercial Laboratory for any service required by the WAP and/or LAC 33:V.Chapter 15. Documentation of the laboratory's accreditation must be submitted to the Administrative Authority. The WAP must be revised and resubmitted when a different commercial laboratory is contracted, in accordance with Condition III.C.5 of this permit."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	6
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition III.C.2.e.2, Second Paragraph, Page 22
COMMENTS	Clean Harbors proposes removing the language "The WAP must be revised and resubmitted when a different laboratory is contracted." Clean Harbors proposes this change since there is no requirement in LAC 33:V.Chapter 15 to submit this as a permit modification. Clean Harbors will verify laboratory acceptability with LaDEQ staff before initiating a change.
RESPONSE	The LDEQ acknowledges your comment but does not concur. Any changes to the WAP must be made and resubmitted for the Administrative Authority's approval. Please note that since 1993, Clean Harbors Colfax has been required to document and submit this information as stated in Permit Condition III.C.4 of the current administratively continued operating permit.
ACTION	**The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	7
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition III.C.2.e.8, Page 23
COMMENTS	Clean Harbors proposes changing the language to "The Permittee shall sample and analyze ash from the treatment process using the Toxicity Characteristic Leaching Procedure (TCLP) at least quarterly, and shall maintain the results of sampling and analysis, as required by Permit Condition III.C.2.e in the operating record in accordance Permit Condition II.E.23.a.viii and in accordance with LAC 33:V.1529." Clean Harbors proposes to change this item to match V.D.1.e.ii.
RESPONSE	The LDEQ acknowledges your comment but does not concur with the proposed permit language. The permit condition will be revised for clarification on the sampling and analyses.
ACTION	**Permit Condition III.C.2.e.8 has been revised to "The Permittee shall sample and analyze D003 explosive and reactive hazardous waste ash from the treatment process shall be conducted using the Toxicity Characteristic Leaching Procedure (TCLP) at least quarterly on each roll-off box prior to shipment off-site for disposal. The sampling and analysis results shall be maintained, as required by Permit Condition II.E.23.a.viii and in accordance with LAC 33:V.1529."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	8
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition III.C.2.e.9, Page 23
COMMENTS	Clean Harbors proposes changing the language to "Permittee must sample for TCLP metals and Table 7 analytes from the waste streams whose ash is included in the container." Clean Harbors proposes to change this item to match item V.D.1.e.ii. Utilizing treated compounds for the basis of the analytes was discussed with LaDEQ and EPA Region 6 staff prior to this comment.
RESPONSE	**The LDEQ acknowledges your comment but does not concur. Permit Condition III.C.2.e.9 is to declare the ash non-hazardous for off-site disposal and therefore must test for analytes listed in LAC 33:V.2299, Table 7, unless otherwise proven, through process knowledge and in accordance with Condition II.E.21.i and III.C.5, that the constituents are not in wastes being burned as specified in the universal waste treatement standards of LAC 33:V.2233.A. Permit Condition V.D.1.e.ii is for verification of the treatment process.**
ACTION	**The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	9
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition III.C.3, Page 24
COMMENTS	Clean Harbors proposes removing this language since it is not aware of a requirement in LAC 33:V. to maintain this certification statement or report it annually.
RESPONSE	The LDEQ acknowledges your comment but does not concur. In accordance with LAC 33:V.1529.B.19, the Permittee must certify no less than annually, that the Permittee has a program in place to reduce the volume and toxicity of hazardous waste that he generates to the degree determined by the Permittee 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. LAC 33:V.1529.D.9 and 10 requires generators who treat, store or dispose of hazardous waste on-site to include a description of the efforts undertaken during the year to reduce the volume and toxicity of waste generated and a description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years to the extent such information is available for the years prior to 1984, in the annual report. The certification statement shall be in accordance with LAC 33:V.513. Please note that since 1993, Clean Harbors Colfax has been required to document and submit this information as stated in Permit Condition III.C.1 of the current administratively continued operating permit.
ACTION	**The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	10
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition III.C.3.a, Page 24
COMMENTS	Clean Harbors proposes changing the language to "The WAP must include a brief statement that ensures the existing operating record is maintained continuously and that information is accurate and can be substantiated by the existing inventory records, in accordance with Condition III.C.2.c of this permit." Clean Harbors proposes this change to meet the requirements of III.C.3.
RESPONSE	The LDEQ acknowledges your comment but does not concur with the removal of the certification requirement. Also see response to Item 9 above. The language in this permit condition will be revised for clarity.
ACTION	**Permit Condition III.C.3.a has been revised to "The WAP certification must include a brief statement that ensures that the database established is maintained continuously and that the information is accurate and can be substantiated by the existing inventory records, in accordance with Condition III.C.2.c of this permit."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM 11

REFERENCE Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal

ISSUE Permit Condition III.C.3.c., Page 24

COMMENTS Clean Harbors proposes changing the language to "The WAP must be certified by a Louisiana licensed professional engineer (PE) as required in LAC 33:V.1519 initially and, if modification is necessary, prior to submission as a permit modification." Clean Harbors proposes this change since there it is not aware of a requirement in LAC 33:V.Chapter 15 to perform this certification annually.

RESPONSE The LDEQ acknowledges your comment but does not concur. In accordance with LAC 33:V.1529.B.19, the Permittee must certify no less than annually, that the Permittee has a program in place to reduce the volume and toxicity of hazardous waste that he generates to the degree determined by the Permittee 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. LAC 33:V.1529.D.9 and 10 requires generators who treat, store or dispose of hazardous waste on-site to include a description of the efforts undertaken during the year to reduce the volume and toxicity of waste generated and a description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years to the extent such information is available for the years prior to 1984, in the annual report. Please note that since 1993, Clean Harbors Colfax has been required to document and submit this information as stated in Permit Condition III.C.2 of the current administratively continued operating permit.

ACTION **The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM 12

REFERENCE Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal

ISSUE Permit Condition III.C.4., Page 25

COMMENTS Clean Harbors proposes removing this language since there is no annual certification or reporting requirements under the waste analysis or recordkeeping and reporting rules (LAC 33:V.1519 & 29, respectively). If there are changes to the WAP, they will be submitted as a permit modification and will be certified at that time.

RESPONSE The LDEQ acknowledges your comment but does not concur.
In accordance with LAC 33:V.1529.B.19, the Permittee must certify no less than annually, that the Permittee has a program in place to reduce the volume and toxicity of hazardous waste that he generates to the degree determined by the Permittee 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. LAC 33:V.1529.D.9 and 10 requires generators who treat, store or dispose of hazardous waste on-site to include a description of the efforts undertaken during the year to reduce the volume and toxicity of waste generated and a description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years to the extent such information is available for the years prior to 1984, in the annual report. In accordance with LAC 33:V.309.L.10, 1111.B, 1529.D, and 3205.A, the annual report must cover the facility activities during the previous calendar year as well as the requirements stated above. Please note that since 1993, Clean Harbors Colfax has been required to document and submit this information as stated in Permit Condition III.C.1-4 of the current administratively continued operating permit.

ACTION **The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM 13

REFERENCE Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal

ISSUE Permit Condition III.C.5., Page 25

COMMENTS Clean Harbors proposes changing the language to "If there is reason to believe that the type and/or quantity of munition or bulk propellant items being managed has or will change, or that particular hazardous constituents have or will significantly change, the Permittee must review and recharacterize wastes in accordance with LAC 33:V.1519.A.3. This recharacterization shall include laboratory analyses and/or process knowledge which provide information needed to properly treat, store, and dispose of the reactive and/or explosive materials, including physical characteristics and chemical components of the materials as specified in Condition III.C.2 of this permit. The Permittee will follow the timeframe provided in Condition II.E.21.a of this permit for submitting and obtaining approval of the WAP revision prior to the Administrative Authority incorporating the Revised WAP into this permit." Clean Harbors proposes this change since it is not aware of an annual certification or reporting requirements under the waste analysis or recordkeeping and reporting rules (LAC 33:V.1519 & 29, respectively). If there are changes to the WAP, they will be submitted as a permit modification. As noted previously, annual recharaterizations to existing waste streams will be performed as they come due.

RESPONSE The LDEQ acknowledges your comment but does not concur.
In accordance with LAC 33:V.1529.B.19, the Permittee must certify no less than annually, that the Permittee has a program in place to reduce the volume and toxicity of hazardous waste that he generates to the degree determined by the Permittee 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. LAC 33:V.1529.D.9 and 10 requires generators who treat, store or dispose of hazardous waste

on-site to include a description of the efforts undertaken during the year to reduce the volume and toxicity of waste generated and a description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years to the extent such information is available for the years prior to 1984, in the annual report. In accordance with LAC 33:V.309.L.10, 1111.B, 1529.D, and 3205.A, the annual report must cover the facility activities during the previous calendar year as well as the requirements stated above. Please note that since 1993, Clean Harbors Colfax has been required to document and submit this information as stated in Permit Condition III.C.3 of the current administratively continued operating permit and III.N.1-2.

ACTION **The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM 14

REFERENCE Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal

ISSUE Permit Condition III.D., Page 25

COMMENTS Clean Harbors proposes changing the language to "The Permittee shall comply with the security provisions of the LAC 33:V.1507, except for the perimeter lighting requirement and as specified in the Security Plan referenced as Attachment 1." Clean Harbors has proposed language to take into account that the facility predates the lighting requirement of this rule.

RESPONSE The LDEQ acknowledges your comment but does not concur. There is no predating of the lighting requirements of LAC 33:V.1507. In the current administratively continued permit, in Attachment 9 "Security" on page 197, it states that "a 100 foot clear zone will be maintained between the units and the hazardous waste site perimeter fence. The clear zone will be monitored 24 hours per day by a guard with the aid of video cameras and floodlights. Lights are provided at the gated entry to the facility and the hazardous waste sites. The approximate locations of the light poles are shown on Figure 2. Each light is equipped with photoelectric sensors and the lights are checked regularly." Therefore, the facility does not predate the lighting requirements and the lighting was and should still be in place in accordance with the current administratively continued permit.

ACTION **The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM 15

REFERENCE Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal .

ISSUE Permit Condition III.K.5., Page 27

COMMENTS Clean Harbors proposes changing the language to "The Permittee shall document in the facility operating record that the requirements of the LAC 33:V.1511.G have been met. This documentation shall include those state and local agencies involved and those facilities and operations covered. Documentation of written arrangements with state and local agencies shall also be included in the operating record Where state or local authorities decline to enter into such arrangements, the Permittee must document the refusal in the operating record." Clean Harbors has found no requirement in LAC 33:V.1511.G to document this activity in the annual report.

RESPONSE The LDEQ acknowledges your comment but does not concur.
In accordance with LAC 33:V.1529.B.19, the Permittee must certify no less than annually, that the Permittee has a program in place to reduce the volume and toxicity of hazardous waste that he generates to the degree determined by the Permittee 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. LAC 33:V.1529.D.9 and 10 requires generators who treat, store or dispose of hazardous waste on-site to include a description of the efforts undertaken during the year to reduce the volume and toxicity of waste generated and a description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years to the extent such information is available for the years prior to 1984, in the annual report. In accordance with LAC 33:V.309.L.10, 1111.B, 1529.D, and 3205.A, the annual report must cover the facility activities during the previous calendar year as well as the requirements stated above.

Please note that since 1993, Clean Harbors Colfax has been required to document and submit this information as stated in Permit Condition III.K.5 of the current administratively continued operating permit.

ACTION **The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	16
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition III.M., Page 28
COMMENTS	Clean Harbors proposes changing the language to "The Permittee shall comply with the manifest requirements of the LAC 33:V.Chapter 11." Clean Harbors proposes this change since LAC 33:V.Chpater 9 has been repealed.
RESPONSE	The LDEQ acknowledges your comment and concurs. The language will be revised.
ACTION	**Permit Condition III.M has been revised to "The Permittee shall comply with the applicable manifest requirements of LAC 33:V.Chapter 11."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM 17

REFERENCE Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal

ISSUE Permit Condition III.N.1., Page 28

COMMENTS Clean Harbors proposes changing the language to "The Permittee shall maintain a record of all waste burned in the operating record. The record data should include the date, quantity, and type of waste burned, and the removal and disposal of the ash resulting from the burn event." Recording the "duration of the burn" is not in the existing permit. Clean Harbors believes this to be unnecessary.

RESPONSE **The LDEQ acknowledges your comment but does not concur. The existing permit was issued in 1993 and is 19 years old. Therefore, the existing permit is no longer an accurate depiction of the facility operations and regulatory requirements. The duration of the burn is critical in order to assess and ensure that the permit is protective of human health and the environment. Only by documenting individual burn event durations can emissions be adequately characterized. For example, individual burn times (and any variations in times) can be used to accurately assess the potential emissions of specific Compounds of Potential Concern (COPCs) resulting from open burn activities. Otherwise, total facility operating time for every possible COPC would need to be used to assess potential impacts and EPA believes that such a generic approach would be overly conservative for emissions estimates and not truly representative of potential risk from open burn activities.**

ACTION **The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	18
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition III.O.1.g., Table 1, Page 32
COMMENTS	Clean Harbors proposes changing the "Area" designated as the Physical Preparation Building be deleted since it is already listed in Line 1 of the table.
RESPONSE	The LDEQ acknowledges your comment and concurs. Table 1 will be revised to remove the third line listing the Physical Preparation's building twice.
ACTION	**Permit Condition III.O.1.g, Table 1 has been revised to remove the duplication of the Physical Preparation Building.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM 19

REFERENCE Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal

ISSUE Permit Condition III.O.1.g., Table 1, Page 32

COMMENTS Clean Harbors proposes changing the language to "480,000 lbs per year (net explosive weight) or 350 lbs per hour." The 0.658 short tons per hour is not equal to 480,000 lbs. Clean Harbors believes this is inaccurate and unnecessary.

RESPONSE The LDEQ acknowledges your comment and concurs, however, the Permittee's current Air Permit states that waste stream treatment batches typically vary from approximately 15 to 350 lbs per hour. The maximum annual throughput for the facility is 480,000 lbs per year (net explosive weight). With an operation schedule of 8 hours per day and 365 days per year with the maximum hourly waste throughput of 350 lbs per hour. In the Part A of the revised renewal application, Line 1, Item 8 states the yearly capacity is 480,000 lbs (net explosive weight) that is equal to 0.658 short tons per day for the thermal treatment unit. A revised Part A must be submitted with the corrected capacity. The Permittee must request a Class 1 permit modification in accordance with LAC 33:V.321.C. A permit condition will be added to the Schedule of Compliance (Condition II.E.21).

ACTION **Permit Condition III.O.1.g., Table 1 has been revised. Permit Condition II.E.21.j has been added to state that "Within thirty (30) days of the effective date of this permit, the Permittee shall submit a revised Part A, as a Class 1 modification, in accordance with LAC 33:V.321.C to correct the capacity of 0.658 short tons per day to 350 lbs per hour (480,000 lbs per year net explosive weight)."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	20
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition IV. Table 2, Page 37
COMMENTS	Clean Harbors proposes changing the language to "480,000 lbs per year (net explosive weight) or 350 lbs per hour." The 0.658 short tons per hour is not equal to 480,000 lbs. Clean Harbors believes this is inaccurate and unnecessary.
RESPONSE	The LDEQ acknowledges your comment and concurs, however, the Permittee's current Air Permit states that waste stream treatment batches typically vary from approximately 15 to 350 lbs per hour. The maximum annual throughput for the facility is 480,000 lbs per year (net explosive weight). With an operation schedule of 8 hours per day and 365 days per year with the maximum hourly waste throughput of 350 lbs per hour. In the Part A of the revised renewal application, Line 1, Item 8 states the yearly capacity is 480,000 lbs (net explosive weight) that is equal to 0.658 short tons per day for the thermal treatment unit. A revised Part A must be submitted with the corrected capacity. The Permittee must request a Class 1 permit modification in accordance with LAC 33:V.321.C. A permit condition will be added to the Schedule of Compliance (Condition II.E.21).
ACTION	**Permit Condition IV. Table 2 has been revised. Permit Condition II.E.21.j has been added to state that "Within thirty (30) days of the effective date of this permit, the Permittee shall submit a revised Part A, as a Class 1 modification, in accordance with LAC 33:V.321.C to correct the capacity of 0.658 short tons per day to 350 lbs per hour (480,000 lbs per year net explosive weight)."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM 21

REFERENCE Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal

ISSUE Permit Condition IV. Table 2, Page 37

COMMENTS Clean Harbors proposes changing the language to "Round Burn Pans 1 through 9 burn D003, characteristic waste" instead of the Round Burn Pans 1 through 5. Clean Harbor proposes to submit proof that the pans have not been contaminated with listed wastes or will clean them and submit documentation to support the change.

RESPONSE The LDEQ acknowledges your comment and concurs. However, the Permittee must submit documentation that the pans have not been contaminated with listed wastes or that the burn pans will be decontaminated and documentation of decontamination must be submitted before the pans can be placed into service for the thermal treatment of D003, characteristic waste. Permit Condition II.E.21., Schedule of Compliance, will be revised to allow for the submission of this documentation before use.

ACTION **Permit Condition II.E.21. has been revised to include Permit Condition II.E.21.k which states "Within sixty (60) days of the effective date of this permit, the Permittee must submit documentation that the Round Burn Pans 6-9 have not been used to treat listed waste and/or have been decontaminated and are not contaminated with listed waste before Round Burn Pans 6-9 can be used to thermally treat D003, characteristic waste."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	22
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition IV. Table 2, Page 37
COMMENTS	Clean Harbors proposes changing the language to "Square Burn Pans 11 through 19 burn D003, characteristic waste" instead of the Square Burn Pans 11 through 15. Clean Harbor proposes to submit proof that the pans have not been contaminated with listed wastes or will clean them and submit documentation to support the change.
RESPONSE	The LDEQ acknowledges your comment and concurs. However, the Permittee must submit documentation that the pans have not been contaminated with listed wastes or that they will be decontaminated documentation of the decontamination must be submitted before the pans can be placed into service for the thermal treatment of D003, characteristic waste. Condition II.E.21., Schedule of Compliance, has been revised to allow for the submission of this documentation before use.
ACTION	**Permit Condition II.E.21. has been revised to include Permit Condition II.E.21.1 which states "Within sixty (60) days of the effective date of this permit, the Permittee must submit documentation that the Square Burn Pans 16-19 have not been used to treat listed waste and/or have been decontaminated and are not contaminated with listed waste before Square Burn Pans 16-19 can be used to thermally treat D003, characteristic waste."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	23
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition IV. Table 2, Page 37
COMMENTS	Clean Harbors proposes changing the language to "Round Burn Pan 10 burn D003, listed waste" instead of the Round Burn Pans 6 through 10. The pan will continue to be designated as in "listed" waste service.
RESPONSE	The LDEQ acknowledges your comment and concurs. Permit Condition IV. Table 2 will be revised.
ACTION	**Permit Condition IV. Table 2 has been revised to state "Round Burn Pan 10 burns listed waste."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	24
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition IV. Table 2, Page 37
COMMENTS	Clean Harbors proposes changing the language to "Square Burn Pan 20 burn D003, listed waste" instead of the Square Burn Pans 16 through 20. The pan will continue to be designated as in "listed" waste service.
RESPONSE	The LDEQ acknowledges your comment and concurs. Permit Condition IV. Table 2 will be revised.
ACTION	**Permit Condition IV. Table 2 has been revised to state "Square Burn Pan 20 burns listed waste."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	25
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition IV. Table 2, Page 38
COMMENTS	Clean Harbors proposes changing the language to "The Preparations Building listed in Table 2 is permitted to decontainerize prepare materials for thermal treatment. The Container Storage Area at the rear of the Preparations Building listed in Table 2 is permitted to store listed ash residue, characteristic ash residue that is found to be hazardous and material/waste not required to be stored in Magazines (i.e., explosive and reactive wastes not regulated by the BATF)."
RESPONSE	The LDEQ acknowledges your comment and concurs. Permit Condition IV. Table 2 will be revised.
ACTION	**Permit Condition IV. Table 2 has been revised to state "The Preparations Building listed in Table 2 is permitted to decontainerize and prepare materials for thermal treatment. The Container Storage Area at the rear of the Preparations Building listed in Table 2 is permitted to store listed ash residue and characteristic ash residue that is found to be hazardous and material/waste not required to be stored in Magazines (i.e., explosive and reactive wastes not regulated by the BATF)."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	26
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.A.1.c.ii, Page 40
COMMENTS	Clean Harbors proposes changing the language from "military propellants" to "propellants" because propellants may be from commercial, industrial or military sources. Also, Clean Harbors requests to correct a typo, to drop the "s" from "treatments."
RESPONSE	The LDEQ acknowledges your comment and concurs. Permit Condition V.A.1.c.ii will be revised.
ACTION	**Permit Condition V.A.1.c.ii has been revised to state "The Permittee is prohibited from storing hazardous waste that is not identified in Permit Condition V.A.1.c.i of this Permit. The Permittee is prohibited from storing hazardous waste except for the open burning and detonation of waste explosives, including waste which has the potential to detonate and bulk propellants which cannot safely be disposed of through other modes of treatment. The Permittee is prohibited from accepting and/or storing any mercury containing waste or material."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	27
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.A.1.c.ii.(e), Page 41
COMMENTS	Clean Harbors proposes the removal of this requirement because "if propellants from aerosol cans are prohibited, this is unnecessary."
RESPONSE	The LDEQ acknowledges your comment but does not concur. The Permit Condition V.A.1.c.ii.(e) will be revised for clarification.
ACTION	**Permit Condition V.A.1.c.ii.(e) has been revised to state "Propellants that serve as a vehicle for discharging their contents, such as aerosol cans, and propellants that are not in their original package and cannot be properly identified, are prohibited."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM 28

REFERENCE Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal

ISSUE Permit Condition V.A.1.e., Page 42

COMMENTS Clean Harbors proposes changing the language to state "The Permittee must store ignitable, incompatible or reactive waste in accordance with the LAC 33:V.2115.A, B, C and D. LAC 33:V.1517 and as proscribed by the U.S. Bureau of Alcohol, Tobacco and Firearms (ATF) regulations. Wastes containing liquids will be limited to those magazines with secondary containment." Clean Harbors request this change since wastes received at the site may vary significantly from one type of waste to another. Therefore, Clean Harbors proposes this change to allow flexibility of storage between the various magazines.

RESPONSE The LDEQ acknowledges your comment and concurs. The Permit Condition V.A.1.e will be revised.

ACTION **Permit Condition V.A.1.e.i has been revised to "The Permittee must store ignitable, incompatible or reactive waste in accordance with the LAC 33:V.2115.A, B, C, and D and LAC 33:V.1517 and the U.S. Bureau of Alcohol, Tobacco and Firearms (ATF) regulations as follows:**

V.A.1.e.i.(a) **Igniters and detonators shall be stored in Magazines segregated for this specific waste/material.**

V.A.1.e.i.(b) **Dry explosives and reactive waste will be stored in Magazines segregated for this specific waste/material.**

V.A.1.e.i.(c) **The Permittee shall store liquid explosive and reactive wastes only in the Magazines with secondary containment and**

designated as liquid waste storage (i.e., Magazines 8-10).

V.A.1.e.i.(d) The Permittee shall store explosive and reactive wastes packed in liquids only in Magazines with secondary containment and designated as liquid waste storage (i.e., Magazines 8-10).

V.A.1.e.i.(e) The Permittee shall store water reactive waste packed in compatible liquids only in Magazines with secondary containment and designated as liquid waste storage (i.e., Magazines 8-10)."

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	29
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.A.1.f.ix, Page 44
COMMENTS	Clean Harbors proposes changing the language to "Prior to storage of any hazardous waste, the Permittee must obtain a detailed chemical and physical data for the waste as required by LAC 33:V.1519.A and in accordance wit the WAP in Attachment 1 and revised in accordance with Condition II.E.21." Clean Harbors proposes changing "analysis of a sample" to "data" because, due to their explosive nature, some wastes may not be amendable to sampling and analysis.
RESPONSE	The LDEQ acknowledges your comment and concurs. The permit condition will be revised for clarification.
ACTION	**Permit Condition V.A.1.f.ix has been revised to "Prior to storage of any hazardous waste, the Permittee must obtain a detailed chemical and physical analysis of a representative sample of the waste as required by the LAC 33:V.1519.A and in accordance with the WAP in Attachment 1 and revised in accordance with Condition II.E.21. The waste characterization is to include both analyses and/or owner/generator knowledge, to provide sufficient identification of the chemical and physical characteristics of the waste."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	30
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.A.1.f.xii., Page 45
COMMENTS	Clean Harbors proposes changing the language to "All containers with explosive hazardous waste and/or reactive wastes are ignitable, must be handled in compliance with the U.S. Department of Labor's Occupational Safety and Health Administration and ATF regulations." Clean Harbors proposes this verbiage to retain flexibility in managing these wastes while retaining the intent of the requirement.
RESPONSE	The LDEQ acknowledges your comment and concurs. Permit Condition V.A.1.f.xii. will be revised.
ACTION	**Permit Condition V.A.1.f.xii has been revised to "All containers with explosive hazardous waste and/or reactive wastes that are ignitable, must be handled in compliance with the U.S. Department of Labor's Occupational Safety and Health Administration and ATF regulations."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM 31

REFERENCE Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal

ISSUE Permit Condition V.A.1.f.xiv., Page 45

COMMENTS Clean Harbors proposes the removal of "Portable containment skids shall be used when liquids are stored in these magazines." Clean Harbors proposes to remove this sentence since there are elevated "false floors" in these magazines so skids are not necessary to keep potential leaked liquids away from the wastes."

RESPONSE The LDEQ acknowledges your comment but does not concur. The revised permit renewal application dated August 2003, page 21-5 states that "The facility utilizes portable containment skids for use when liquids are stored in these magazines." The Response to NOD dated December 2004, page 22 of 46 states "The container storage areas that are used for liquid wastes (Magazines 8, 9, and 10) are operated such that all containers are elevated in containment trays that would hold any liquids that might potentially leak from the containers and also prevent contact with any liquids that might spill onto the floor or the storage units." The Response to NOD, dated August 2005, Attachment 1, page 18 of 28 states that "Since the previous application was submitted in 1997, Clean Harbors Colfax, LLC has implemented the use of portable spill containment skids for use within the liquid waste storage magazines. Each skid is adequate to contain two 55-gallon drums. This method is now used for secondary containment."

ACTION **The Permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM 32

REFERENCE Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal

ISSUE Permit Condition V.A.1.g.i., Page 45

COMMENTS Clean Harbors proposes the removal of "detailed in the annual report (due March 1 of each year)" and to add "reported per the requirements of the facility's Contingency Plan." Clean Harbors proposes changing the verbiage in this item since it has found no corresponding annual reporting requirements in LAC 33:V.Chapter 15 and that the proposed language requires more immediate reporting of incidents.

RESPONSE The LDEQ acknowledges your comment but does not concur. In accordance with LAC 33:V.309.L.7 and 309.L.10, 1111.B, 1513.A.4, 1529.D, and 3205.A, the annual report must cover the facility activities during the previous calendar year. If a spill occurs and is reportable under the applicable regulations (the CWA, RCRA and SARA) and the Contingency Plan and Emergency Procedures are used, then this will be considered activities that occur at the facility for the calendar year and therefore reportable in the annual report as required by LAC 33:V.309.L.10. Since 1993, Clean Harbors Colfax has been required to document and submit this information as stated in Permit Condition II.E.16.b, II.E.24 and IV.A.1.b of the current administratively continued operating permit.

ACTION **The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	33
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.A.1.g.v., Page 46
COMMENTS	Clean Harbors proposes the removal of "daily" and add "each operating day." Clean Harbors proposes this change since the facility is not operated seven days a week.
RESPONSE	The LDEQ acknowledges your comment and concurs. The permit condition will be revised.
ACTION	**Permit Condition V.A.1.g.v has been revised to "The covered staging area at the entrance of Magazines 8-10 shall be inspected each operating day."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	34
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.B.1.b.ii.(e)., Page 49
COMMENTS	Clean Harbors proposes the removal of this language "All propellants shall be in the original package to ascertain proper identification." Clean Harbors proposes dropping this sentence if propellants from aerosol cans are prohibited, this is unnecessary.
RESPONSE	The LDEQ acknowledges your comment but does not concur. The Permit Condition V.B.1.b.ii.(e) will be revised for clarification.
ACTION	**Permit Condition V.B.1.b.ii.(e) has been revised to state "Propellants that serve as a vehicle for discharging their contents, such as aerosol cans, and propellants that are not in their original package and cannot be properly identified are prohibited."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	35
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.B.1.c.i., Page 50
COMMENTS	Clean Harbors proposes the removal of "daily" and add "each operating day." Clean Harbors proposes this change since the facility is not operated seven days a week.
RESPONSE	The LDEQ acknowledges your comment and concurs. The permit condition V.B.1.c.i will be revised.
ACTION	**Permit Condition V.B.1.c.i has been revised to "The container storage area at the rear of the Preparations Building shall be inspected each operating day."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	36
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.C.1.c.ii, Page 52
COMMENTS	Clean Harbors proposes changing the language from "military propellants" to "propellants" because propellants may be from commercial, industrial or military sources. Also, Clean Harbors requests to correct a typo, to drop the "s" from "treatments."
RESPONSE	The LDEQ acknowledges your comment and concurs. Permit Condition V.C.1.c.ii will be revised.
ACTION	**Permit Condition V.C.1.c.ii, has been revised to state "The Permittee is prohibited from storing hazardous waste that is not identified in Permit Condition V.C.1.c.i of this Permit. The Permittee is prohibited from storing hazardous waste except for the open burning and detonation of waste explosives, including waste which has the potential to detonate and bulk propellants which cannot safely be disposed of through other modes of treatment."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	37
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.C.1.c.ii.(e)., Page 52
COMMENTS	Clean Harbors proposes the removal of this language "All propellants shall be in the original package to ascertain proper identification." Clean Harbors proposes dropping this sentence if propellants from aerosol cans are prohibited, this is unnecessary.
RESPONSE	The LDEQ acknowledges your comment but does not concur. The Permit Condition V.C.1.c.ii.(e) will be revised for clarification.
ACTION	**Permit Condition V.C.1.c.ii.(e) has been revised to state "Propellants that serve as a vehicle for discharging their contents, such as aerosol cans and propellants that are not in their original package and cannot be properly identified are prohibited."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM 38

REFERENCE Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal

ISSUE Permit Condition V.C.1.d.i., Page 53

COMMENTS Clean Harbors proposes changing the language to state "The Permittee must store ignitable, incompatible or reactive waste in accordance with the LAC 33:V.2.115.A, B, C and D. LAC 33:V.1517 and as proscribed by the U.S. Bureau of Alcohol, Tobacco and Firearms (ATF) regulations. Wastes containing liquids will be limited to those magazines with secondary containment." Clean Harbors request this change since wastes received at the site may vary significantly from one type of waste to another. Therefore, Clean Harbors proposes this change to allow flexibility of storage between the various magazines.

RESPONSE The LDEQ acknowledges your comment and concurs. The Permit Condition V.C.1.d.i will be revised.

ACTION **Permit Condition V.C.1.d.i has been revised to "The Permittee must store ignitable, incompatible or reactive waste in accordance with the LAC 33:V.2115.A, B, C, and D and LAC 33:V.1517 and the U.S. Bureau of Alcohol, Tobacco and Firearms (ATF) regulations as follows:**

V.C.1.d.i.(a) **Igniters and detonators shall be stored in Magazines segregated for this specific waste/material.**

V.C.1.d.i.(b) **Dry explosives and reactive waste will be stored in Magazines segregated for this specific waste/material.**

V.C.1.d.i.(c) **The Permittee shall store liquid explosive and reactive wastes only in the Magazines with secondary containment and**

designated as liquid waste storage (i.e., Magazines 8-10).

V.C.1.d.i.(d) The Permittee shall store explosive and reactive wastes packed in liquids only in Magazines with secondary containment and designated as liquid waste storage (i.e., Magazines 8-10).

V.C.1.d.i.(e) The Permittee shall store water reactive waste packed in compatible liquids only in Magazines with secondary containment and designated as liquid waste storage (i.e., Magazines 8-10)."

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	39
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.C.1.e.i., Page 54
COMMENTS	Clean Harbors proposes changing the language to "The container storage area at the rear of the Preparation Building will store 2,500 gallons or 60 cubic yards of listed site generated ash residue for up to one year and characteristic ash residue that is found to be hazardous and material/waste that are not required by the ATF to be stored in magazines (i.e., explosive and reactive wastes that are not regulated by the ATF)." Clean Harbors proposes multiple changes to the language in this item to make it more easily understood.
RESPONSE	The LDEQ acknowledges your comment and concurs. The Permit Condition V.C.1.e.i will be revised.
ACTION	**Permit Condition V.C.1.e.i has been revised to "The container storage area at the rear of the Preparation Building will store 2,500 gallons or 60 cubic yards of listed site generated ash residue for up to one year and characteristic ash residue that is found to be hazardous and material/waste that are not required by the ATF to be stored in magazines (i.e., explosive and reactive wastes that are not regulated by the ATF)."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	40
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.C.1.e.iv., Page 55
COMMENTS	Clean Harbors proposes the removal the language "The Permittee shall store containers holding only wastes that do not contain free liquids and conform to the LAC 33:V.2111.C." Clean Harbors proposes removing this language since this storage area is permit to store up to 2,500 gallons of liquid wastes.
RESPONSE	The LDEQ acknowledges your comment but does not concur. The container storage are at the rear of the Preparations Building is permitted to store 2,500 gallons or 60 cubic yards of listed site generated ash residue for up to one year and characteristic ash residue that is found to be hazardous. Liquid storage was not assessed for this area since the permit application labeled this area as "ash storage." There is insufficient documentation for permitting this area for liquid waste storage. The Permittee can submit a permit modification with sufficient documentation (i.e., secondary containment, etc.) for this area to store liquid waste.
ACTION	**The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	41
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.C.1.e.vi., Page 55
COMMENTS	Clean Harbors proposes changing the language to "Prior to storage of any hazardous waste, the Permittee must obtain a detailed chemical and physical analysis of a representative sample of the waste or otherwise verify the waste conforms to the waste stream information on file as required by the LAC 33:V.1519.A and in accordance with the WAP in Attachment 1 and revised in accordance with Condition II.E.21."
RESPONSE	The LDEQ acknowledges your comment. Also see response to Item 2. The permit condition will be revised for clarification.
ACTION	**Permit Condition V.C.1.e.vi has been revised to "Prior to storage of any hazardous waste, the Permittee must obtain a detailed chemical and physical analysis of a representative sample of the waste as required by the LAC 33:V.1519.A and in accordance with the WAP in Attachment 1 and revised in accordance with Condition II.E.21. The waste characterization will include both analysis and/or owner/generator knowledge that provides sufficient identification of the chemical and physical characteristics of the waste."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	42
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.C.1.e.ix., Page 55
COMMENTS	Clean Harbors proposes changing the language to "All containers with explosive hazardous waste and/or reactive wastes that are ignitable must be handled in compliance with the U.S. Department of Labor's Occupational Safety and Health Administration and ATF regulations." Clean Harbors proposes this verbiage to retain flexibility in managing these wastes while retaining the intent of the requirement.
RESPONSE	The LDEQ acknowledges your comment and concurs. Permit Condition V.C.1.e.ix. will be revised.
ACTION	**Permit Condition V.C.1.e.ix has been revised to "All containers with explosive hazardous waste and/or reactive wastes are ignitable, must be handled in compliance with the U.S. Department of Labor's Occupational Safety and Health Administration and ATF regulations."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	43
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.a.i., Page 59
COMMENTS	Clean Harbors proposes changing the language to "The Permittee shall maintain the burn unit(s) according to the design specifications and the applicable permit and manufacture's specifications." Clean Harbors proposes to change the verbiage of this requirement since the ATF does not regulate these units.
RESPONSE	The LDEQ acknowledges your comment and concurs. Permit Condition V.D.1.a.i will be revised.
ACTION	**Permit Condition V.D.1.a.i has been revised to "The Permittee shall maintain the burn unit(s) according to the design specifications and the applicable permit conditions and manufacture's specifications."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	44
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.a.v., Page 59
COMMENTS	Clean Harbors proposes changing the language to "The Permittee is prohibited from treating all non reactive wastes and those wastes identified in Permit Condition V.D.1.h.ii." Clean Harbors proposes to change the verbiage of this requirement because reactive is a more appropriate description.
RESPONSE	The LDEQ acknowledges your comment but does not concur. Open burning of hazardous waste is prohibited except for the open burning and detonation of waste explosives. Waste explosives include waste which has the potential to detonate and bulk military propellants which cannot safely be disposed of through other modes of treatment.
ACTION	**The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	45
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.a.xi., Page 60
COMMENTS	Clean Harbors proposes changing the language to "The Permittee shall operate and maintain a precipitation cover for the burn pans and burner pads." Clean Harbors proposes to change the verbiage of this requirement because burner pads is a more appropriate description.
RESPONSE	The LDEQ acknowledges your comment and concurs. Permit Condition V.D.1.a.xi will be revised.
ACTION	**Permit Condition V.D.1.a.xi has been revised to "The Permittee shall operate and maintain a precipitation cover for the burn pans and concrete burner pads."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	46
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.b.iii., Page 61
COMMENTS	Clean Harbors proposes changing the language to "Thermal treatment operations shall be limited to daylight hours only between 8 a.m. and 5 p.m." Clean Harbors proposes to change the verbiage of this requirement because the preparations building is sufficiently well lit to allow work to be done anytime and transportation and inspection operations can be done using artificial lighting.
RESPONSE	The LDEQ acknowledges your comment but does not concur. If the facility operating hours are 8 a.m. to 5 p.m. then this requirement is not an issue. If the thermal treatment of waste is limited during these operating hours and in order to thermally treat the waste it must be prepared, transported and inspected, then the limitation of the burn times (8 a.m. to 5 p.m.) will limit these steps of operation also. If the operating hours change the Permittee can submit a permit modification to change the hours of operation.
ACTION	**The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	47
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.b.iv., Page 61
COMMENTS	Clean Harbors proposes changing the language to "The Permittee shall allow sufficient cool-down period following each burn to allow the ash to be handled safely." Clean Harbors proposes to change the verbiage of this requirement because different wastes cool at different rates."
RESPONSE	The LDEQ acknowledges your comment and concurs. The permit condition will be revised. The current 1993 administratively continued permit requires at least a minimum forty-five (45) minute cool-down period after each burn, in accordance with permit condition IV.C.1.l.2.
ACTION	**Permit Condition V.D.1.b.iv has been revised to "The Permittee shall allow sufficient cool-down periods following each burn to allow the ash to be handled safely. In accordance with Permit Condition III.N.1, the documentation of the duration of the burn will assist in documenting the appropriate cool-down periods."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	48
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.b.viii., Page 61
COMMENTS	Clean Harbors proposes removing the word "during" from the permit condition. Clean Harbors proposes to change the verbiage of this requirement because detonations occur as part of the Open Burning/Open Detonation process by definition.
RESPONSE	The LDEQ acknowledges your comment concurs.
ACTION	**Permit Condition V.D.1.b.viii has been revised to remove "during."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	49
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.b.x., Page 62
COMMENTS	Clean Harbors proposes changing the language to "The waste will be placed in the burn pans and when necessary per the Facility Operations Plan, soaked with diesel fuel (a low volatile slow burning fuel) to facilitate the burn." Clean Harbors proposes to change the verbiage of this requirement because not all wastes require diesel to burn effectively.
RESPONSE	The LDEQ acknowledges your comment and will revise the permit condition for clarification.
ACTION	**Permit Condition V.D.1.b.x has been revised to "The waste will be placed in the burn pans and when necessary, in accordance with the criteria for facilitating the burn, established in the Facility's Operations Plan, the waste will be soaked with diesel fuel (a low volatile slow burning fuel) to facilitate the burn."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	50
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.b.xi., Page 62
COMMENTS	Clean Harbors proposes changing the language to "The Permittee shall not treat high explosives containing initiators of any description." Clean Harbors proposes to change the verbiage of this requirement because it is incorrect.
RESPONSE	The LDEQ acknowledges your comment and concurs.
ACTION	**Permit Condition V.D.1.b.xi has been revised to "The Permittee shall not treat high explosives containing initiators of any description."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	51
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.b.xv., Page 62
COMMENTS	Clean Harbors proposes changing the language to "Round burn pan 10 and square burn pan 20 shall burn listed waste." Clean Harbors proposes to change the verbiage of this requirement if comments 21 and 24 are accepted.
RESPONSE	The LDEQ acknowledges your comment and concurs.
ACTION	**Permit Condition V.D.1.b.xv has been revised to "Round burn pan 10 and square burn pan 20 shall burn listed waste."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	52
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.b.xvi., Page 62
COMMENTS	Clean Harbors proposes changing the language to "Round burn pans 1 through 9 and square burn pans 11 through 19 shall burn characteristic waste (D003)." Clean Harbors proposes to change the verbiage of this requirement if comments 21 and 24 are accepted.
RESPONSE	The LDEQ acknowledges your comment and concurs.
ACTION	**Permit Condition V.D.1.b.xvi has been revised to "Round burn pans 1 through 9 and square burn pans 11 through 19 shall burn characteristic waste (D003)."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	53
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.b.xvii., Page 62
COMMENTS	Clean Harbors proposes changing the language to "Residue resulting from the burn of D003 (characteristic waste) that are accumulated in containers (roll-off boxes) must be stored in the truck staging/parking area to protect from precipitation and wind. If analytical results do indicate that the material is hazardous, it will be covered and labeled and stored for less than ninety (90) days in accordance with Conditions II.E.21 and III.C." Clean Harbors proposes to change the verbiage of this requirement because the ash bin container storage building is covered.
RESPONSE	The LDEQ acknowledges your comment but does not concur. The truck staging/parking area is covered and enclosed on two sides but the two ends of the building are open. Wind and precipitation can blow in from the two open ends and across the tops of the roll-off boxes.
ACTION	**The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	54
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.b.xviii., Page 62
COMMENTS	Clean Harbors proposes removing the language in this permit condition. Clean Harbors proposes to change the verbiage of this requirement because here is sufficient freeboard on the containers used to transport the ash to contain it.
RESPONSE	The LDEQ acknowledges your comment but does not concur. Wind can blow across the tops of the pans during transport and spillage can occur during transport.
ACTION	**The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	55
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.b.xx., Page 63
COMMENTS	Clean Harbors proposes changing the language to "The thermal treatment unit consists of twenty (20) burn pans (10 round burn pans and 10 square burn pans). The round burn pans are placed inside concrete culvert. The burn pans shall remain at a distance of no less than 50 feet from one another in accordance with LAC 33:V.3203." Clean Harbors proposes to change the verbiage of this requirement to keep unit descriptions consistant throughout the permit.
RESPONSE	The LDEQ acknowledges your comment but does not concur. The revised permit renewal application and Response to NOD refers to the culverts as concrete burn chambers. The language is added for clarification since throughout the revised permit renewal application and the Responses to NOD the terms are used interchangeably.
ACTION	**The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	56
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.c.ii., Page 64
COMMENTS	Clean Harbors proposes changing the language to "The Permittee shall inspect the thermal treatment unit's concrete slab each operating day and shall repair any cracks or deteriorations immediately upon discovery." Clean Harbors proposes to change the verbiage of this requirement since the site is not currently operated seven days per week and inspect per operating day is sufficient to identify any problems with the unit.
RESPONSE	The LDEQ acknowledges your comment. However, the burn pans must be inspected before each burn. The language will be revised to clarify inspections on operating days and before burning.
ACTION	**The Permit Condition V.D.1.c.ii has been revised to "The Permittee shall inspect the thermal treatment unit's concrete slab each operating day and shall repair any cracks or deteriorations immediately upon discovery. The burn pans, concrete culverts and concrete burn pads shall be inspected before each burn."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	57
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.c.iv., Page 64
COMMENTS	Clean Harbors proposes changing the language to "The inspection schedules shall become part of the operating record and shall be made available at all reasonable times to the Administrative Authority in accordance with Condition III.N. Repair or replacement shall be noted as "Corrective Actions" on the inspection reports." Clean Harbors proposes to change the verbiage of this requirement since the site does not currently have a "maintenance schedule" for the burn pans. They are replaced or repaired on an as needed basis. Repair records are not maintained under the current permit and are not required under LAC 33:V.Chapter 15.
RESPONSE	The LDEQ acknowledges your comment and agrees that clarification is needed. Since 1993, Clean Harbors Colfax has been required to document this information as stated in Permit Condition II.E.6 and III.E of the current administratively continued operating permit. The permit condition will be revised to clarify the documentation of the replacements or repairs to the burn pans.
ACTION	**Permit Condition V.D.1.c.iv has been revised to "The inspection schedules and maintenance and repair records shall become part of the operating record and shall be made available at all reasonable times to the Administrative Authority in accordance with Condition III.N and LAC 33:V.1509.D."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	58
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.c.v., Page 64
COMMENTS	Clean Harbors proposes changing the language to "Visual inspections are to be conducted each operating day to ensure that no releases or spills of untreated wastes outsides of the containment areas or treatment process areas have occurred." Clean Harbors proposes to change the verbiage of this requirement since the site is not currently operated seven days per week and inspection per operating day is sufficient to identify any spills or releases.
RESPONSE	The LDEQ acknowledges your comment but does not concur. Inspecting after each burn is essential to discovering any untreated wastes that may have been spilled or released.
ACTION	**The permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM 59

REFERENCE Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal

ISSUE Permit Condition V.D.1.c.vi., Page 64

COMMENTS Clean Harbors proposes removing the language from this requirement. Clean Harbors proposes to change the verbiage of this requirement since the site does not currently have a "maintenance schedule" for the various units. They are replaced or repaired on an as needed basis. Repair records are not required under LAC 33:V.Chapter 15. "Corrective actions" will be noted on the inspection reports as noted in the previous comment.

RESPONSE The LDEQ acknowledges your comment. The permit condition will be revised for clarification on repairs and replacement. In accordance with LAC 33:V.1509.C & D, the Permittee must record inspections in an inspection log or summary. The nature of any repairs must be included. Since 1993, Clean Harbors Colfax has been required to document this information as stated in Permit Condition III.N of the current administratively continued operating permit.

ACTION **Permit Condition V.D.1.c.vi. has been revised to "The Permittee shall keep a record of all repairs or replacement activities conducted on the unit(s) and associated equipment. The repair and/or replacement record shall be completed within one (1) working day of the date the unit was placed back into service. This record shall be part of the operating record for this Permit and available at the facility at all times for review and inspection by the Administrative Authority and in accordance with Conditions III.E, III.E.6 and III.N. At a minimum, the record shall include the following information:**

V.D.1.c.vi.(a) The date the problem was discovered (if not preventative maintenance);

V.D.1.c.vi.(b) The pan or associated equipment (e.g., burner pad, burn chamber, cover, etc.) repaired or replaced including any other appropriate descriptive identities;

V.D.1.c.vi.(c) The type of maintenance or repair;

V.D.1.c.vi.(d) The date maintenance/repair or replacement was completed;

V.D.1.c.vi.(e) The name of person(s) conducting the maintenance, repair or replacement;

V.D.1.c.vi.(f) Any other pertinent information associated with the maintenance/repair or replacement; and

V.D.1.c.vi.(g) The date the unit(s) was placed back into service."

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	60
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.c.vii., Page 65
COMMENTS	Clean Harbors proposes changing the language to "The thermal treatment area (700' x 130' concrete slab) shall be inspected daily when in use for leaks, spills, cracks, etc..." Clean Harbors proposes to change the verbiage of this requirement since the site does not currently operate seven days per week.
RESPONSE	The LDEQ acknowledges your comment and concurs. The permit condition will be revised for clarification.
ACTION	**Permit Condition V.D.1.c.vii has been revised to "The thermal treatment area (700' x 130' concrete slab) shall be inspected each operating day for leaks, spills, cracks, etc."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	61
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.e., Page 65
COMMENTS	Clean Harbors proposes changing the designation of V.D.1.e to V.D.1.d.
RESPONSE	The LDEQ acknowledges your comment and concurs. The permit condition designation will be revised. This revision will require all of the following condition designations to be revised.
ACTION	**Permit Condition V.D.1.e has been revised to "V.D.1.d and V.D.1.f has been revised to V.D.1.e and V.D.1.g has been revised to V.D.1.f and V.D.1.h has been revised to V.D.1.g and V.D.1.i has been revised to V.D.1.h."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	62
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.e.i., Page 65
COMMENTS	Clean Harbors proposes changing the language to "The Permittee shall inspect the burn area daily when in use and shall record the results of this inspection record, required by Condition III.E of this permit." Clean Harbors proposes to change the verbiage of this requirement since the site does not currently operate seven days per week.
RESPONSE	The LDEQ acknowledges your comment and concurs. The permit condition will be revised for clarification. Permit Condition V.D.1.e.i has been revised to V.D.1.d.i as stated in Item 61.
ACTION	**Permit Condition V.D.1.d.i has been revised to "The Permittee shall inspect the burn area each operating day and shall record the results of this inspection record as required by Condition III.E of this permit."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	63
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.f., Page 66
COMMENTS	Clean Harbors proposes changing the designation of this item to "e".
RESPONSE	The LDEQ acknowledges your comment and concurs. The permit condition will be revised.
ACTION	**Permit Condition V.D.1.f has been revised to "V.D.1.e."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	64
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.f.iii.(c)., Page 66
COMMENTS	Clean Harbors proposes changing the language to "Periods of reduced visibility, here defined as the distance to the treeline on the far side of the treatment area concrete pad from the control room." Clean Harbors proposes to change the language of this item to make more readily determined. The pad must be clear and easily seen from the control room.
RESPONSE	The LDEQ acknowledges your comment and agrees to revise the permit condition to clarify reduced visibility.
ACTION	**Permit Condition V.D.1.f.iii.(c) has been revised to "V.D.1.e.iii.(c)" and the language has been revised to "Periods of reduced visibility, here defined as low lying fog and/or hazy conditions where visibility is two (2) miles.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

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ITEM	65
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.f.iii.(d)., Page 67
COMMENTS	Clean Harbors proposes changing the language to "Roads and bridges approaching the facility must be clear for emergency responders." Clean Harbors proposes to change the language of this item to make more readily determined.
RESPONSE	The LDEQ acknowledges your comment and agrees to revise the permit condition to clarity flooding conditions.
ACTION	**Permit Condition V.D.1.f.iii,(d) has been revised to "V.D.1.e.iii.(d)" and the language has been revised to "Flooding conditions that may cause roads and bridges approaching the facility to be submerged and prevent vehicles from traveling through."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

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AGENCY INTEREST NO. 32096

ITEM	66
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.g, Page 67
COMMENTS	Clean Harbors proposes changing the designation of this item to "f".
RESPONSE	The LDEQ acknowledges your comment and concurs. The permit condition will be revised.
ACTION	**Permit Condition V.D.1.g has been revised to "V.D.1.f."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
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ITEM	67
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.g.ii., Page 67
COMMENTS	Clean Harbors proposes changing the language to "The Permittee shall not thermally treat more than 480,000 lbs per year or 350 pounds per hour of hazardous waste on and single day." Clean Harbors proposes to change the language of this item to match the facility's Air Permit.
RESPONSE	The LDEQ acknowledges your comment and concurs.
ACTION	**Permit Condition V.D.1.g.ii has been revised to "V.D.1.f.ii" and the language has been revised to "The Permittee shall not thermally treat more than 480,000 lbs per year (net explosive weight) or 350 pounds per hour of hazardous waste on any single day."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
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ITEM	68
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.h., Page 67
COMMENTS	Clean Harbors proposes changing the designation of this item to "g".
RESPONSE	The LDEQ acknowledges your comment and concurs. The permit condition will be revised.
ACTION	**Permit Condition V.D.1.h has been revised to "V.D.1.g."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	69
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.h.ii., Page 67
COMMENTS	Clean Harbors proposes changing the language to "The Permittee is prohibited from treating hazardous waste except for the open burning and detonation of waste explosives, including waste which has the potential to detonate and bulk propellants which cannot safely be disposed of through other modes of treatment." Clean Harbors proposes dropping the word "military". Propellants may be from commercial, industrial or military sources. Also, too correct a typo, please drop the "s" from treatments.
RESPONSE	The LDEQ acknowledges your comment and concurs. The permit condition will be revised.
ACTION	**Permit Condition V.D.1.h.ii has been revised to "V.D.1.g.ii" and the language has been revised to "The Permittee is prohibited from treating hazardous waste except for the open burning and detonation of explosives, including waste which has the potential to detonate and bulk propellants which cannot safely be disposed of through other modes of treatment."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
PERMIT NUMBER LAD 981 055 791-OP-RN-1
AGENCY INTEREST NO. 32096

ITEM	70
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.h.ii.(e)., Page 68
COMMENTS	Clean Harbors proposes removing this permit condition. Clean Harbors proposes dropping this sentence. If propellants from aerosol cans are prohibited, this is unnecessary.
RESPONSE	The LDEQ acknowledges your comment and the permit language will be revised to clarify this requirement.
ACTION	**Permit Condition V.D.1.h.ii.(e) has been revised to "V.D.1.g.ii.(e)" and the language has been revised to "Propellants that serve as a vehicle for discharging their contents, such as aerosol cans, and propellants that are not in their original package and cannot be properly identified are prohibited."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

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ITEM	71
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.D.1.i.., Page 68
COMMENTS	Clean Harbors proposes to change the designation of this item to "h".
RESPONSE	The LDEQ acknowledges your comment and concurs. The permit condition designation will be revised.
ACTION	**Permit Condition V.D.1.i has been revised to "V.D.1.h."**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

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ITEM	72
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.G, Page 69
COMMENTS	Clean Harbors proposes revision various sections of this permit condition. Clean Harbors proposes to continue its current program for soil sampling with input on the various compounds that are sampled.
RESPONSE	**The LDEQ acknowledges your comment but does not concur. The state of the science of this technology has evolved since the facility's monitoring program began, with EPA adopting revisions to its recommended sampling techniques and analytical methods. The Subpart X regulations for Miscellaneous Units require evaluation of releases to soil, surface water, ground water, etc., and investigations at open burning sites across the country have shown the potential for releases to various environmental media. Therefore, the Facility's current soil sampling program is not adequate. Updated soil sampling techniques and methods must be established, and other media sampled. However, the facility may propose in its workplan whether and how to incorporate past sampling locations and data into the new program. Items 73-76 address comments and concerns with the adequacy of the soil sampling techniques and methods.**
ACTION	**This permit will not be revised.**

RESPONSIVENESS SUMMARY
CLEAN HARBORS COLFAX, LLC OPEN BURNING/OPEN DETONATION

HAZARDOUS WASTE PERMIT RENEWAL
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ITEM 73

REFERENCE Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal

ISSUE Permit Condition V.G.1.b.1.i, Page 70

COMMENTS Clean Harbors proposes changing the language to "Utilize the list of compounds that are currently being tested for plus those additional compounds as approved by the LaDEQ and EPA, Region 6." Clean Harbors believes the list of compounds tested under the current soil testing program to be comprehensive and representative of the wastes treated at the facility, but as discussed in a meeting with the LaDEQ and EPA Region 6 personnel, there may be additional compounds Clean Harbors is willing to add to the list.

RESPONSE **The LDEQ acknowledges your comment but does not concur. The Facility's current soil testing program is not adequate. An updated soil sampling program is needed. The requirements of Condition V.G.1.b allows the Permittee to develop a work plan to establish and implement a monitoring program to screen for hazardous constituents that have been treated at the facility in the past and to be treated in the future. The list of compounds currently being monitored is not a complete list (i.e., organic compounds such as nitrocellulose and nitroglycerine, chemicals found in pyrotechnics and airbags such as perchlorates, and chemicals found in booster or auxiliary explosives such as PETN). The work plan will assist in establishing a detailed and accurate data set for the soil sampling based on process knowledge, a complete list of compounds from the past two (2) years of treatment of explosives, propellants, pyrotechnics, etc., and future compounds of explosives, propellants, pyrotechnics, etc., to be treated in the thermal treatment unit.**

ACTION **Permit Condition V.G.1.b.i will be revised to "A complete list of hazardous constituents identified in the Waste Analysis Plan as having been historically treated in the unit (i.e., the past two**

(2) years), or expected to be treated in the unit in the future, in accordance with Condition III.C and II.E.21.a.;"

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ITEM	74
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.G.1.b.1.i.v., Page 71
COMMENTS	Clean Harbors proposes changing the language to "A schedule for monitoring, which shall begin sixty (60) days after approval of the monitoring work plan, including annual monitoring for all constituents. The schedule shall require the Permittee to submit a report of the sample results within ninety (90) days after each sample collection date;" Clean Harbors believes annual monitoring is sufficient. Current program includes annual sampling and analysis and has shown no significant contamination.
RESPONSE	**The LDEQ acknowledges your comment but does not concur. The schedule for monitoring shall require the Permittee to monitor the existing/established monitoring locations annually and the new monitoring locations, established in the work plan, to be sampled quarterly. In accordance with Condition V.G.1.c, the Permittee may request a permit modification for a reduction in the monitoring frequency of the new locations after four (4) consecutive quarterly sampling events if metals are at background levels and VOCs and explosives are non-detect. The permit condition will be revised to include a reference to Condition V.G.1.c for monitoring frequency and to include language for monitoring the new locations quarterly and the existing locations annually.**
ACTION	**Permit Condition V.G.1.b.v has been revised to "A schedule for monitoring, which shall begin sixty (60) days after approval of the monitoring work plan, including quarterly monitoring for all constituents at the new sampling locations and annually for the existing sampling locations. In accordance with Condition V.G.1.c, the Permittee may request a reduction in the monitoring frequency. The schedule shall require the Permittee to submit a report of the sample results within ninety (90) days after each sample collection date;"**

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ITEM 75

REFERENCE Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal

ISSUE Permit Condition V.G.1.d., Page 73

COMMENTS Clean Harbors proposes to utilize the sample points and list of constituents from the current annual soil sampling program. Additional compounds resulting from discussions with LaDEQ and EPA Region 6 personnel will be added.

RESPONSE **The LDEQ acknowledges your comment but does not concur. The Facility's current soil sampling program is not adequate. Updated soil sampling techniques and methods must be established. The requirements of Condition V.G.1.b allows the Permittee to develop a work plan to establish and implement a monitoring program to screen for hazardous constituents that have been treated at the facility in the past and to be treated in the future. The list of compounds currently being tested is not a complete list. Organic compounds, including nitrate esters, such as nitrocellulose and nitroglycerine and chemicals in pyrotechnics, such as perchlorates and chemicals in booster or auxiliary explosives, such as PETN were not included previously.**

The work plan will assist in establishing a detailed and accurate data set for the soil sampling based on process knowledge; a complete list of compounds from the past two (2) years of treatment of explosives, propellants, pyrotechnics, etc.; future compounds of explosives, propellants, pyrotechnics, etc. to be treated in the thermal treatment unit; and updated sampling techniques and methods (i.e., SW-846, Method 8330B).

This method is intended for the trace analysis of explosives and propellant residues by high performance liquid chromatography (HPLC) using a dual wavelength UV detector. This method provides a direct injection procedure

for high level water samples, an extraction procedure for soils and sediments as well as a low level method for the extraction of water samples. The use of solid-phase extraction, Method 3535, has been shown to provide equal or superior results and is preferred for low level aqueous samples. All of these compounds are either used in the manufacture of explosives or propellants, are impurities in their manufacture, or they are the degradation products of compounds used for that purpose. Stock solutions for calibration are available through several commercial vendors.

Method 8330B was adopted by EPA in November 2006 and replaces Method 8330. This revision added additional analytical flexibility to the procedure in the laboratory and allows for the inclusion of additional target analytes not previously specified. It also changes laboratory preparation techniques for soil samples, which increase the representativeness and reproducibility of the data by decreasing the very large variations in the data caused by the particle nature of releases of explosives. It is also the particle nature of the release which prompted the inclusion of Appendix A to this method, which specifies the field collection technique for soil samples in areas without physical evidence of contamination.

This multi-increment method of soil sample collection increases sample volume and decreases sample variability by collecting a minimum 30-part composite sample from the top two (2) inches of soil. Studies by the U.S. Army Corps of Engineers have shown that samples collected and analyzed under the previous sampling and analysis techniques under-estimated explosive concentrations in approximately 75% of samples, and that analytical results for samples collected within one (1) meter of each other had variability of up to four (4) orders of magnitude due to the random presence or absence of explosives particles in the very small (2 grams) portion of the soil sample analyzed.

The combination of multi-increment sampling, changes in soil sample preparation techniques, and laboratory analytical flexibilities, increase the accuracy and representativeness of data collected under 8330B.

In developing the workplan for this monitoring program, the permittee should evaluate the best way to incorporate past sampling locations and constituents into the new program.

ACTION The permit will not be revised.

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ITEM	76
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal .
ISSUE	Permit Condition Table 3, Page 78
COMMENTS	Clean Harbors proposes changing the language in the table for the Tier 1 Monitoring Report from "Quarterly" to "Annual". Clean Harbors believes annual monitoring is sufficient. Current program includes annual sampling and analysis and has shown no significant contamination.
RESPONSE	**The LDEQ acknowledges your comment but does not concur. Table 3 will not be revised at this time based on the monitoring frequency requirements established in Condition V.G.1.c. and in Condition V.G.1.b.v. If the monitoring frequency changes, then Table 3 will be revised at that time, per a permit modification request.**
ACTION	**The Permit will not be revised.**

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ITEM 77

REFERENCE Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal

ISSUE Permit Condition VIII., Page 85-118; VIII.B., Page 90

COMMENTS This section appears to be the first step in the Corrective Action Strategy (CAS) for SWMUs, AOCs, AOIs, etc. that have typically been identified as requiring investigation or for any newly identified units in the future. In most cases, the identified units are listed as part of this section in the permit. The language above in Section VIII.B.1 implies that a Notice of Intent must be submitted within sixty (60) days of the effective date of this permit. The only SWMUs currently identified for this subject draft permit are the ten (10) old burn units listed in Appendix I. As described on this table, a Risk-based Corrective Action Workplan has been submitted for these units and is pending review and approval by the Administrative Authority. This Workplan was developed in accordance with RECAP and should fulfill the CAS Investigation Workplan requirement of Section VIII.F. It is our opinion, that the Facility is already several work steps beyond the Notice of Intent in the CAS regulatory process. We also understand that the review of the Workplan and determination of where the Facility is in the CAS process by the Administrative Authority is pending.

However, the proposed draft permit language in Section VIII.B.1 is ambiguous and appears to be contradictory to the current status of the SWMUs listed in Appendix I. To clarify the intent, we suggest the existing language be replaced with the following:

"For any newly identified SWMIs and potential AOCs, the permittee shall submit to the Administrative Authority a Notice of Intent to conduct corrective action using the CAS within 60 days of fulfilling the notification requirements in Section VIII.L of this permit. As described under "Summary of Corrective Action Activities" in Appendix 1, no Notice of Intent is necessary for the SWMUs already identified in Condition VIII, Appendix I, Table 1 of this draft permit. The Administrative Authority is reviewing the

Risk Based Corrective Action Workplan described for each of the SWMUs identified in Condition VIII, Appendix I, Table 1 and upon completion of the review the Facility shall implement the appropriate Corrective Action Activities in accordance with applicable requirements of Condition VIII."

RESPONSE

The LDEQ acknowledges your comment. In accordance with the requirements in the CAS, the Administrative Authority has determined that Clean Harbors Baton Rouge Facility falls between the requirements of VIII.F and VIII.H. The Facility is beyond the scoping meeting. A Risk-based Corrective Action Workplan was submitted for approval. The Workplan states that further evaluation under the Screening Option or Tiered Management Option approach is required. The results of the proposed soil sampling will also be used to assess the potential for soils to impact groundwater or surface water. Based on the Administrative Authority's approval of the "Revised Site Investigation Workplan Old Burn Area," the Department will determine the current status of the facility in the CAS process (Condition VIII.F – VIII.H). The Administrative Authority will determine the remaining conditions and requirements to be fulfilled by the facility with the approval of the Workplan.

ACTION

Permit Condition VIII, Appendix 1 has been revised to "Clean Harbors Colfax, LLC currently has ongoing corrective action for the following AOCs and/or SWMUs at its Colfax Open Burning/Open Detonation (OB/OD) Facility's Old Burn Area. Clean Harbors Colfax, LLC is responsible for the remediation of the existing SWMUs. A Risk-based Corrective Action Evaluation Workplan dated December 16, 2004 and Revised August 16, 2005 has been submitted and pending approval. The Administrative Authority will determine the conditions and requirements fulfilled by the facility and the current status of the facility in the CAS process with the approval of the Risk-based Corrective Action Evaluation Workplan dated December 16, 2004 and Revised August 16, 2005. In the event any new AOCs or SWMUs are discovered, Appendix 1 will be modified in accordance with Condition VIII.M and the Permittee will submit a Notice of Intent, in accordance with VIII.B.1."

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ITEM	78
REFERENCE	Clean Harbors Colfax, LLC Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	EPA Form 8700-23, Page 3, Item 12
COMMENTS	Clean Harbors proposes adding an updated list of waste codes. The additional waste codes are: K045, K046, P009, P048, P065, P081, P005, P112, U069, U105, U108, U115. U117. U133. U160, U334
RESPONSE	**The LDEQ acknowledges your comment. The Permittee must submit a revised Part A as a Class 1 modification, in accordance with LAC 33:V.321.C, to include the additional waste codes.**
ACTION	**The Permit will not be revised.**

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ITEM	79
REFERENCE	Louisiana Department of Environmental Quality (LDEQ) Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Prohibiting the open burning of mercury waste/material
COMMENTS	The permit will prohibit the acceptance and the burning of any waste or material that contains mercury.
RESPONSE	**Permit Conditions V.A.1.c.ii, V.C.1.c.ii and V.D.1.g.ii will be revised to add the prohibition of accepting, treating and storing any mercury containing waste or material.**
ACTION	**Permit Condition V.A.1.c.ii has been revised to include "The Permittee is prohibited from accepting and/or storing any mercury containing waste or material.** **Permit Condition V.C.1.c.ii. has been revised to include "The Permittee is prohibited from accepting and/or storing any mercury containing waste or material."** **Permit Condition V.D.1.g.ii has been revised to include "The Permittee is prohibited from accepting any mercury containing waste or material for thermal treatment."**

RESPONSIVENESS SUMMARY
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ITEM	80
REFERENCE	Louisiana Department of Environmental Quality (LDEQ) Comment on the Draft Hazardous Waste Operating Permit Renewal
ISSUE	Permit Condition V.G.1.c, Page 73
COMMENTS	The classification of the permit modification request to reduce the required sampling frequency stated in this permit condition will need to be revised.
RESPONSE	**Permit Condition V.G.1.c will be revised to change the permit classification from a Class 1 permit modification to a Class 1[1], requiring prior approval by the Administrative Authority.**
ACTION	**Permit Condition V.G.1.c has been revised to state "The Permittee may request a Class 1[1] permit modification to reduce the required sampling frequency to once per year for any constituent which was not detected (or in the case of metals, which was not detected above background levels) for four (4) consecutive quarterly sampling event."...**

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ITEM 81

REFERENCE Mr. Ernie L. Vallery's comments on the Clean Harbors Colfax, LLC Draft Hazardous Waste Operating Permit Renewal

ISSUE Public hearing request and questions concerning the affects of airborne pollutants and how will activities at Clean Harbors Colfax affect area surface water mercury levels.

COMMENTS "Regarding the renewal of the Clean Harbors Colfax, LLC hazardous waste operating permit for Open Burning/Open Detonation (OB/ODP) facility I request a public hearing.

At the hearing some questions I desire being publicly addressed include the following:

- How will the resulting airborne pollutants affect veterans of Operation Desert Storm who may have latent chemical sensitivities owing to their previous wartime exposures to serin gas? A landowner and resident living o the eastern side of Grant Parish from the Clean Harbors facility I'm such a veteran. In LaSalle Parish just east of me live many other such veterans as in Rapides Parish to the plants south. In north Rapides sits also on of Louisiana's main Veterans Administration Hospitals. Surely many of its patrons also fall within this category.

- How will Clean Harbors' activities affect area surface water mercury levels? Little River comprising most of Grant Parish's eastern border already carries an advisory about eating its mercury-contaminated fish, a consequence LDEQ has previously surmised as resulting from air pollution fall out. Will Clean Harbors' open burning and detonating of hazardous materials further exacerbate this already dangerous environmental condition?"

RESPONSE The LDEQ acknowledges your comments and address them as follows:

1. The LDEQ issued a written response, dated August 10, 2007 (Electronic Database Management System (EDMS) Document ID No. 36181028) addressing the request for a public hearing.

2. The LDEQ worked with the Multi-media Planning and Permitting Division of EPA, Region 6 to develop this permit. We jointly conducted a site visit to observe the unit's operation and storage and handling procedures. We reviewed all past data from these operations and have consulted with national workgroups on 40 CFR 264, Subpart X permitting. Based upon modeling of this facility's emissions, we do not expect any air contaminants to leave the property boundary above levels that are protective of human health and the environment. To confirm this conclusion, the permit requires the facility to significantly expand its existing environmental monitoring program to determine if past or future operations have caused, or will cause, any impacts to the environment. If contaminants are discovered, the facility will have to develop a site-specific risk assessment to evaluate the risks associated with the contamination. The risk assessment must show that contaminant concentrations are within levels that are protective of human health and the environment. Otherwise, changes at the facility will have to be made to ensure that the permit is protective of human health and the environment. No chemical warfare agents are permitted to be treated at this site. Any specific health concerns should be discussed with your personal physician.

3. In general, older primers, fuses & detonators, and old (pre-WW II) ammo, may have mercury. However, mercury fulminate is no longer used in explosives. Therefore, there should be no issues with mercury emissions. Also, since the facility has stated that they do not accept mercury-containing wastes, a prohibition on treating mercury-containing wastes has been placed in the permit. In order to remove any doubt as to whether mercury-containing waste has been treated in the past or may be treated in the future, the facility waste analysis plan will be required to be updated to list EPA SW-846 method 6010 for metals as an analytical method for analysis of mercury.

ACTION	**Permit Condition V.A.1.c.ii. has been revised to include "The Permittee is prohibited from accepting and/or storing any mercury containing waste or material."** **Permit Condition V.C.1.c.ii. has been revised to include "The Permittee is prohibited from accepting and/or storing any mercury containing waste or material."** **Permit Condition V.D.1.g.ii has been revised to include "The Permittee is prohibited from accepting any mercury containing waste or material for thermal treatment."**

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ITEM 82

REFERENCE Mr. Ernie L. Vallery's comments on the Clean Harbors Colfax, LLC Draft Hazardous Waste Operating Permit Renewal

ISSUE Questions concerning how have the activities at the Clean Harbors Colfax Facility affected lupus rates and how has the activities contributed to Louisiana's high infant mortality rate and cancer rates in the area.

COMMENTS **"How have this plant's hazardous material incinerations contributed to the cancer rates in this area?"**

"How have its activities affected lupus rates? (Incidents of this disease seem exceedingly high here.)

"How have this plant's activities contributed to Louisiana's high infant mortality rate?"

"Clean Harbors should install scrubbing apparatuses on its stacks to remove all toxins. The morale obligation to protect neighbors from its plant's activities reasonably rests with the company. Its resulting financial burden is merely a reasonably expected cost of doing such business."

RESPONSE The LDEQ acknowledges your comments and address them as follows:

1. Clean Harbors Colfax does not incinerate hazardous materials. The Facility thermally treats explosive and reactive waste via open burning in steel burn pans. The materials/waste treated includes, but is not limited to, fireworks, igniters, detonators, ammunition, etc. The Facility operates the burns units under controlled conditions.

2. The LDEQ has contacted the Louisiana Department of Health and Hospitals (DHH) to assist in responding to your comments. Ms. Kathleen Aubin with DHH was provided

with a copy of your comments. If you have any questions please contact Ms. Aubin at 504-219-4570.

3. Clean Harbors Colfax does not operate incinerators or incinerate hazardous materials. There are no stacks at the facility; therefore the need for scrubbing apparatuses is not applicable.

ACTION **The permit will not be revised.**